

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA HUNTERS' AND ANGLERS'  
5 COMMUNITY FUND AND GRANT PROGRAM; PROVIDING LEGISLATIVE FINDINGS; ESTABLISHING A  
6 DONATION MECHANISM, A GRANT REVIEW BOARD, AND A STATE SPECIAL REVENUE ACCOUNT;  
7 AUTHORIZING A STATUTORY APPROPRIATION OF THE REVENUE IN THE ACCOUNT; PROVIDING  
8 RULEMAKING AUTHORITY; AMENDING SECTION 17-7-502, MCA; AND PROVIDING A DELAYED  
9 EFFECTIVE DATE."

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

12  
13 NEW SECTION. **Section 1. Montana hunters' and anglers' community fund -- findings -- grants**

14 **-- board -- rulemaking.** (1) The legislature finds that resident and nonresident hunters and anglers depend on  
15 rural Montana for hunting and fishing opportunities, an array of community services, and the goodwill of private  
16 landowners and small communities. In recognition that hunters and anglers want to strengthen and support  
17 these rural communities, there is established the Montana hunters' and anglers' community fund to which  
18 persons may donate \$10 or more above the price of a wildlife conservation license purchased pursuant to 87-2-  
19 202 or the price of a combination license that includes a conservation license. The department shall provide a  
20 sticker of recognition to a person who donates that indicates the year in which the donation was made.

21 (2) The Montana hunters' and anglers' community fund is administered by the department, pursuant  
22 to this section, as a grant program. The department shall provide educational materials about the fund on its  
23 website and through other avenues, as appropriate, and may solicit contributions from any source, including but  
24 not limited to individuals, partnerships, corporations, associations, and public organizations of any character.

25 (3) Entities eligible to apply for a grant pursuant to this section must be from a community with a  
26 population of less than 7,500 persons according to the most recent census estimate and be a local or tribal  
27 government, school district, student club, or school group, or a community, nongovernmental, or nonprofit  
28 organization seeking financing for an activity including but not limited to:

- 1 (a) a community or school improvement project;
- 2 (b) a community service project;
- 3 (c) a community service, including but not limited to a food bank or nutrition program; or
- 4 (d) a student activity, including but not limited to sports or arts programs.

5 (4) Grants from the money deposited each license year in the Montana hunters' and anglers'  
6 community fund account established in [section 2] may be awarded in two ways:

- 7 (a) large grants of up to \$20,000; and
- 8 (b) small grants of up to \$2,000.

9 (5) (a) When awarding grants, the department shall consider the recommendations of the Montana  
10 hunters' and anglers' community fund board, which consists of seven members of the general public who,  
11 subject to the provisions of subsection (5)(b), are appointed as follows:

- 12 (i) one member appointed by the speaker of the house;
- 13 (ii) one member appointed by the house minority leader;
- 14 (iii) one member appointed by the president of the senate;
- 15 (iv) one member appointed by the senate minority leader; and
- 16 (v) three members appointed by the governor.

17 (b) To be eligible to be appointed to the board, a person must be a hunter, angler, local government  
18 official, landowner, tribal member, or community advocate. The officials making the appointments shall  
19 coordinate with one another to ensure they appoint members from a variety of backgrounds and geographic  
20 areas.

21 (c) The director of the department or the director's designee shall serve as a nonvoting ex officio  
22 member of the board.

23 (6) The department may adopt rules to implement this section.

24  
25 **NEW SECTION. Section 2. Montana hunters' and anglers' community fund account.** (1) There is  
26 a Montana hunters' and anglers' community fund account in the state special revenue fund established by 17-2-  
27 102. The account is statutorily appropriated, as provided in 17-7-502. Funds in the account must be used by the  
28 department for the purposes of [section 1].

1 (2) Money transferred from any lawful source, including but not limited to donations collected pursuant  
2 to [section 1], and gifts, grants, securities, or other assets, public or private, may be deposited in the account.

3 (3) At the end of each fiscal year, unreserved funds in the account, including any interest and  
4 earnings, must remain in the account.

5

6 **Section 3.** Section 17-7-502, MCA, is amended to read:

7 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory  
8 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without  
9 the need for a biennial legislative appropriation or budget amendment.

10 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with  
11 both of the following provisions:

12 (a) The law containing the statutory authority must be listed in subsection (3).

13 (b) The law or portion of the law making a statutory appropriation must specifically state that a  
14 statutory appropriation is made as provided in this section.

15 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-  
16 407; 5-13-403; 5-13-404; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310;  
17 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 15-1-121; 15-1-218; 15-31-1004; 15-31-1005; 15-35-108;  
18 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-  
19 106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410;  
20 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-  
21 107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-  
22 105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-  
23 503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-  
24 108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-  
25 214; 75-11-313; 75-26-308; 76-13-151; 76-13-150; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-  
26 416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-  
27 1504; 85-20-1505; [85-25-102]; 87-1-603; [section 2], 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

28 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,

1 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued  
 2 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of  
 3 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined  
 4 by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have  
 5 statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the  
 6 inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement  
 7 system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410  
 8 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental  
 9 benefit provided by 19-6-709; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion  
 10 of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115  
 11 terminates June 30, 2021; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on  
 12 occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117  
 13 terminates June 30, 2025; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates  
 14 December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023;  
 15 pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to  
 16 sec. 55, Ch. 151, L. 2017, the inclusion of 30-10-1004 terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L.  
 17 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the  
 18 inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017,  
 19 the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-  
 20 103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the inclusion of 37-50-209 terminates  
 21 September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029;  
 22 pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027;  
 23 pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; and pursuant to sec. 5,  
 24 Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023.)"

25  
 26 **NEW SECTION. Section 4. Codification instruction.** [Sections 1 and 2] are intended to be codified  
 27 as an integral part of Title 87, chapter 1, part 6, and the provisions of Title 87, chapter 1, part 6, apply to  
 28 [sections 1 and 2].

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2           NEW SECTION. **Section 5. Effective date.** [This act] is effective March 1, 2022.

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