

1 HOUSE BILL NO. 697

2 INTRODUCED BY J. KASSMIER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING LANDOWNER REIMBURSEMENTS FOR CROP
5 DAMAGE BY WILDLIFE IN CERTAIN HUNTING DISTRICTS; PROVIDING REIMBURSEMENT FUNDING
6 FROM FEES COLLECTED TO ACQUIRE AND MAINTAIN HABITAT; AND AMENDING SECTION 87-1-242,
7 MCA."

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

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11 NEW SECTION. **Section 1. Landowner reimbursements -- department review -- fee.** (1) If the
12 commission limits the number of permits available for a species in a hunting district where the population of that
13 species exceeds 200% of the sustainable population established pursuant to 87-1-323, landowners in that
14 district may apply for reimbursement of crop damage. To be eligible for cost reimbursement, a landowner shall
15 submit:

16 (a) an application describing the loss, allegations, and reasonable documentation supporting the
17 involvement of the species in question;

18 (b) a monetary estimate of damages from a certified crop adjuster; and

19 (c) a \$50 filing fee.

20 (2) The landowner seeking reimbursement is responsible for costs incurred to complete the
21 requirements of subsection (1).

22 (3) The department shall review reimbursement requests in the order received. The department may
23 grant, modify, or deny reimbursement requests.

24 (4) Reimbursements made pursuant to this section are paid by funds collected pursuant to 87-1-242.

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26 **Section 2.** Section 87-1-242, MCA, is amended to read:

27 **"87-1-242. (Bracketed language in subsection (3) effective October 1, 2021) Funding for wildlife**
28 **habitat.** (1) The amount of money specified in this subsection from the sale of each hunting license or permit

1 listed must be used exclusively by the commission to secure, develop, and maintain wildlife habitat, subject to
2 appropriation by the legislature:

3 (a) Class B-10, nonresident combination, \$77;

4 (b) Nonresident antelope, \$20;

5 (c) Nonresident moose, \$20;

6 (d) Nonresident mountain goat, \$20;

7 (e) Nonresident mountain sheep, \$20;

8 (f) Class D-1, nonresident mountain lion, \$20;

9 (g) Nonresident black bear, \$20;

10 (h) Nonresident wild turkey, \$10;

11 (i) Class AAA, combination sports, \$7;

12 (j) Class B-11 nonresident deer combination, \$200.

13 (2) Twenty percent of any increase in the fee for the Class B-7 license or any license or permit listed
14 in subsection (1) must be allocated for use as provided in subsection (1).

15 (3) Eighty percent of the money allocated by this section, [together with money from marijuana taxes
16 deposited under 16-12-111 and] together with the interest and income from the money, must be used to secure
17 wildlife habitat pursuant to 87-1-209.

18 (4) Twenty percent of the money allocated by this section must be used as follows:

19 (a) up to 50% a year may be used for development and maintenance of real property used for wildlife
20 habitat and to pay landowner reimbursements granted pursuant to [section 1]; and

21 (b) the remainder and any money not allocated for development and maintenance under subsection
22 (4)(a) by the end of each odd-numbered fiscal year must be credited to the account created by 87-1-601(5) for
23 use in the manner prescribed for the development and maintenance of real property used for wildlife habitat."
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25 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
26 integral part of Title 87, chapter 1, part 2, and the provisions of Title 87, chapter 1, part 2, apply to [section 1].

27 - END -