

SENATE BILL 167

Introduced by Bianchi, et al.

1/16	Introduced
1/16	Referred to Fish & Game
1/16	First Reading
1/16	Fiscal Note Requested
1/21	Fiscal Note Received
1/23	Fiscal Note Printed
1/26	Hearing
2/04	Tabled in Committee

1 *Senate* BILL NO. *147*
 2 INTRODUCED BY *Beauchamp*
 3 *Walt Klumple*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
 5 ISSUANCE OF NONRESIDENT BIG GAME COMBINATION AND NONRESIDENT
 6 DEER COMBINATION LICENSES ON A PERCENTAGE BASIS THAT MATCHES
 7 THE PERCENTAGE OF APPLICATIONS FOR GUIDED AND UNGUIDED HUNTS
 8 RATHER THAN ON A RESERVE SYSTEM; REVISING THE METHOD OF SALE
 9 OF CLASS B-10 AND CLASS B-11 LICENSES; AMENDING SECTIONS
 10 87-2-505, 87-2-510, AND 87-2-511, MCA; AND PROVIDING A
 11 DELAYED EFFECTIVE DATE."

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

14 **Section 1.** Section 87-2-505, MCA, is amended to read:

15 "87-2-505. (Temporary) Class B-10--nonresident big game
 16 combination license. Except as otherwise provided in this
 17 chapter, a person who is not a resident, as defined in
 18 87-2-102, but who will be 12 years of age or older prior to
 19 September 15 of the season for which the license is issued
 20 may, upon payment of the fee of \$462--beginning--March--17--
 21 1992--and--\$475--beginning--March--17--1994--or--upon--payment--of--
 22 the--fee--of--\$472--beginning--March--17--1992--and \$485 beginning
 23 March--17--1994--if--the--license--is--one--of--the--57600--licenses
 24 reserved--pursuant--to--87-2-511--for--applicants--indicating
 25 their--intent--to--use--the--services--of--a--licensed--outfitter and

1 subject to the limitations prescribed by law and department
 2 regulation, apply to the fish and game office, Helena,
 3 Montana, to purchase a B-10 nonresident big game combination
 4 license ~~which shall entitle~~ that entitles the holder to all
 5 the privileges of Class B, Class B-1, and Class B-7
 6 licenses, and an elk tag. This license includes the
 7 nonresident conservation license as prescribed in 87-2-202.
 8 Not more than 17,000 Class B-10 licenses may be sold in any
 9 one license year. (Terminates March 1, 1996--sec. 3, Ch.
 10 319, L. 1991.)

11 87-2-505. (Effective March 1, 1996) Class
 12 B-10--nonresident big game combination license. Except as
 13 otherwise provided in this chapter, a person who is not a
 14 resident, as defined in 87-2-102, but who will be 12 years
 15 of age or older prior to September 15 of the season for
 16 which the license is issued may, upon payment of the fee of
 17 \$398--or--upon--payment--of--the--fee--of \$408 ~~if the license is~~
 18 ~~one of the 57600 licenses reserved pursuant to 87-2-511--for~~
 19 ~~applicants--indicating their intent to use the services of a~~
 20 ~~licensed outfitter~~ and subject to the limitations prescribed
 21 by law and department regulation, apply to the fish and game
 22 office, Helena, Montana, to purchase a B-10 nonresident big
 23 game combination license ~~which shall entitle~~ that entitles
 24 the holder to all the privileges of Class B, Class B-1, and
 25 Class B-7 licenses, and an elk tag. This license includes

the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year."

Section 2. Section 87-2-510, MCA, is amended to read:

"87-2-510. (Temporary) Class B-11--nonresident deer combination license. (1) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of a fee of \$238--beginning-March-17-19927, and-\$245--beginning-March-17-19947--or-upon-payment-of-the-fee-of-\$248--beginning-March-17-19927--and \$250 beginning-March-17-19947--if-the-license-is-one-of-the-4,000--reserved--pursuant-to-87-2-511--for-applicants-indicating-their-intent-either-to use--the--services-of-a-licensed-outfitter-or-to-hunt-with-a resident-sponsor-on-land-owned-by-that-sponsor and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a Class B-11 nonresident deer combination license that entitles the holder to all the privileges of the Class B, Class B-1, and Class B-7 licenses. This license includes the nonresident wildlife conservation license as prescribed in 87-2-202.

(2) Six thousand Class B-11 licenses are authorized for sale each license year.

