

HOUSE BILL NO. 820

INTRODUCED BY RAPP-SVRCEK, GRADY, HART, VINCENT,  
HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN

IN THE HOUSE

February 14, 1985	Introduced and referred to Committee on Fish and Game.  Fiscal Note requested.
February 20, 1985	Fiscal Note returned
February 22, 1985	Committee recommend bill do pass as amended. Report adopted.  Statement of Intent attached.
February 23, 1985	Bill printed and placed on members' desks.
February 25, 1985	Second reading, do pass as amended.  Correctly engrossed.
February 26, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

March 4, 1985	Introduced and referred to Committee on Fish and Game.
March 15, 1985	Committee recommend bill be concurrred in as amended. Report adopted.  Statement of Intent stricken.
March 21, 1985	Second reading, concurrred in.

March 23, 1985

Third reading, concurred in.  
Ayes, 35; Noes, 14.

Returned to House with  
amendments and stricken  
Statement of Intent.

IN THE HOUSE

March 25, 1985

Received from Senate.

April 8, 1985

Second reading, amendments  
concurred in.

On motion, rules suspended and  
bill placed on third reading  
this day.

Third reading, amendments  
concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 820  
 2 INTRODUCED BY Rep. Steve Grady, M. Hart Vincent  
 3 Hannah Paul, Luther Krueger  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A Stamp  
 5 STAMP TO HUNT WATERFOWL; AND REQUIRING THAT MONEY GENERATED  
 6 BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR  
 7 PRESERVATION AND DEVELOPMENT OF WETLANDS."

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

9 Section 1. Stamp required to hunt waterfowl. (1) It is  
10 unlawful for any person 16 years of age or older to pursue,  
11 hunt, shoot, or kill waterfowl without first having obtained  
12 a valid waterfowl stamp from the department. The fee for  
13 such stamp is \$5.

14 (2) For the purpose of this section, the term  
15 "waterfowl" means wild ducks, wild geese, brant, and swans.

16 Section 2. Procurement and sale of artwork --  
17 disposition of proceeds. (1) The department shall contract  
18 with an art publisher for the selection, by contest or other  
19 method, of a design for the annual waterfowl stamp required  
20 by [section 1] and shall arrange for the production and sale  
21 of the stamp and related artwork. The contract must provide  
22 for a preference for designs submitted by Montana artists in  
23 the event that artwork of equal or comparable value is  
24 submitted by resident and nonresident artists. The  
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1 procurement and sale of the stamps and artwork are exempt  
2 from the provisions of Title 18, chapter 4, part 3.

3 (2) Money received from the sale of stamps and related  
4 artwork must be deposited in the state special revenue fund  
5 for the use of the department and may be expended only for  
6 the protection, conservation, and development of wetlands in  
7 Montana.

8 Section 3. Codification instruction. Sections 1 and 2  
9 are intended to be codified as an integral part of Title 87.

10 Section 4. Extension of authority. Any existing  
11 authority of the department of fish, wildlife, and parks to  
12 make rules on the subject of the provisions of this act is  
13 extended to the provisions of this act.

-End-



STATE OF MONTANA  
FISCAL NOTE

REQUEST NO. FNN 438-85

Form BD-15

In compliance with a written request received February 14, 19 85, there is hereby submitted a Fiscal Note for House Bill 820 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). 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:

Require purchase of a stamp to hunt waterfowl and the money generated by the sale of these stamps and the related artwork will be used for preservation and development of wetlands.

ASSUMPTIONS:

1. Waterfowl hunters will be required to purchase the stamps beginning March 1, 1986.
2. 10,000 first edition prints will be sold during the first license year (March 1, 1986 to February 28, 1987) and 6,000 in subsequent license years.
3. Department share of each print sold will be \$35.00.
4. 9,000 collector stamps will be sold during the first license year and 5,000 in subsequent license years.
5. Approximately 25,000 sportsmen will purchase a duck stamp as a license in FY 87 at a cost of \$5.00 each.
6. Contractor will provide artist, artwork, advertising, and printed stamps at no cost to the Department of Fish, Wildlife and Parks.
7. Contractor selection is based on a guarantee of the greatest revenue.

FISCAL IMPACT:

	<u>FY86</u>	<u>FY87</u>
Increase in Special Revenue Fund	\$197,500	\$440,000

AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

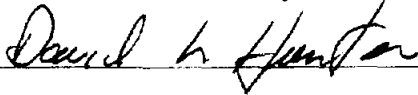
None

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The earmarked revenue will increase the Department's ability to protect and enhance wetlands for waterfowl. We anticipate receiving \$360,000 each year, beginning in FY1988, from stamp and artwork sales.

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

Effective date for this legislation should be March 1, 1986, the beginning of the new license year.

