

SENATE BILL NO. 142

INTRODUCED BY T. BECK, D. BROWN, SWYSGOOD, ELLISON,
DEVLIN, ANDERSON, M. HANSON, GRADY, SPRING, WILLIAMS,
WEEDING, YELLOWTAIL, SWIFT, GROSFIELD, LYNCH

IN THE SENATE

JANUARY 18, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON FISH & GAME.

 FIRST READING.

FEBRUARY 15, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 16, 1991 PRINTING REPORT.

 SECOND READING, DO PASS.

FEBRUARY 18, 1991. ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 46; NOES, 3.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON FISH & GAME.

 FIRST READING.

MARCH 16, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN AS AMENDED. REPORT
 ADOPTED.

MARCH 20, 1991 SECOND READING, CONCURRED IN.

MARCH 21, 1991 THIRD READING, CONCURRED IN.
 AYES, 84; NOES, 15.

 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 23, 1991 RECEIVED FROM HOUSE.

 SECOND READING, AMENDMENTS
 CONCURRED IN.

MARCH 25, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Sample* BILL NO. *142*
 2 INTRODUCED BY *Rep. Dan Brown* *Sen. David L. Ellison*
 3 *Arden Anderson 30 House Study* *William Waller*
 4 *Utah & Yellowstone*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A PERSON
 6 WHO IS ISSUED A SPECIAL ELK PERMIT TO HUNT COW ELK IS
 7 LIMITED TO THE HUNTING AND TAKING OF ONLY A COW ELK DURING
 8 THE REGULAR HUNTING SEASON; AND AMENDING SECTION 87-2-704,
 9 MCA."

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

11 **Section 1.** Section 87-2-704, MCA, is amended to read:

12 "87-2-704. Regulation of special elk permits. (1) The
13 department may:

14 (a) provide for the refund of resident elk tag license
15 fees to persons applying for special elk permits in hunting
16 districts where there is no general elk hunting and set time
17 limits and describe area restrictions; and

18 (b) designate special elk permit areas where priority
19 will be given to applicants who have not held special elk
20 permits for a period of years to be determined by the
21 department.

22 (2) The department shall provide that a person who is
23 issued a special elk permit to hunt cow elk is limited to
24 the hunting and taking of only a cow elk during the regular
25 hunting season.

1 ~~(2)~~(3) The department may adopt rules necessary to
2 implement this section."

-End-



-2- INTRODUCED BILL
SB 142

APPROVED BY COMM.
ON FISH AND GAME

SENATE BILL NO. 142

INTRODUCED BY T. BECK, D. BROWN, SWYSGOOD, ELLISON,
DEVLIN, ANDERSON, M. HANSON, GRADY, SPRING, WILLIAMS,
WEEDING, YELLOWTAIL, SWIFT, GROSFIELD, LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A PERSON
WHO IS ISSUED A SPECIAL ELK PERMIT TO HUNT ~~CO~~ ANTLERLESS
ELK DURING THE REGULAR HUNTING SEASON IS LIMITED TO THE
HUNTING AND TAKING OF ONLY A ~~CO~~ AN ANTLERLESS ELK DURING
THE REGULAR HUNTING SEASON IN THE HUNTING DISTRICT WHERE THE
PERMIT IS VALID; AND AMENDING SECTION 87-2-704, MCA."

STATEMENT OF INTENT

A STATEMENT OF INTENT IS PROVIDED FOR THIS BILL BECAUSE
THE LEGISLATURE IS AWARE THAT INCREASING ELK POPULATIONS ARE
OF CONCERN TO PRIVATE LANDOWNERS WHO ARE IMPACTED BY
INCREASED NUMBERS OF ELK ON THEIR PROPERTY. THIS LEGISLATION
IS NOT INTENDED TO REPLACE THE CLASS A-7 ANTLERLESS ELK
LICENSE BUT IS INTENDED TO PROVIDE FLEXIBILITY TO SOLVE
PROBLEMS THAT MIGHT ARISE FOR BOTH LANDOWNERS AND SPORTSMEN
REGARDING SURPLUS ANTLERLESS ELK. THE LEGISLATURE ENCOURAGES
THE FISH AND GAME COMMISSION AND THE DEPARTMENT OF FISH,
WILDLIFE, AND PARKS TO UTILIZE THE CLASS A-7 ANTLERLESS ELK
LICENSE WHENEVER PRACTICAL.

