

SENATE BILL NO. 171

INTRODUCED BY SVRCEK, RYE, SCHYE, GRADY
BY REQUEST OF THE DEPARTMENT OF FISH,
WILDLIFE, AND PARKS

IN THE SENATE

JANUARY 22, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON FISH & GAME.

 FIRST READING.

FEBRUARY 20, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 21, 1991 PRINTING REPORT.

 SECOND READING, DO PASS.

FEBRUARY 22, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 44; NOES, 5.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

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

 FIRST READING.

MARCH 12, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

MARCH 13, 1991 SECOND READING, CONCURRED IN AS
 AMENDED.

MARCH 14, 1991 THIRD READING, CONCURRED IN.
 AYES, 62; NOES, 38.

 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 16, 1991 ON MOTION, CONSIDERATION PASSED
 UNTIL THE 59TH LEGISLATIVE DAY.

MARCH 23, 1991 SECOND READING, AMENDMENTS NOT

CONCURRED IN.

MARCH 28, 1991

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 3, 1991

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 5, 1991

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 6, 1991

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 8, 1991

FREE CONFERENCE COMMITTEE REPORTED.

IN THE HOUSE

APRIL 8, 1991

FREE CONFERENCE COMMITTEE REPORTED.

IN THE SENATE

APRIL 9, 1991

SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

IN THE HOUSE

APRIL 10, 1991

SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

IN THE SENATE

APRIL 10, 1991

THIRD READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

IN THE HOUSE

APRIL 11, 1991

THIRD READING, FREE CONFERENCE

COMMITTEE REPORT ADOPTED.

IN THE SENATE

APRIL 12, 1991

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *171*
 2 INTRODUCED BY *Frank Alger Selby Seashy*
 3 BY REQUEST OF THE DEPARTMENT OF FISH,
 4 WILDLIFE, AND PARKS

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN
 7 FISHING AND HUNTING LICENSE FEES AND THE LICENSE AGENT
 8 COMMISSION; REVISING THE PROVISIONS OF THE CLASS B-10
 9 NONRESIDENT BIG GAME COMBINATION LICENSE; AND AMENDING
 10 SECTIONS 87-2-113, 87-2-202, 87-2-301, 87-2-302, 87-2-304,
 11 87-2-306, 87-2-402, 87-2-403, 87-2-501, 87-2-505, 87-2-508,
 12 87-2-510, 87-2-701, 87-2-704, 87-2-708, 87-2-711, AND
 13 87-2-903, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14
 15 WHEREAS, an increase in Montana hunting and fishing
 16 license fees is necessary to raise revenue in order for the
 17 Department of Fish, Wildlife, and Parks to meet an
 18 anticipated revenue shortfall.

19
 20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

21 **Section 1.** Section 87-2-113, MCA, is amended to read:
 22 "87-2-113. Drawing fee. (1) When the department
 23 determines a drawing is necessary prior to issuance of
 24 hunting licenses for any game species during a hunting
 25 season, it shall collect a \$2 \$3 per species drawing fee

1 with each application submitted.

2 (2) This fee must be deposited in the state special
 3 revenue fund to the credit of the department as set forth in
 4 87-1-601.

5 (3) The payment of a drawing fee confers no hunting
 6 rights or privileges.

7 (4) The commission may waive the provisions of
 8 subsection (1) when a drawing is required for a special
 9 season under 87-1-304."

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

11 "87-2-202. Application -- stamp attachment -- fee --
 12 expiration. (1) A wildlife conservation license shall be
 13 sold upon written application. The application shall contain
 14 the applicant's name, age, occupation, place of residence,
 15 post-office address, and length of time in the state of
 16 Montana; state whether the applicant is a citizen of the
 17 United States or an alien; and be subscribed by the
 18 applicant. The applicant shall present a driver's license or
 19 other identification to substantiate the information.

20 (2) Hunting, fishing, or trapping licenses in the form
 21 of tags or stamps issued to a holder of a wildlife
 22 conservation license must be affixed to or recorded on the
 23 wildlife conservation license according to such rules as the
 24 department may prescribe.

25 (3) (a) Resident and nonresident wildlife conservation

1 licenses may be purchased for a fee of ~~\$2~~ \$4.

2 (b) Nonresident wildlife conservation licenses may be
3 purchased for a fee of \$5.

4 (4) Licenses issued shall be void after the last day of
5 February next succeeding their issuance."

6 **Section 3.** Section 87-2-301, MCA, is amended to read:

7 "**87-2-301. Class A--resident fishing license.** Any
8 resident, as defined by 87-2-102, upon payment of a fee of
9 ~~\$9-50~~ \$12, shall receive a Class A license which shall
10 entitle the holder thereof to fish with hook and line or rod
11 as authorized by regulations of the department."

12 **Section 4.** Section 87-2-302, MCA, is amended to read:

13 "**87-2-302. Class B--nonresident fishing license.** Any
14 person not a resident, as defined in 87-2-102, upon payment
15 of the sum of ~~\$36~~ \$40 to any agent of the department
16 authorized to issue fishing and hunting licenses, shall be
17 entitled to a Class B license which shall entitle the holder
18 thereof to fish with hook and line as authorized by the
19 rules and regulations of the department."

