

SENATE BILL NO. 49

INTRODUCED BY D. ANKNEY

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DISCOUNTED HUNTING AND FISHING LICENSES FOR NONRESIDENT RELATIVES OF RESIDENTS; REMOVING THE REQUIREMENT TO COMPLETE A MONTANA HUNTER SAFETY COURSE; REDEFINING ELIGIBLE RESIDENT SPONSORS AND FAMILY MEMBERS; AND AMENDING SECTIONS 87-2-514 AND 87-2-526, MCA."

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

Section 1. Section 87-2-514, MCA, is amended to read:

"87-2-514. Nonresident relative of resident allowed to purchase nonresident licenses at reduced cost -- definitions. (1) For the purposes of this section, the following definitions apply:

(a) "Nonresident relative of a resident" means a person born in Montana who is the natural or adoptive child, sibling, or parent of a resident but is not a resident.

(b) "Resident" means a resident as defined in 87-2-102.

(2) Except as otherwise provided in this chapter, a nonresident relative of a resident who meets the qualifications of subsection ~~(5)~~ (4) may purchase the following at one-half the cost:

(a) a Class B nonresident fishing license; and

(b) a Class B-1 nonresident upland game bird license; and

~~—— (c) a Class B-10 nonresident big game combination license; and~~

~~—— (d) a Class B-11 nonresident deer combination license.~~

(3) ~~The~~ If purchasing a Class B-1 license, the nonresident relative of a resident shall also purchase a nonresident wildlife conservation license as prescribed in 87-2-202 and a nonresident base hunting license as prescribed in 87-2-116 ~~if the nonresident relative of a resident purchases a hunting license.~~

~~—— (4) Class B-10 and Class B-11 licenses sold pursuant to subsection (2) are not included in the limit on the number of available Class B-10 and Class B-11 licenses issued pursuant to 87-2-505 and 87-2-510.~~

~~(5)~~ (4) To qualify for a license pursuant to subsection (2), a nonresident relative of a resident shall apply at any department regional office or at the department's state office in Helena and present proof of the following:

1 (a) a birth certificate verifying the applicant's birth in Montana or documentation that the applicant was
2 born to parents who were residents at the time of birth;

3 (b) evidence that the person previously held a Montana resident hunting or fishing license ~~or has passed~~
4 ~~a hunter safety course in Montana pursuant to 87-2-105~~; and

5 (c) proof that the applicant is a nonresident relative of a resident.

6 ~~(6)(5)~~ Of the fee paid for a hunting license purchased pursuant to subsection (2), 28.5% must be
7 deposited in the account established in 87-1-290."

8
9 **Section 2.** Section 87-2-526, MCA, is amended to read:

10 **"87-2-526. License for nonresident to hunt with resident sponsor or family member -- use of**
11 **license revenue.** (1) The department may offer for sale 500 B-10 nonresident big game combination licenses
12 and 500 B-11 nonresident deer combination licenses that must be used as provided in this section and as
13 authorized by department rules. Sale of licenses pursuant to this section does not affect the license quotas
14 established in 87-2-505 and 87-2-510. The price of licenses sold under this subsection is one-half of the fee set
15 for the equivalent license in 87-2-505 and 87-2-510.

16 (2) A license authorized in subsection (1) may be used only by an adult nonresident family member of
17 a resident who sponsors the license application and who meets the qualifications of subsection (3). The
18 nonresident family member must have ~~completed a Montana hunter safety and education course or have~~
19 ~~previously purchased~~ held a resident hunting license. ~~A nonresident family member who receives a license~~
20 ~~pursuant to subsection (1) and~~ must be accompanied in the field by ~~a~~ the sponsor or other family member, ~~who~~
21 ~~meets the qualifications of as described in subsection (3).~~

22 (3) To qualify as a sponsor or other family member who will accompany a nonresident licensed under
23 subsection (1), a person must be a resident, as defined in 87-2-102, who is 18 years old or older and possesses
24 a current resident hunting license and who is ~~related to the nonresident within the second degree of kinship by~~
25 ~~blood or marriage. The second degree of kinship includes a~~ the natural or adoptive mother, father, brother, sister,
26 son, daughter, spouse, grandparent, or grandchild, ~~brother-in-law, sister-in-law, son-in-law, daughter-in-law,~~
27 ~~father-in-law, mother-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter of the~~
28 nonresident. The sponsor shall list on the license application the names of family members who are eligible to
29 hunt with the nonresident ~~hunter~~.

30 (4) If the department receives more applications for licenses than the number that are available under

1 subsection (1), the department shall conduct a drawing for the licenses. Applicants who are unsuccessful in the
2 drawing must be entered in the general drawing for a nonresident license provided under 87-2-505 or 87-2-510,
3 as applicable.

4 (5) All money received from the sale of licenses under subsection (1) must be deposited in a separate
5 account and must be used by the department to acquire public hunting access to inaccessible public land, which
6 may include obtaining hunting access through private land to inaccessible public land."

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