

1 HOUSE BILL NO. 383
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 6 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA HUNTERS AND ANGLERS
 7 COMMUNITY FUND AND GRANT PROGRAM; PROVIDING LEGISLATIVE FINDINGS; ESTABLISHING A
 8 DONATION MECHANISM, A GRANT REVIEW BOARD, AND A STATE SPECIAL REVENUE ACCOUNT;
 9 AUTHORIZING A STATUTORY APPROPRIATION OF THE REVENUE IN THE ACCOUNT; PROVIDING
 10 RULEMAKING AUTHORITY; AMENDING SECTION 17-7-502, MCA; AND PROVIDING A DELAYED
 11 EFFECTIVE DATE."

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 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
 15 **NEW SECTION. Section 1. Montana hunters and anglers community fund -- findings -- grants --**
 16 **board -- rulemaking.** (1) The legislature finds that resident and nonresident hunters and anglers depend on
 17 rural Montana for hunting and fishing opportunities, an array of community services, and the goodwill of private
 18 landowners and small communities. In recognition that hunters and anglers want to strengthen and support
 19 these rural communities, there is established the Montana hunters and anglers community fund, to which
 20 persons may donate \$1 or more above the price of a wildlife conservation license purchased pursuant to 87-2-
 21 202 or the price of a combination license that includes a conservation license.

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

26 (3) (a) Entities eligible to apply for a grant pursuant to this section must be from a community with
 27 a population of fewer than 7,500 persons according to the most recent census estimate and be a local or tribal
 28 government, school district, student club, or school group, or a community, nongovernmental, religious, or

1 nonprofit organization seeking financing for an activity, including but not limited to:

2 (i) a community or school improvement project;

3 (ii) a community service project;

4 (iii) a community service program, including but not limited to a food bank or nutrition program; and

5 (iv) a student activity, including but not limited to sports or arts programs.

6 (b) Grant funds may not be used for costs related to marketing, advertising, advocacy, or political
7 activities.

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

10 (a) large grants of up to \$20,000 that may be expended over multiple years; or

11 (b) small grants of up to \$2,000.

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

15 (i) one member appointed by the speaker of the house;

16 (ii) one member appointed by the house minority leader;

17 (iii) one member appointed by the president of the senate;

18 (iv) one member appointed by the senate minority leader; and

19 (v) three members appointed by the governor.

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

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

26 (6) In consultation with the board, the department:

27 (a) may adopt rules to implement this section; and

28 (b) shall develop a plan to promote and solicit contributions to the Montana hunters and anglers

1 community fund.

2

3 **NEW SECTION. Section 2. Montana hunters and anglers community fund account.** (1) There is
4 a Montana hunters and anglers community fund account in the state special revenue fund established by 17-2-
5 102. The account is statutorily appropriated, as provided in 17-7-502. Money in the account must be used by
6 the department as provided in [section 1].

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

10 (3) Each year, the department may use up to 10% of the money in the account for administrative
11 costs.

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

14

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

16 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
17 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without
18 the need for a biennial legislative appropriation or budget amendment.

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

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

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

24 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-
25 11-407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-
26 807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121; 15-1-218;
27 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-
28 70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-