

1 HOUSE BILL NO. 383
 2 INTRODUCED BY T. FRANCE, S. GUNDERSON, J. WINDY BOY, M. MARLER, D. LOGE, R. FITZGERALD,
 3 G. PARRY, M. YAKAWICH, S. WEBBER, P. FLOWERS, J. WELBORN, P. GREEN, G. KMETZ, L. DEMING,
 4 D. BAUM

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 6 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA HUNTERS AND ANGLERS
 7 COMMUNITY FUND AND GRANT PROGRAM; PROVIDING LEGISLATIVE FINDINGS; ESTABLISHING A
 8 DONATION MECHANISM, A GRANT REVIEW BOARD, AND A STATE SPECIAL REVENUE ACCOUNT;
 9 AUTHORIZING A STATUTORY APPROPRIATION OF THE REVENUE IN THE ACCOUNT; PROVIDING
 10 RULEMAKING AUTHORITY; AMENDING SECTION 17-7-502, MCA; AND PROVIDING A ~~DELAYED AN~~
 11 EFFECTIVE DATE AND A TERMINATION DATE."

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

14
 15 NEW SECTION. **Section 1. Montana hunters and anglers community fund -- findings -- grants --**
 16 **board -- rulemaking.** (1) The legislature finds that resident and nonresident hunters and anglers depend on
 17 rural Montana for hunting and fishing opportunities, an array of community services, and the goodwill of private
 18 landowners and small communities. In recognition that hunters and anglers want to strengthen and support
 19 these rural communities, there is established the Montana hunters and anglers community fund, to which
 20 persons may donate \$1 or more above the price of a wildlife conservation license purchased pursuant to 87-2-
 21 202 or the price of a combination license that includes a conservation license.

22 (2) BY SEPTEMBER 1 AND MARCH 1 OF EACH YEAR, THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
 23 SHALL TRANSFER ALL FUNDS COLLECTED PURSUANT TO SUBSECTION (1) INTO THE ACCOUNT ESTABLISHED IN [SECTION
 24 2].

25 (2)(3) The Montana hunters and anglers community fund is administered by the department OF
 26 COMMERCE, pursuant to this section, as a grant program. The department OF COMMERCE shall provide
 27 educational materials about the fund on its website and through other avenues, as appropriate, and may solicit
 28 contributions from any source, including but not limited to individuals, partnerships, corporations, associations,

1 and public organizations of any character.

2 ~~(3)(4)~~ (a) Entities eligible to apply for a grant pursuant to this section must be from a community with
3 a population of fewer than 7,500 persons according to the most recent census estimate and be a local or tribal
4 government, school district, student club, or school group, or a community, nongovernmental, religious, or
5 nonprofit organization seeking financing for an activity, including but not limited to:

- 6 (i) a community or school improvement project;
- 7 (ii) a community service project;
- 8 (iii) a community service program, including but not limited to a food bank or nutrition program; and
- 9 (iv) a student activity, including but not limited to sports or arts programs.

10 (b) Grant funds may not be used for costs related to marketing, advertising, advocacy, litigation, or
11 political activities.

12 ~~(C) (i) GRANT FUNDS MAY NOT BE AWARDED TO AN ENTITY THAT HAS FILED A LAWSUIT REGARDING ANY~~
13 ~~LEGAL MATTER IN A COURT OF LAW IN THE STATE. IF AN ENTITY FILES A LAWSUIT REGARDING ANY LEGAL MATTER IN A~~
14 ~~COURT OF LAW IN THE STATE AFTER RECEIVING GRANT FUNDS PURSUANT TO THIS SECTION, ALL GRANT FUNDS~~
15 ~~PREVIOUSLY AWARDED MUST BE RETURNED.~~

16 ~~(ii) TO RECEIVE FUNDS UNDER THIS SECTION, AN ENTITY SHALL SIGN A FORM DESIGNATED BY THE~~
17 ~~DEPARTMENT OF COMMERCE TO CLARIFY THAT THE ENTITY IS AWARE OF AND IS IN COMPLIANCE WITH THE~~
18 ~~REQUIREMENTS OF SUBSECTION (3)(C)(i) (4)(C)(i).~~

19 ~~(4)(5)~~ Grants from the money deposited each license year in the Montana hunters and anglers
20 community fund account established in [section 2] may be awarded in two ways:

- 21 (a) large grants of up to \$20,000 THAT MAY BE EXPENDED OVER MULTIPLE YEARS; or
- 22 (b) small grants of up to \$2,000.

23 ~~(5)(6)~~ (a) When awarding grants, the department OF COMMERCE shall consider the recommendations
24 of the Montana hunters and anglers community fund board, which consists of seven members of the general
25 public who, subject to the provisions of subsection ~~(5)(b)~~ (6)(B), are appointed as follows:

- 26 (i) one member appointed by the speaker of the house;
- 27 (ii) one member appointed by the house minority leader;
- 28 (iii) one member appointed by the president of the senate;

1 (iv) one member appointed by the senate minority leader; and

2 (v) three members appointed by the governor.

3 (b) To be eligible to be appointed to the board, a person must be a hunter, angler, local
4 government official, landowner, tribal member, or community advocate. The officials making the appointments
5 shall coordinate with one another to ensure they appoint members from a variety of backgrounds and
6 geographic areas.

7 (c) The director of the department OF COMMERCE or the director's designee shall serve as a
8 nonvoting ex officio member of the board.

9 ~~(6)~~(7) In consultation with the board, the department OF COMMERCE:

10 (a) may adopt rules to implement this section; and

11 (b) shall develop a plan to promote and solicit contributions to the Montana hunters and anglers
12 community fund.

13
14 **NEW SECTION. Section 2. Montana hunters and anglers community fund account.** (1) There is
15 a Montana hunters and anglers community fund account in the state special revenue fund established by 17-2-
16 102. The account is statutorily appropriated, as provided in 17-7-502 TO THE DEPARTMENT OF COMMERCE. Money
17 in the account must be used by the department OF COMMERCE as provided in [section 1].

18 (2) Money transferred from any lawful source, including but not limited to donations collected
19 pursuant to [section 1], and gifts, DONATIONS, grants, securities, or other assets, public or private, ~~may~~MUST be
20 deposited in the account.

21 (3) Each year, the department OF COMMERCE may use up to 10% of the money in the account for
22 administrative costs.

23 (4) At the end of each fiscal year, any unreserved money in the account, including any interest and
24 earnings, must remain in the account.

25

26 **Section 3.** Section 17-7-502, MCA, is amended to read:

27 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
28 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without