

SENATE BILL NO. 344

Introduced: 02/03/83

Referred to Committee on Fish & Game: 02/03/83

Hearing: 2/15/83

Report: 02/19/83, Do Not Pass. Report Adopted.

Bill Killed.

1 *Senate* BILL NO. 344
2 INTRODUCED BY *Lynne Harrell* *J. Jacobson*
3 BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
4 *Hagler*

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR SEPARATE
6 LICENSES AND FEES FOR HUNTING MIGRATORY AND UPLAND GAME
7 BIRDS AND PROVIDING FOR THE MARKETING OF GAME BIRD LICENSE
8 ARTWORK TO PROVIDE FUNDS FOR THE IMPROVEMENT AND
9 PRESERVATION OF GAME BIRD HABITAT; AMENDING SECTIONS
10 18-4-202, 18-4-203, 87-2-401, AND 87-2-402, MCA."

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

13 Section 1. Section 18-4-202, MCA, is amended to read:

14 "18-4-202. Contracts over two thousand dollars. On
15 ~~Except as provided in [section 5],~~ for any purchase, lease,
16 or rental agreement when the estimated aggregate expenditure
17 per fiscal year is \$2,000 or over, sealed bids shall be
18 solicited by mail from each person, firm, or corporation who
19 has filed with the department a request in writing that it
20 be listed for solicitation on bids for such particular items
21 set forth in such listing. However, if a person, firm, or
22 corporation whose name is listed fails to respond to any
23 solicitation for bids after the receipt of two such
24 solicitations, such listing shall, within the discretion of
25 the department, be canceled. It is within the discretion of

1 the department to advertise for such purchases, leases, or
2 rentals. If bids are solicited through advertising, the
3 advertisement shall be made in at least three newspapers
4 (one of which must be a daily) of general circulation
5 printed within the state, once each week for 2 consecutive
6 weeks, and the advertisement shall state that sealed
7 proposals will be received by the department, up to a time
8 to be mentioned therein, for furnishing supplies for the
9 state offices, agencies, or institutions. The notice shall
10 also state that detailed statements of supplies to be
11 furnished are on file at the office of the department and
12 subject to inspection and that at a certain time to be
13 therein mentioned the proposals will be opened and contracts
14 awarded to the lowest responsible bidder."

15 Section 2. Section 18-4-203, MCA, is amended to read:

16 "18-4-203. Contracts under two thousand dollars. On
17 purchases, leases, or rental agreements where the estimated
18 expenditure is less than \$2,000, bids shall be secured
19 without advertising, but the department shall, ~~except as~~
20 ~~provided in [section 5],~~ solicit bids for the supplies by
21 notice sent by mail to prospective suppliers whose names are
22 listed as provided above, which notice shall contain the
23 same information as is herein required to be set forth in
24 advertisements."

25 Section 3. Section 87-2-401, MCA, is amended to read:

"87-2-401. ~~Class--A-1--resident~~ Resident game bird license licenses. (1) Except as otherwise provided, a resident, as defined by 87-2-102, who is ~~12~~ 15 years of age or older may, upon payment of a fee of \$4, receive a Class A-1 upland game bird license which ~~will~~ entitle that entitles the holder to pursue, hunt, shoot, and kill upland game birds and possess the carcasses of upland game birds as authorized by department rules.

~~(2) Except as otherwise provided in this chapter, a resident who is 15 years of age or older may, upon payment of a fee of \$2, receive a Class A-7 migratory game bird license that entitles the holder to pursue, hunt, shoot, and kill migratory game birds and to possess the carcasses of migratory game birds as authorized by department rules."~~

Section 4. Section 87-2-402, MCA, is amended to read:

"87-2-402. ~~Class--B-1--nonresident~~ Nonresident game bird license licenses. (1) Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of ~~\$30~~ \$20 may receive a Class B-1 upland game bird license which ~~shall~~ entitle that entitles the holder thereof to pursue, hunt, shoot, and kill upland game birds and possess the carcasses of upland game birds as authorized by department rules.

~~(2) Except as otherwise provided in this chapter, a~~

~~person not a resident but who is 12 years of age or older may, upon payment of a fee of \$20, receive a nonresident Class B-2 migratory game bird license that entitles the holder to pursue, hunt, shoot, and kill migratory game birds and possess the carcasses of migratory game birds as authorized by department rules."~~

NEW SECTION. Section 5. Procurement and sale of artwork. (1) The department may obtain artwork for the design of any game bird license that is to be issued in stamp form. The department may sell copies of artwork obtained for use on stamps. The procurement and sale of such artwork is exempt from Title 18, chapter 4, part 2, as to the solicitation of bids.

(2) The proceeds from the sale of artwork used on a game bird license must be deposited in a special account in the earmarked revenue fund and must be used for habitat improvement and preservation for the type of game bird for which the license was issued.

NEW SECTION. Section 6. Codification instruction. Section 5 is intended to be codified as an integral part of Title 87.

-End-

STATE OF MONTANA

REQUEST NO. 316-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 4, 19 83, there is hereby submitted a Fiscal Note for Senate Bill 344 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 344 splits the existing bird license into a upland game bird license and a migratory waterfowl license. It would also provide for an art contest and selling of artwork.

ASSUMPTIONS:

- 1) Limited edition signed and numbered art prints would sell for \$130.00 each.
- 2) 10,000 prints would be sold as first editions (FY85) and 7,500 on subsequent years.
- 3) The department would profit \$40.00 per print sold after deducting cost for the retailer, wholesaler, artist and administration costs.
- 4) Migratory waterfowl licenses will be \$2.00 for residents and \$20.00 for non-residents. Upland game bird licenses will be \$4.00 for residents and \$20.00 for nonresidents.
- 5) Bird license sales will begin to return to normal during FY85 due to the elimination of the endrin contamination.

FISCAL IMPACT:

Total revenue from bird licenses purchased by hunters:

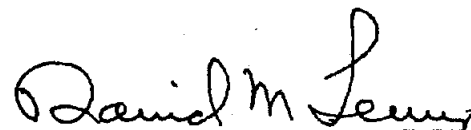
Under Current Law	\$257.400
Under Proposed Law	<u>317,400</u>
Increase	<u>\$ 60,000</u>

Artwork:

Under Current Law	\$ -0-
Under Proposed Law	<u>400,000</u>
Increase	<u>\$400,000</u>

TOTAL REVENUE:	<u>\$460,000</u>
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FISCAL NOTE 11:X/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-9-83