87-2-510. (Effective March 1, 1994) Class B-11--nonresident deer combination license. (1) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of a fee of \$220--or-upon-payment-of-the-fee-of \$225 if--the--license--is one---of---the--4,000--reserved--pursuant--to--87-2-511--for applicants--indicating--their--intent--either--to--use---the services--of-a-licensed-outfitter-or-to-hunt-with-a-resident sponsor-on-land-owned-by-that-sponsor and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a Class B-11 nonresident deer combination license that entitles the holder to all the privileges of the Class B, Class B-1, and Class B-7 licenses. This license includes the nonresident wildlife conservation license as prescribed in 87-2-202.

(2) Six thousand Class B-11 licenses are authorized for sale each license year."

Section 3. Section 87-2-511, MCA, is amended to read:

"87-2-511. Sale of Class B-10 and Class B-11 licenses.

(1) The department shall offer the Class B-10 and Class B-11 licenses for sale on March January 15, with--5,600--of--the authorized-Class-B-10-licenses-and-2,000-Class-B-11-licenses

reserved allocated as provided in subsection (3) for applicants indicating their intent to use the services of a licensed outfitter, and 2,000 of the authorized Class B-11 licenses reserved for applicants indicating their intent to hunt with a resident sponsor on land owned by that sponsor, as provided in subsections (2) and (3).

(2) Each application for a reserved license under subsection (1) must contain a written affirmation that whether or not the applicant intends to hunt with a licensed outfitter or a resident sponsor and, when applicable, must indicate the name of the licensed outfitter or resident sponsor with whom the applicant intends to hunt. In addition, the application must be accompanied by a certificate that is signed by a licensed outfitter or resident sponsor and which that affirms that the outfitter or resident will:

(a) direct the applicant's hunting and advise the applicant of game and trespass laws of the state;

(b) submit to the department, in a manner prescribed by the department, complete records of who hunted with him the outfitter, where they hunted, and what game was taken; and

(c) accept no monetary consideration for enabling the nonresident applicant to obtain a license or for providing any services or assistance to the nonresident applicant, except as provided in this title.

(3) The certificate signed by the resident sponsor pursuant to subsection (2) must also affirm that the sponsor is a landowner and that the applicant under the certificate will hunt only on land owned by the sponsor. Applications for a Class B-10 or Class B-11 license that indicate that the applicant intends to conduct a guided or an unguided hunt must be drawn on a percentage basis that matches the respective percentage of applications for guided or unguided hunts in each license category.

(4) The department shall make the reserved Class B-10 and Class B-11 licenses that remain unsold on April 15 available to nonresident applicants without restriction as to hunting with a licensed outfitter or resident sponsor by drawing on April 15 on a first-come basis from applications received by mail.

(5) All Class B-10 and Class B-11 licenses not reserved under subsection (1) and all unsold reserved licenses available under subsection (4) must be issued by a drawing among all applicants for the respective unreserved licenses."

NEW SECTION. Section 4. Effective date. [This act] is effective March 1, 1994.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0167, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing for the issuance of nonresident big game combination and nonresident deer combination licenses on a percentage basis that matches the percentage of applications for guided and unguided hunts rather than a reserve system; revising the method of sale of class B-10 and class B-11 licenses; and providing an delayed effective date.

ASSUMPTIONS:

1. There will be at least 17,000 applications for the non-resident big game combination licenses and at least 6,000 applications for the non-resident deer combination licenses.
2. The wildlife habitat program (Section 87-1-242, MCA) remains in place.
3. Affirmations for non-guided hunts will be part of the license application forms and affirmations for guided hunts will separate forms.

FISCAL IMPACT:

Expenditures: No change anticipated.

Revenues:

Under current law outfitter and landowner sponsored licenses cost \$10.00 more for the big game combo and \$5.00 more for the deer combo. Under the proposed law, all licenses would be sold for the higher price.

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Non-resident big game revenue	8,131,000	8,245,000	114,000	8,131,000	8,245,000	114,000
Non-resident deer combo rev.	<u>1,490,000</u>	<u>1,500,000</u>	<u>10,000</u>	<u>1,490,000</u>	<u>1,500,000</u>	<u>10,000</u>
Total	9,621,000	9,745,000	124,000	9,621,000	9,745,000	124,000

Net Impact: An increase in license revenue of \$124,000 each year.

David Lewis 1-21-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Don Bianchi 1/23/93
DON BIANCHI, PRIMARY SPONSOR DATE

Fiscal Note for SB0167, as introduced

SB 167