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

Section 1. Section 87-2-704, MCA, is amended to read:

"87-2-704. Regulation of special elk permits. (1) The
department may:

(a) provide for the refund of resident elk tag license
fees to persons applying for special elk permits in hunting
districts where there is no general elk hunting and set time
limits and describe area restrictions; and

(b) designate special elk permit areas where priority
will be given to applicants who have not held special elk
permits for a period of years to be determined by the
department.

(2) The department shall provide that a person who is
issued a special elk permit to hunt ~~cow-elk--is--limited--to~~
~~the--hunting-and-taking-of-only-a-cow-elk-during-the-regular~~
~~hunting-season;~~ ANTLERLESS ELK DURING THE REGULAR HUNTING
SEASON IS:

(A) LIMITED TO THE HUNTING AND TAKING OF ONLY AN
ANTLERLESS ELK IN THE HUNTING DISTRICT OR PORTION OF A
HUNTING DISTRICT WHERE THE PERMIT IS VALID; AND

(B) ENTITLED TO THE GENERAL ELK HUNTING PRIVILEGES FOR
A HOLDER OF A CLASS A-5 LICENSE IN ALL OTHER HUNTING
DISTRICTS.

(2)(3) The department may adopt rules necessary to
implement this section."

-End-
-2-

SECOND READING



SENATE BILL NO. 142

INTRODUCED BY T. BECK, D. BROWN, SWYSGOOD, ELLISON,
DEVLIN, ANDERSON, M. HANSON, GRADY, SPRING, WILLIAMS,
WEEDING, YELLOWTAIL, SWIFT, GROSFIELD, LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A PERSON WHO IS ISSUED A SPECIAL ELK PERMIT TO HUNT ~~COW~~ ANTLERLESS ELK DURING THE REGULAR HUNTING SEASON IS LIMITED TO THE HUNTING AND TAKING OF ONLY ~~A-COW~~ AN ANTLERLESS ELK DURING THE-REGULAR-HUNTING-SEASON IN THE HUNTING DISTRICT WHERE THE PERMIT IS VALID; AND AMENDING SECTION 87-2-704, MCA."

STATEMENT OF INTENT

A STATEMENT OF INTENT IS PROVIDED FOR THIS BILL BECAUSE THE LEGISLATURE IS AWARE THAT INCREASING ELK POPULATIONS ARE OF CONCERN TO PRIVATE LANDOWNERS WHO ARE IMPACTED BY INCREASED NUMBERS OF ELK ON THEIR PROPERTY. THIS LEGISLATION IS NOT INTENDED TO REPLACE THE CLASS A-7 ANTLERLESS ELK LICENSE BUT IS INTENDED TO PROVIDE FLEXIBILITY TO SOLVE PROBLEMS THAT MIGHT ARISE FOR BOTH LANDOWNERS AND SPORTSMEN REGARDING SURPLUS ANTLERLESS ELK. THE LEGISLATURE ENCOURAGES THE FISH AND GAME COMMISSION AND THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO UTILIZE THE CLASS A-7 ANTLERLESS ELK LICENSE WHENEVER PRACTICAL.

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

Section 1. Section 87-2-704, MCA, is amended to read:

"87-2-704. Regulation of special elk permits. (1) The department may:

(a) provide for the refund of resident elk tag license fees to persons applying for special elk permits in hunting districts where there is no general elk hunting and set time limits and describe area restrictions; and

(b) designate special elk permit areas where priority will be given to applicants who have not held special elk permits for a period of years to be determined by the department.

(2) The department shall provide that a person who is issued a special elk permit to hunt ~~cow-elk--is--limited--to the--hunting-and-taking-of-only-a-cow-elk-during-the-regular hunting-season;~~ ANTLERLESS ELK DURING THE REGULAR HUNTING SEASON IS:

(A) LIMITED TO THE HUNTING AND TAKING OF ONLY AN ANTLERLESS ELK IN THE HUNTING DISTRICT OR PORTION OF A HUNTING DISTRICT WHERE THE PERMIT IS VALID; AND

(B) ENTITLED TO THE GENERAL ELK HUNTING PRIVILEGES FOR A HOLDER OF A CLASS A-5 LICENSE IN ALL OTHER HUNTING DISTRICTS.

