

SENATE BILL NO. 33
INTRODUCED BY BISHOP

IN THE SENATE

JANUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
JANUARY 21, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
JANUARY 23, 1989	PRINTING REPORT.
JANUARY 24, 1989	SECOND READING, DO PASS.
JANUARY 25, 1989	ENGROSSING REPORT.
JANUARY 26, 1989	THIRD READING, PASSED. AYES, 39; NOES, 7.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 20, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
FEBRUARY 20, 1989	FIRST READING.
MARCH 8, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 10, 1989	SECOND READING, CONCURRED IN.
MARCH 11, 1989	THIRD READING, CONCURRED IN. AYES, 87; NOES, 4.
	RETURNED TO SENATE.

MARCH 13, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

SENATE BILL NO. 33

INTRODUCED BY BISHOP

A BILL FOR AN ACT ENTITLED: "AN ACT TO RENAME THE PHEASANT
ENHANCEMENT PROGRAM AS THE UPLAND GAME BIRD ENHANCEMENT
PROGRAM; TO PROVIDE FOR THE FUNDING OF UPLAND GAME BIRD
HABITAT ENHANCEMENT THROUGH A PORTION OF PROGRAM PROCEEDS;
AND AMENDING SECTIONS 87-1-246 THROUGH 87-1-250, MCA."

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

Section 1. Section 87-1-246, MCA, is amended to read:

"87-1-246. Funding of pheasant upland game bird
enhancement program. The amount of money specified in this
section from the sale of each hunting license listed must be
used exclusively by the department to preserve and enhance
pheasant upland game bird populations in Montana in
accordance with 87-1-246 through 87-1-249, subject to
appropriation by the legislature:

- (1) Class A-1, resident upland game bird, \$2;
- (2) Class B-1, nonresident upland game bird, \$23;
- (3) Class AAA, sportsman's, \$2; and
- (4) Class B-10, nonresident big game combination,
\$23."

Section 2. Section 87-1-247, MCA, is amended to read:

"87-1-247. Authorized use of pheasant---enhancement

program funds. (1) Not more than 10% of the money generated
under 87-1-246 may be used by the department to:

- (a) prepare and disseminate information to landowners
and organizations concerning the pheasant upland game bird
enhancement program;
- (b) review potential pheasant release sites;
- (c) assist applicants in preparing management plans
for project areas; and
- (d) evaluate the pheasant upland game bird enhancement
program.

(2) The remainder of the money raised must be used:

- (a) to share, up--to at \$3 a bird, in the cost of
releasing pheasants in suitable habitat, in such numbers and
under conditions determined by the department under
87-1-248(1); and
- (b) to revert, at the end of each fiscal year, all
unexpended funds to the habitat portion of the program
outlined in 87-1-248(2) for the development, enhancement,
and conservation of upland game bird habitat in Montana."

Section 3. Section 87-1-248, MCA, is amended to read:

"87-1-248. Qualification of pheasant upland game bird
enhancement projects. (1) A project eligible for funding
under this the pheasant release program must contain the
proper combination of winter cover, food, nesting cover, and
other pheasant habitat components determined necessary by

1 the department to provide for a viable permanent pheasant
2 population.

3 (2) Habitat enhancement efforts must include
4 assistance to applicants in the establishment of suitable
5 nesting cover, winter cover, and feeding areas through
6 cost-sharing programs, leases, and conservation easements.

7 ~~(2)~~(3) No project containing hunting preserves or any
8 commercial hunting enterprise or wherein hunting rights are
9 leased or paid for is eligible for funding.

10 ~~(3)~~(4) Preference must be given for project
11 applications submitted by youth organizations, 4-H clubs,
12 sportsmen's groups, and other associations of sufficient
13 size to guarantee completion of all project requirements.
14 However, individual landowners may also apply, so long as
15 the land in the project area remains open to public hunting
16 in accordance with reasonable use limitations imposed by the
17 landowner."

18 **Section 4.** Section 87-1-249, MCA, is amended to read:

19 "87-1-249. Rules. The department shall adopt rules for
20 the administration of the pheasant upland game bird
21 enhancement program created in 87-1-246 through 87-1-249."

22 **Section 5.** Section 87-1-250, MCA, is amended to read:

23 "87-1-250. Report. The department shall report to the
24 fish and game committee of each house of the legislature
25 concerning pheasant upland game bird enhancement activities

1 undertaken pursuant to 87-1-246 through 87-1-249 during the
2 preceding biennium, together with any recommendations
3 concerning the operation of the program."

4 **Section 6. Extension of authority.** Any existing
5 authority to make rules on the subject of the provisions of
6 [this act] is extended to the provisions of [this act].

-End-

APPROVED BY COMM.
ON FISH AND GAME

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AND AMENDING SECTIONS 87-1-246 THROUGH 87-1-250, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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- (1) Class A-1, resident upland game bird, \$2;
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5 assistance to applicants in the establishment of suitable
6 nesting cover, winter cover, and feeding areas through
7 cost-sharing programs, leases, and conservation easements.

8 {2}{3} No project containing hunting preserves or any
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10 leased or paid for is eligible for funding.

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12 applications submitted by youth organizations, 4-H clubs,
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14 size to guarantee completion of all project requirements.
15 However, individual landowners may also apply, so long as
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17 in accordance with reasonable use limitations imposed by the
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20 "87-1-249. Rules. The department shall adopt rules for
21 the administration of the pheasant upland game bird
22 enhancement program created in 87-1-246 through 87-1-249."

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24 "87-1-250. Report. The department shall report to the
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5 NEW SECTION. Section 6. Extension of authority. Any
6 existing authority to make rules on the subject of the
7 provisions of [this act] is extended to the provisions of
8 [this act].

9 NEW SECTION. SECTION 7. EFFECTIVE DATE. [THIS ACT]
10 IS EFFECTIVE ON PASSAGE AND APPROVAL.

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