

HOUSE BILL NO. 857

INTRODUCED BY T. FRANCE

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A SURCHARGE FOR LEASED HUNTING OR FISHING LANDS; PROVIDING THAT 10% OF AN ANNUAL LEASE PAYMENT BE PAID TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS UPON PURCHASE OF A CONSERVATION LICENSE; REQUIRING THAT REVENUES FROM THE FEE BE USED TO FUND BLOCK MANAGEMENT; PROVIDING A PENALTY; AMENDING SECTION 87-2-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-2-202, MCA, is amended to read:

"87-2-202. Application -- fee -- lease surcharge -- penalty. (1)(a) Except as provided in 87-2-817(2), a conservation license must be sold upon written application. The application must contain the applicant's name, age, [last four digits of the applicant's social security number,] street address of permanent residence, mailing address, qualifying length of time as a resident in the state of Montana, and status as a citizen of the United States or as an alien and must be signed by the applicant. The applicant shall present a valid Montana driver's license, a Montana driver's examiner's identification card, a tribal identification card, or other identification specified by the department to substantiate the required information when applying for a conservation license. It is the applicant's burden to provide documentation establishing the applicant's identity and qualifications to purchase a conservation license or to receive a free conservation license pursuant to 87-2-817(2).

(b) (i) The application must also state whether the applicant is leasing or plans to lease land for hunting or fishing during the period the license is valid. The application must state the total annual amount paid for the lease, the duration of the lease, and whether the lease is done in partnership with others or through a corporation.

(ii) In addition to the license fee, the applicant shall pay 10% of the applicant's share of the annual lease payment stated in subsection (1)(b)(i) as a surcharge. Surcharge revenues must be used to fund the

1 block management program pursuant to 87-1-265.

2 (iii) Failure to comply with this subsection (1)(b) may result in the revocation of a person's hunting
3 and fishing privileges for at least 5 years.

4 (2) Hunting, fishing, or trapping licenses issued in a form determined by the department must be
5 recorded according to rules that the department may prescribe.

6 (3) (a) Resident conservation licenses may be purchased for a fee of \$8, of which 25 cents is a
7 voluntary search and rescue donation.

8 (b) Nonresident conservation licenses may be purchased for a fee of \$10, of which 25 cents is a
9 voluntary search and rescue donation.

10 (c) A person who purchases a conservation license may make a written election not to pay the
11 additional search and rescue donation in subsections (3)(a) and (3)(b). If a written election is made, the
12 donation may not be collected.

13 [(4) The department shall keep the applicant's social security number confidential, except that the
14 number may be provided to the department of public health and human services for use in administering Title
15 IV-D of the Social Security Act.]

16 (5) The department shall delete the applicant's social security number in any electronic database
17 [5 years after the date that application is made for the most recent license]. (Bracketed language terminates or
18 is amended on occurrence of contingency--sec. 3, Ch. 321, L. 2001. The \$2 conservation license fee increases
19 in subsections (3)(a) and (3)(b) enacted by Ch. 596, L. 2003, are void on occurrence of contingency--sec. 8,
20 Ch. 596, L. 2003.)"

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22 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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