

HOUSE BILL 403

Introduced by Ellison, et al.

1/24	Introduced
1/25	Referred to Fish & Game
1/26	Fiscal Note Requested
2/01	Fiscal Note Received
2/03	Fiscal Note Printed
2/07	Hearing
2/10	Committee Report--Bill Passed as Amended
2/13	2nd Reading Passed
2/13	Taken From Engrossing
2/13	Rereferred to Appropriations
3/03	Hearing
3/13	Tabled in Committee

House BILL NO. 403

INTRODUCED BY *Edmund Elmer* *Early* *Hoffman*

Paul Roth *Ric* *Joseph* *Robert* *Y. Vincent*
 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO
 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR GRANTS FOR
 THE ESTABLISHMENT AND IMPROVEMENT OF SHOOTING RANGES;
 ESTABLISHING SHOOTING RANGE DEVELOPMENT GRANTS AND CRITERIA
 FOR THE GRANTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Purpose. The purpose of [this
 act] is to create a mechanism to provide funding under the
 commission and through the department to local shooting
 clubs and organizations for the establishment and
 improvement of a system of shooting ranges throughout
 Montana.

NEW SECTION. Section 2. Shooting range development
 grants. Any private shooting club, organization, local
 government, or school district seeking a grant for a
 shooting range development project must submit a grant
 proposal to the department by January 1 or July 1 of any
 year.

NEW SECTION. Section 3. Grant criteria. (1) An
 applicant for a grant pursuant to [section 2] shall provide
 matching funds in either cash or in-kind contributions. The

match must represent \$1 in value for each \$1 of the grant.
 In-kind contributions include but are not limited to labor,
 materials, and new property. Existing assets and existing
 range development may not apply to the match.

(2) An applicant that is not a school district or a
 unit of local government must be a nonprofit corporation
 according to Title 35, chapter 2, with an organizational
 structure, officers, directors, and a registered agent.

(3) A grant must be used for earthwork or fixed
 improvements to existing shooting ranges or ranges being
 established. A grant may not be used for any expendable
 shooting range supplies.

(4) A private shooting club or private organization
 that receives a grant must accept in its membership any
 person who holds or is eligible to hold a Montana hunting
 license and who pays club or organization membership fees.
 The club or organization may not limit the number of
 members.

(5) A private shooting club or private organization
 may not charge a membership fee greater than the per-member
 share of the club's or organization's reasonable cost of
 business, including establishment, improvement, and
 maintenance of shooting facilities and other membership
 services.

(6) A private club or organization accepting a grant

under [this act] must provide the department with a future interest providing that, upon the dissolution of the private club or organization and the discontinued use of its shooting range facility, the assets of the facility revert to the department.

(7) Any facility that allows safe shooting of a hunting weapon is eligible for a grant. Hunting weapons include shotguns, archery equipment, black powder weapons, rifles, and pistols.

(8) A facility receiving a grant must be open to hunter safety education classes on an occasional basis for no fee.

(9) A local government unit or a school district is eligible to receive a grant but shall compete on an equal basis with other applicants and shall provide access to its facility for a reasonable fee to any person holding or eligible to hold a Montana hunting license.

NEW SECTION. Section 4. Program rules. (1) The department may not use more than 5% of the appropriated funds for program administration.

(2) The department shall develop a simple application procedure and accountability system.

(3) The department shall make every effort to use available funding to fund shooting range improvements with grants by the beginning of each legislative session.

(4) The department shall prioritize grant applications according to those that provide facilities for the greatest number of shooters and that accommodate the use of a combination of hunting weapons.

(5) The department may not grant more than 15% of the eligible funds for the establishment or improvement of any single facility.

(6) The department shall promote the use of publicly owned land for shooting range facilities. The department may negotiate with federal, state, and local agencies to encourage land trades, shared or specific use designations, and other mechanisms to provide land for shooting range facilities.

(7) The department shall utilize Pittman-Robertson Act funds available for hunter education and range development for this program rather than allow those funds to revert to wildlife restoration.

NEW SECTION. Section 5. Shooting range development grant state special revenue account created. There is a shooting range development grant state special revenue account in the state special revenue fund that must be used by the department of fish, wildlife, and parks for the purpose of making grants to qualified shooting range facilities under [sections 1 through 4]. There must be paid into the shooting range development grant special revenue

1 account:

2 (1) money appropriated under [section 6]; and

3 (2) money from the Pittman-Robertson Act allocated to
4 hunter education and range development but not completely
5 utilized for hunter education purposes.