(3) The department may adopt rules necessary to implement this section."

-End-
-2-

THIRD READING

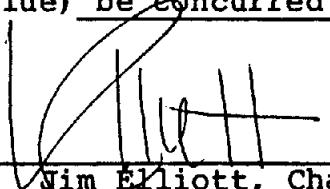


HOUSE STANDING COMMITTEE REPORT

March 16, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Fish and Game report that Senate Bill 142 (third reading copy -- blue) be concurred in as amended.

Signed: 
Tim Elliott, Chairman

Carried by: Rep. Keller

And, that such amendments read:

1. Title, line 11.

Following: "VALID;"

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 25

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

HOUSE

SB 142

570730SC.Hpd

1 SENATE BILL NO. 142

2 INTRODUCED BY T. BECK, D. BROWN, SWYSGOOD, ELLISON,
3 DEVLIN, ANDERSON, M. HANSON, GRADY, SPRING, WILLIAMS,
4 WEEDING, YELLOWTAIL, SWIFT, GROSFIELD, LYNCH

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A PERSON
7 WHO IS ISSUED A SPECIAL ELK PERMIT TO HUNT COW ANTLERLESS
8 ELK DURING THE REGULAR HUNTING SEASON IS LIMITED TO THE
9 HUNTING AND TAKING OF ONLY A-COW AN ANTLERLESS ELK DURING
10 THE-REGULAR-HUNTING-SEASON IN THE HUNTING DISTRICT WHERE THE
11 PERMIT IS VALID; AND AMENDING SECTION 87-2-704, MCA; AND
12 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

13 STATEMENT OF INTENT

14
15 A STATEMENT OF INTENT IS PROVIDED FOR THIS BILL BECAUSE
16 THE LEGISLATURE IS AWARE THAT INCREASING ELK POPULATIONS ARE
17 OF CONCERN TO PRIVATE LANDOWNERS WHO ARE IMPACTED BY
18 INCREASED NUMBERS OF ELK ON THEIR PROPERTY. THIS LEGISLATION
19 IS NOT INTENDED TO REPLACE THE CLASS A-7 ANTLERLESS ELK
20 LICENSE BUT IS INTENDED TO PROVIDE FLEXIBILITY TO SOLVE
21 PROBLEMS THAT MIGHT ARISE FOR BOTH LANDOWNERS AND SPORTSMEN
22 REGARDING SURPLUS ANTLERLESS ELK. THE LEGISLATURE ENCOURAGES
23 THE FISH AND GAME COMMISSION AND THE DEPARTMENT OF FISH,
24 WILDLIFE, AND PARKS TO UTILIZE THE CLASS A-7 ANTLERLESS ELK
25 LICENSE WHENEVER PRACTICAL.

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

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4 *87-2-704. Regulation of special elk permits. (1) The
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8 districts where there is no general elk hunting and set time
9 limits and describe area restrictions; and

10 (b) designate special elk permit areas where priority
11 will be given to applicants who have not held special elk
12 permits for a period of years to be determined by the
13 department.

14 (2) The department shall provide that a person who is
15 issued a special elk permit to hunt cow-elk-is-limited-to
16 the-hunting-and-taking-of-only-a-cow-elk-during-the-regular
17 hunting-season; ANTLERLESS ELK DURING THE REGULAR HUNTING
18 SEASON IS:

19 (A) LIMITED TO THE HUNTING AND TAKING OF ONLY AN
20 ANTLERLESS ELK IN THE HUNTING DISTRICT OR PORTION OF A
21 HUNTING DISTRICT WHERE THE PERMIT IS VALID; AND

22 (B) ENTITLED TO THE GENERAL ELK HUNTING PRIVILEGES FOR
23 A HOLDER OF A CLASS A-5 LICENSE IN ALL OTHER HUNTING
24 DISTRICTS.

25 (2)(3) The department may adopt rules necessary to

SB 0142/03

1 implement this section."

2 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS

3 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-