20 **Section 5.** Section 87-2-304, MCA, is amended to read:

21 "**87-2-304. Class B-4--two-day nonresident fishing**
22 **license.** Any person not a resident, as defined in 87-2-102,
23 who is a holder of a valid wildlife conservation license,
24 upon payment of the sum of ~~\$8~~ \$10 to any agent of the
25 department authorized to issue fishing and hunting licenses,

1 shall be entitled to a 2-day nonresident fishing license
2 which shall authorize the holder to fish with hook and line,
3 as prescribed by rules and regulations of the department,
4 for 2 calendar days as indicated on the license."

5 **Section 6.** Section 87-2-306, MCA, is amended to read:

6 "**87-2-306. Paddlefish tags.** The department may issue
7 paddlefish tags to holders of valid Class A, Class B, and
8 Class B-4 fishing licenses for a fee of ~~\$3~~ \$5 for residents
9 and ~~\$10~~ \$15 for nonresidents. Each tag authorizes the holder
10 to fish with hook and line for paddlefish as prescribed by
11 rules of the department."

12 **Section 7.** Section 87-2-402, MCA, is amended to read:

13 "**87-2-402. Class B-1--nonresident upland game bird**
14 **license.** Except as otherwise provided in this chapter, a
15 person not a resident, as defined in 87-2-102, but who is 12
16 years of age or older, upon payment of a fee of ~~\$53~~ \$55 may
17 receive a Class B-1 license which shall entitle the holder
18 thereof to pursue, hunt, shoot, and kill upland game birds,
19 cranes, rails, snipes, and mourning doves and possess the
20 carcasses of upland game birds, cranes, rails, snipes, and
21 mourning doves as authorized by department rules."

22 **Section 8.** Section 87-2-403, MCA, is amended to read:

23 "**87-2-403. (Temporary) Wild turkey tags and fee.** (1)
24 The department may issue wild turkey tags to the holder of a
25 valid Class A-1 or Class B-1 license or as set out in

1 subsection (3). Each tag shall entitle the holder to pursue,
2 hunt, shoot, and kill one wild turkey and possess the
3 carcass thereof, during such times and such places as the
4 department shall authorize an open season on wild turkey.

5 (2) The fee for a wild turkey tag is \$3 \$5 for
6 residents and \$13 for nonresidents. Turkey tags shall be
7 issued either by a drawing system or in unlimited number as
8 authorized by department rules.

9 (3) Subject to the provisions of subsection (2), a
10 person who is 62 years of age or older as provided in
11 87-2-801, certified as disabled under 87-2-803, or a
12 resident minor as described in 87-2-805 may purchase a wild
13 turkey tag upon presentation of his wildlife conservation
14 license. (Terminates March 1, 1994--sec. 12, Ch. 598, L.
15 1987.)

16 87-2-403. (Effective March 1, 1994) Wild turkey tags
17 and fee. (1) The department may issue wild turkey tags to
18 the holder of a valid Class A-1 or Class B-1 license or as
19 set out in subsection (3). Each tag shall entitle the holder
20 to pursue, hunt, shoot, and kill one wild turkey and possess
21 the carcass thereof, during such times and such places as
22 the department shall authorize an open season on wild
23 turkey.

24 (2) The fee for a wild turkey tag shall be \$3 \$5.
25 Turkey tags shall be issued either by a drawing system or in

1 unlimited number as authorized by department rules.

2 (3) Subject to the provisions of subsection (2), a
3 person who is 62 years of age or older as provided in
4 87-2-801, certified as disabled under 87-2-803, or a
5 resident minor as described in 87-2-805 may purchase a wild
6 turkey tag upon presentation of his wildlife conservation
7 license."

8 **Section 9.** Section 87-2-501, MCA, is amended to read:

9 "87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident
10 deer, elk, and bear licenses -- special Class A-7 resident
11 and nonresident license requirements and preference. (1)
12 Except as otherwise provided in this chapter, a resident, as
13 defined by 87-2-102, or a nonresident who wishes to purchase
14 a Class A-7 elk license only, who will be 12 years of age or
15 older prior to September 15 of the season for which the
16 license is issued may, upon payment of the proper fee or
17 fees, be entitled to purchase one each of the following
18 licenses at the prescribed cost which will entitle the
19 holder to pursue, hunt, shoot, and kill the game animal or
20 animals authorized by the license held and to possess the
21 carcasses of those game animals as authorized by department
22 rules:

23 (a) Class A-3, deer A tag, \$9 \$15;

24 (b) Class A-4, deer B tag, \$6 \$8;

25 (c) Class A-5, elk tag, \$10 \$20;

1 (d) Class A-6, black or brown bear tag, \$8 \$15;

2 (e) Class A-7, antlerless elk tag, \$10 \$20.

3 (2) (a) The holder of a Class A-7 antlerless elk
4 license is entitled to take antlerless elk in areas
5 designated by the commission and at such times and upon such
6 terms as set forth by the commission.

