

1 HOUSE BILL NO. 505
2 INTRODUCED BY W. GALT

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE ISSUANCE OF ELK
5 HUNTING LICENSES USED ON PRIVATE LAND; ESTABLISHING A LANDOWNER-SPONSORED
6 NONRESIDENT ELK-ONLY COMBINATION LICENSE; PROVIDING AN ANTLERLESS ELK-ONLY OPTION
7 TO ALL HUNTERS WITH ADDITIONAL BONUS POINTS FOR THOSE WHO EXERCISE IT; AUTHORIZING A
8 DISCOUNTED PRICE FOR CERTAIN ANTLERLESS ELK B TAG LICENSES; AMENDING SECTION
9 SECTIONS 87-1-325, 87-2-104, AND 87-2-117, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12
13 NEW SECTION. **Section 1. Class B-13--landowner-sponsored nonresident elk-only**

14 **combination license.** (1) The department shall offer for sale, for the same fee established in 87-2-511(6),
15 Class B-13 landowner-sponsored nonresident elk-only combination licenses to persons otherwise qualified to
16 purchase a license pursuant to this part and who are sponsored by a qualifying landowner to hunt solely on that
17 landowner's deeded land or property in accordance with rules adopted by the commission ~~for a general elk~~
18 ~~license~~ in the applicable hunting district.

19 (2) A landowner may sponsor up to ~~10~~ five license applicants pursuant to this section, ~~if the~~
20 ~~landowner owns~~ calculated at one applicant per 640 ~~or more~~ contiguous acres owned by the landowner within a
21 hunting district where the sustainable population number for elk, as calculated pursuant to 87-1-323, is at
22 objective as determined by the department's most recent elk survey count. If the most recent elk survey count is
23 above or below the sustainable population number, a landowner does not qualify. To be eligible, a landowner
24 may not accept monetary consideration from the license applicant for the sponsorship or for providing any
25 services or assistance to the applicant except as provided in Title 37, chapter 47, and this title.

26 (3) Licenses issued pursuant to this section are in addition to nonresident elk-only combination
27 licenses available for sale pursuant to 87-2-511(6).

28 (4) A person who obtains a license pursuant to this section may not, in the same license year, obtain

1 a nonresident elk-only combination license pursuant to 87-2-511(6) or a Class B-10 nonresident big game
2 combination license.

3
4 NEW SECTION. Section 2. Antlerless elk-only option -- bonus points. (1) A person who obtains a
5 Class A-5 elk tag or an equivalent nonresident elk tag may, at the time of issuance, indicate the person will only
6 use the tag to hunt antlerless elk between August 15 and February 15 on private land in hunting districts where
7 the elk population is above the sustainable population number established pursuant to 87-1-323 as determined
8 by the department's most recent elk survey count.

9 (2) A person who exercises the option in subsection (1):

10 (a) may not apply for an elk permit by drawing ~~within in~~ the same license year;

11 (b) may not obtain a Class B-13 landowner-sponsored nonresident elk-only combination license
12 pursuant to [section 1] in the same license year; and

13 ~~(b)(c)~~ may buy a single bonus point in the same license year pursuant to 87-2-117(2)(b) due to
14 nonparticipation in a drawing and receive an additional ~~five~~ elk species bonus ~~points-point~~ for a total of six elk
15 species bonus points each license year the person exercises the option in subsection (1). If the person later
16 verifies as prescribed by the department that the person hunted on private property pursuant to subsection (1)
17 the person must receive a third elk species bonus point for the license year.

18
19 **Section 3.** Section 87-1-325, MCA, is amended to read:

20 **"87-1-325. Rulemaking -- discounted antlerless elk B tag licenses.** (1) The department and the
21 commission shall adjust existing wildlife management rules and plans to implement 87-1-321 through 87-1-325.

22 (2) The department and the commission may adopt rules for determining sustainability. The
23 commission shall consider average carrying capacity and use generally accepted animal unit factors for each
24 species in each commission region.

25 (3) Any rules adopted by the department pursuant to subsection (2) must be adopted in a timely
26 manner.