6 NEW SECTION. **Section 6. Appropriation.** There is
7 appropriated \$250,000 for the biennium ending June 30, 1991,
8 from the state special revenue fund created in 87-1-601 to
9 the shooting range development grant account for the purpose
10 of making grants to qualified shooting range facilities
11 under [sections 1 through 4].

12 NEW SECTION. **Section 7. Extension of authority.** Any
13 existing authority to make rules on the subject of the
14 provisions of [this act] is extended to the provisions of
15 [this act].

16 NEW SECTION. **Section 8. Codification instruction.**
17 [Sections 1 through 4] are intended to be codified as an
18 integral part of Title 87, chapter 1, part 2, and the
19 provisions of Title 87, chapter 1, part 2, apply to
20 [sections 1 through 4].

21 NEW SECTION. **Section 9. Effective date.** [This act] is
22 effective on passage and approval.

23 NEW SECTION. **Section 10. Severability.** If a part of
24 [this act] is invalid, all valid parts that are severable
25 from the invalid part remain in effect. If a part of [this

1 act] is invalid in one or more of its applications, the part
2 remains in effect in all valid applications that are
3 severable from the invalid applications.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB403, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

HB403 would establish a grant program whereby the Department of Fish, Wildlife and Parks could provide funding to local shooting clubs and organizations for the establishment and improvement of shooting ranges.

ASSUMPTIONS:

1. This fiscal note is based on the assumption that the department would not incur any costs related to this program until July 1, 1989, because the appropriation provided in this legislation is effective July 1, 1989, for the 1991 biennium, even though the legislation is effective upon passage. The department would require a supplemental appropriation for FY89 to begin the program before the assumed date.
2. The future Pittman-Robertson apportionment for the hunter education and shooting range program will remain at the current level of \$170,000 per year.
3. There is \$35,3878 of Pittman-Robertson (P-R) funds available during the 1991 biennium for the proposed law shooting range program, based upon the department's executive budget which provides the hunter education with P-R funding of \$139,370 and \$165,243 in FY90 and FY91 respectively, including a \$23,320 budget modification for a shooting range grant pilot project which would begin in FY91.
4. The department will require for the program an additional 0.10 FTE manager and 0.04 FTE clerical, plus minimal operating expenses.
5. The \$250,000 appropriation will be spent evenly between FY90 and FY91.
6. The department will not revert any P-R funds under the currently proposed 1991 biennium budget.

FISCAL IMPACT:

		<u>FY90</u>			<u>FY91</u>	
Dept. of Fish, Wildlife	Current	Proposed		Current	Proposed	
<u>Expenditures:</u>	<u>Law</u>	<u>Law</u>	<u>Difference</u>	<u>Law</u>	<u>Law</u>	<u>Difference</u>
Personal Services	-0-	\$ 3,579	\$ 3,579	-0-	\$ 3,579	\$ 3,579
Operating Costs	-0-	2,140	2,140	-0-	1,940	1,940
Local Assistance	-0-	119,281	119,281	\$20,000	139,481	119,481
Total	-0-	\$125,000	\$125,000	\$20,000	\$145,000	\$125,000
<u>Funding:</u>						
State Special - Licenses	-0-	\$ 98,730	\$ 98,730	-0-	\$120,920	\$120,920
Federal P-R	-0-	26,270	26,270	20,000	24,080	4,080
Total	-0-	\$125,000	\$125,000	\$20,000	\$145,000	\$125,000
<u>Fund Impact:</u>						
State Special - Licenses	-0-	(\$98,730)	(\$98,730)	-0-	(\$120,920)	(\$120,920)

Ray Shackelford 2/1/89

RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING

Orval S. Ellison 2/03/89
ORVAL S. ELLISON, PRIMARY SPONSOR DATE

Fiscal Note for HB403, as introduced

HB 403

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Because the department's 1991 biennium executive budget utilizes available license account and P-R funding, adding a program that will cost \$250,000 each biennium from these funding sources will result in expenditures exceeding revenue. This will contribute to the need for either a future increase in license fees or a reduction in current level programs.

HB 403

APPROVED BY COMM.
ON FISH AND GAME

HOUSE BILL NO. 403

INTRODUCED BY ELLISON, CLARK, EUDAILY, HOFFMAN,
SPAETH, ROTH, DRISCOLL, COBB, VINCENT, O'CONNELL,
RICE, SWIFT, GOULD, O'KEEFE, HARPER, AAFEDT

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