  
BUDGET DIRECTOR  
Office of Budget and Program Planning

Date: Feb 20, 1985

APPROVED BY COMM.  
ON FISH AND GAME

1 STATEMENT OF INTENT

2 HOUSE BILL 820

3 House Fish and Game Committee

4

5 It is the intent of this legislation that an advisory  
6 committee will be formed by the department of fish,  
7 wildlife, and parks to represent, or that the department  
8 will consult with, interest groups such as:

9 (1) the sportsmen of Montana, represented by a member  
10 of the Montana wildlife federation;

11 (2) the nonconsumptive users of wildlife, represented  
12 by a member of the Montana Audubon council; and

13 (3) the agricultural industry, represented by a member  
14 of that community.

15 It will be the role of the advisory committee to review  
16 project proposals developed by the department of fish,  
17 wildlife, and parks which involve the use of funds generated  
18 as a result of this bill.

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BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR  
PRESERVATION AND DEVELOPMENT OF WETLANDS; AND PROVIDING  
EFFECTIVE DATES."

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

Section 1. Stamp required to hunt waterfowl. (1) It is  
unlawful for any person 16 years of age or older to pursue,  
hunt, shoot, or kill waterfowl without first having obtained  
a valid waterfowl stamp from the department. The fee for  
such stamp is \$5.

(2) For the purpose of this section, the term  
"waterfowl" means wild ducks, wild geese, brant, and swans.

Section 2. Procurement and sale of artwork --  
disposition of proceeds. (1) The department shall contract  
with an art publisher for the selection, by contest or other  
method, of a design for the annual waterfowl stamp required  
by [section 1] and ~~shall arrange~~ for the production and sale  
of the stamp and related artwork. The contract must provide  
~~for a preference for~~ THAT ONLY designs submitted by Montana

~~artists in-the-event-that-artwork--of--equal--or--comparable  
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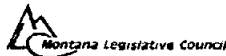
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Montana.

Section 3. Codification instruction. Sections 1 and 2  
are intended to be codified as an integral part of Title 87.

Section 4. Extension of authority. Any existing  
authority of the department of fish, wildlife, and parks to  
make rules on the subject of the provisions of this act is  
extended to the provisions of this act.

SECTION 5. EFFECTIVE DATES. SECTION 1 IS EFFECTIVE  
MARCH 1, 1986. SECTIONS 2 THROUGH 5 ARE EFFECTIVE ON  
PASSAGE AND APPROVAL.

-End-



STANDING COMMITTEE REPORT Page 1 of 2

SENATE

March 14, 1985

MR. PRESIDENT

We, your committee on FISH AND GAME

having had under consideration HOUSE BILL No. 820

third reading copy (blue color)

YELLOWTAIL WILL CARRY

REQUIRES STAMP TO HUNT WATERFOWL

Respectfully report as follows: That HOUSE BILL No. 820

be amended as follows:

1. Title, line 8. Following: "WETLANDS;" Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2, line 14. Following: line 13 Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana. (2) Members must be appointed to the advisory council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."

Renumber: subsequent sections

3. Page 2, line 14. Following: "Sections 1" Strike: "and 2" Insert: "through 3"

(Continued)

DEPOSE

XXXXXXXXXX

Max Conover Chairman

HB 820

Page 2 of 2

March 14, 1985

4. Page 2, line 21. Following: "THROUGH" Strike: "5" Insert: "6"

5. Statement of Intent Strike: statement of intent in its entirety

AND AS AMENDED BE CONCURRED IN

Max Conover MAX CONOVER, Chairman

1 STATEMENT OF INTENT

2 HOUSE BILL 820

3 House Fish and Game Committee

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10 of the Montana wildlife federation;

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12 by a member of the Montana Audubon council; and

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STAMPS EXCLUSIVELY BY THE DEPARTMENT OR ITS LICENSE AGENTS,  
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HOUSE BILL 820

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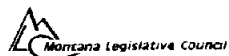
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SECTION 3. APPOINTMENT OF ADVISORY COUNCIL. (1) THE  
DIRECTOR SHALL APPOINT AN ADVISORY COUNCIL PURSUANT TO  
2-15-122 TO REVIEW PROPOSALS DEVELOPED BY THE DEPARTMENT  
WHICH INVOLVE THE USE OF MONEY RECEIVED BY THE DEPARTMENT  
UNDER [SECTION 2] FOR THE PROTECTION, CONSERVATION, AND  
DEVELOPMENT OF WETLANDS IN MONTANA.

(2) MEMBERS MUST BE APPOINTED TO THE ADVISORY COUNCIL  
WHO REPRESENT MONTANA SPORTSMEN, NONCONSUMPTIVE USERS OF  
WILDLIFE, AND THE AGRICULTURAL INDUSTRY.



1 Section 4. Codification instruction. Sections 1 and--2  
2 THROUGH 3 are intended to be codified as an integral part of  
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