

1 HOUSE BILL NO. 635
 2 INTRODUCED BY J. KASSMIER, E. BUTTREY, D. SALOMON, J. WELBORN, J. COHENOUR, D. LOGE, W.
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 4 KARLEN, R. LYNCH

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 6 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A LANDOWNER PREFERENCE POOL FOR
 7 CLASS B-10 NONRESIDENT BIG GAME COMBINATION LICENSES; ALLOWING PURCHASE OF AN
 8 ADDITIONAL BONUS POINT FOR CERTAIN NONRESIDENT LANDOWNERS; PROVIDING RULEMAKING
 9 AUTHORITY; AMENDING SECTION 87-2-115, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

12
 13 NEW SECTION. **Section 1. Landowner preference for Class B-10 nonresident big game**
 14 **combination license.** (1) Subject to the provisions of subsection (6), 15% of licenses issued under 87-2-505
 15 may be placed in a landowner preference pool for nonresident landowners to hunt only on property the
 16 landowner owns in fee title or on other private property the landowner leases to produce a crop as defined in
 17 80-8-102.

18 (2) A nonresident landowner of record may designate an immediate family member to receive the
 19 license issued under this section. For purposes of this section, an immediate family member means a spouse,
 20 parent, grandparent, child, grandchild, sibling, niece, or nephew of the landowner by blood, marriage, or legal
 21 adoption.

22 (3) (a) To qualify to receive a Class B-10 license pursuant to this section, the landowner must ~~own~~
 23 have owned at least 2,500 contiguous acres in fee title for 3 consecutive years. Subject to the provisions of
 24 subsections (3)(b) and (5), ~~for each additional 2,500 contiguous acres owned by the landowner,~~ the department
 25 may issue to the landowner or the landowner's immediate family members an additional Class B-10 license up
 26 to a maximum of five Class B-10 licenses per qualifying landowner up to three Class B-10 licenses.

27 (b) An individual may not hold more than one Class B-10 license.

28 (4) Applicants must pay the full Class B-10 license fee established in 87-2-505.

1 (5) If there is a sufficient number of licenses set forth in subsection (1) and multiple applications
2 made per qualifying landowner, the department shall issue one license to each qualifying landowner or the
3 landowner's immediate family member before it issues a second or subsequent license to any landowner or the
4 landowner's immediate family member. All Class B-10 licenses not issued pursuant to this section shall be
5 returned to the general draw pool available to all applicants pursuant to 87-2-505.

6 (6) The commission may, by rule, limit the overall number of licenses that can be provided to
7 landowners or their immediate family members pursuant to this section to less than 15% of those available
8 pursuant to 87-2-505.

9 (7) A landowner who receives a license pursuant to this section and who was enrolled in a
10 department-administered private land hunting access program in the previous license year may purchase an
11 additional bonus point for an elk or deer license or permit drawing for the fee established in 87-2-113.
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13 **Section 2.** Section 87-2-115, MCA, is amended to read:

14 **"87-2-115. Nonresident elk and deer license preference point system.** (1) The department shall
15 establish a preference point system to distribute Class B-10 nonresident big game combination licenses and
16 Class B-11 nonresident deer combination licenses.

17 (2) Nonresidents applying to purchase a Class B-10 or Class B-11 license may purchase a
18 preference point, upon payment of a nonrefundable \$100 fee, that gives an applicant who has more preference
19 points priority to receive a Class B-10 or Class B-11 license over an applicant who has purchased fewer
20 preference points.

21 (3) An applicant may:

22 (a) purchase only one preference point per license year except a nonresident hunting with an
23 outfitter licensed pursuant to Title 37, chapter 47, part 3, and providing the documentation required in
24 subsection (8), may purchase two preference points per license year. No applicant may accumulate more than
25 three preference points total.

26 (b) purchase a preference point without applying for a Class B-10 or Class B-11 license. An
27 applicant not applying for a Class B-10 or Class B-11 license may purchase a preference point only between
28 July 1 and December 31 of that license year.