27 (4) The commission may offer for sale at one-half of the cost of a regularly priced license Class A-9
28 resident antlerless elk B tag licenses and Class B-12 nonresident antlerless elk B tag licenses to be used as

1 prescribed by the commission on private lands in hunting districts where the elk population is above the
 2 sustainable population number established pursuant to 87-1-323 as determined by the department's most
 3 recent elk survey count."

4
5 **Section 4.** Section 87-2-104, MCA, is amended to read:

6 **"87-2-104. Number of licenses, permits, or tags allowed -- fees.** (1) The department may prescribe
 7 rules and regulations for the issuance or sale of a replacement license, permit, or tag if the original license,
 8 permit, or tag is lost, stolen, or destroyed upon payment of a fee not to exceed \$5.

9 (2) When authorized by the commission for game management purposes, the department may:

10 (a) issue more than one Class A-3 resident deer A, Class A-4 resident deer B, Class B-7 nonresident
 11 deer A, Class B-8 nonresident deer B, Class E-1 resident wolf, Class E-2 nonresident wolf, or special antelope
 12 license to an applicant;

13 (b) issue a special antlerless moose license, a special cow or calf bison license, or one or more
 14 special adult ewe mountain sheep licenses to an applicant; and

15 (c) issue one or more Class A-9 resident antlerless elk B tag licenses or Class B-12 nonresident
 16 antlerless elk B tag licenses to an applicant. Unless otherwise reduced pursuant to 87-1-325 or subsection (4)
 17 of this section, the fee for a Class B-12 license is \$270.

18 (3) For all of the game management licenses issued under subsection (2), the commission shall
 19 determine the hunting districts or portions of hunting districts for which the licenses are to be issued, the
 20 number of licenses to be issued, and all terms and conditions for the use of the licenses.

21 (4) The fee for a resident or nonresident license of any class issued under subsection (2) may be
 22 reduced annually by the department."

23
24 **Section 5.** Section 87-2-117, MCA, is amended to read:

25 **"87-2-117. License bonus point system.** (1) The commission shall establish a bonus point system
 26 that gives an applicant who has purchased more bonus points more chances in a drawing to receive a license,
 27 tag, or permit over an applicant who has purchased fewer bonus points.

28 (2) A Subject to the provisions of [section 2], a person may purchase only one bonus point per

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1 species per license year and may:

2 (a) purchase a bonus point when applying for a license, tag, or permit by paying the fee established in
3 87-2-113(2) per species; or

4 (b) purchase a bonus point without applying for a license, tag, or permit by paying the fee established
5 in subsection (5). An applicant not applying for a license, tag, or permit may purchase a bonus point only
6 between July 1 and September 30 in the current license year.

7 (3) The department may only apply any accumulated bonus points to a person's chance to obtain a
8 license, tag, or permit if the person purchases a bonus point when applying for the license, tag, or permit.

9 (4) Bonus points may only be applied to first choice drawings.

10 (5) (a) A resident who does not apply for a license, tag, or permit may purchase a bonus point for \$15
11 for each species for which a bonus point is made available by the commission.

12 (b) A nonresident who does not apply for a license, tag, or permit may purchase a bonus point for \$25
13 for each species for which a bonus point is made available by the commission, except that the fee is \$75 for
14 moose, mountain goat, mountain sheep, and wild buffalo or bison.

15 (6) The department may not delete a person's accumulated bonus points unless the person obtains
16 the license, tag, or permit associated with the bonus points, in which case the department shall delete the
17 person's accumulated bonus points.

18 (7) (a) Except as provided in subsection (7)(b), the department shall square the number of points
19 purchased by a person per species when conducting drawings for licenses, tags, and permits.

20 (b) For persons applying for licenses, tags, or permits as a party, the department shall calculate the
21 average number of bonus points accumulated by the individuals listed on the party application, rounded to the
22 nearest whole number, and square the average. Each individual retains their own bonus points unless the party
23 obtains the licenses, tags, or permits associated with the bonus points, in which case the department shall
24 delete each person's accumulated bonus points."

25
26 **NEW SECTION. Section 6. Codification instruction.** [Sections 1 and 2] are intended to be codified
27 as an integral part of Title 87, chapter 2, part 5, and the provisions of Title 87, chapter 2, part 5, apply to
28 [sections 1 and 2].

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2 NEW SECTION. **Section 7. Effective date.** [This act] is effective March 1, 2022.

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