7 (b) No person may take more than one elk during any
8 license year, and a person holding a Class A-7 antlerless
9 elk tag may not take an elk during the same license year
10 with a Class A-5 license or nonresident elk tag. The use of
11 Class A-7 antlerless elk licenses does not preclude the
12 department's use of special elk permits.

13 (c) A nonresident shall hold a nonresident Class B-10
14 license as a prerequisite to application for a Class A-7
15 license.

16 (3) Subject to the limitation of subsection (5), a
17 person who holds fee title to 640 acres or more of
18 contiguous land, at least some of which is used by elk, in a
19 hunting district where Class A-7 licenses are awarded under
20 this section shall be issued, upon application, a Class A-7
21 license.

22 (4) An applicant who receives a Class A-7 license under
23 subsection (3) may designate that the license be issued to
24 an immediate family member or a person employed by the
25 landowner. A corporation owning qualifying land under

1 subsection (3) may designate one of its shareholders to
2 receive the license.

3 (5) Fifteen percent of the Class A-7 licenses available
4 each year under this section in a hunting district must be
5 available to landowners under subsection (3)."

6 **Section 10.** Section 87-2-505, MCA, is amended to read:

7 **"87-2-505. (Temporary) Class B-10--nonresident big game**
8 **combination license.** Except as otherwise provided in this
9 chapter, a person not a resident, as defined in 87-2-102,
10 but who will be 12 years of age or older prior to September
11 15 of the season for which the license is issued may, upon
12 payment of the fee of \$450 \$462 or upon payment of the fee
13 of \$472 if the license is one of the 5,600 licenses reserved
14 pursuant to 87-2-511 for applicants indicating their intent
15 to use the services of a licensed outfitter and subject to
16 the limitations prescribed by law and department regulation,
17 apply to the fish and game office, Helena, Montana, to
18 purchase a B-10 nonresident big game combination license
19 which shall entitle the holder to all the privileges of
20 Class B, Class B-1, and Class B-77-and-black-bear licenses,
21 and an elk tag. This license includes the nonresident
22 conservation license as prescribed in 87-2-202. Not more
23 than 17,000 Class B-10 licenses may be sold in any one
24 license year. (Terminates March 1, 1994--sec. 12, Ch. 598,
25 L. 1987.)

1 87-2-505. (Effective March 1, 1994) Class
 2 B-10--nonresident big game combination license. Except as
 3 otherwise provided in this chapter, a person not a resident,
 4 as defined in 87-2-102, but who will be 12 years of age or
 5 older prior to September 15 of the season for which the
 6 license is issued may, upon payment of the fee of ~~\$375~~ \$385
 7 or upon payment of the fee of \$395 if the license is one of
 8 the 5,600 licenses reserved pursuant to 87-2-511 for
 9 applicants indicating their intent to use the services of a
 10 licensed outfitter and subject to the limitations prescribed
 11 by law and department regulation, apply to the fish and game
 12 office, Helena, Montana, to purchase a B-10 nonresident big
 13 game combination license which shall entitle the holder to
 14 all the privileges of Class B, Class B-1, and Class B-7, ~~and~~
 15 ~~black--bear~~ licenses, and an elk tag. This license includes
 16 the nonresident conservation license as prescribed in
 17 87-2-202. Not more than 17,000 Class B-10 licenses may be
 18 sold in any one license year."

19 **Section 11.** Section 87-2-508, MCA, is amended to read:

20 "87-2-508. Class D-2--resident mountain lion license.
 21 Except as otherwise provided in this chapter, a person who
 22 is a resident, as defined in 87-2-102, and who is 12 years
 23 of age or older, upon payment of a fee of ~~\$10~~ \$15 may
 24 receive a Class D-2 license which shall entitle the holder
 25 thereof to pursue, hunt, shoot, and kill mountain lion and

1 possess the carcass thereof as authorized by department
 2 rules. If a holder of a valid mountain lion license under
 3 this section kills a mountain lion, he must purchase a
 4 trophy license for a fee of \$50 within 10 days after the
 5 date of kill. The trophy license authorizes the holder to
 6 possess and transport such trophy."

7 **Section 12.** Section 87-2-510, MCA, is amended to read:

8 "87-2-510. (Temporary) Class B-11--nonresident deer
 9 combination license. (1) Except as otherwise provided in
 10 this chapter, a person not a resident, as defined in
 11 87-2-102, but who will be 12 years of age or older prior to
 12 September 15 of the season for which the license is issued
 13 may, upon payment of a fee of ~~\$200~~ \$238 or upon payment of
 14 the fee of \$248 if the license is one of the 4,000 reserved
 15 pursuant to 87-2-511 for applicants indicating their intent
 16 either to use the services of a licensed outfitter or to
 17 hunt with a resident sponsor on land owned by that sponsor
 18 and subject to the limitations prescribed by law and
 19 department regulation, apply to the fish and game office,
 20 Helena, Montana, to purchase a Class B-11 nonresident deer
 21 combination license that entitles the holder to all the
 22 privileges of the Class B, Class B-1, and Class B-7
 23 licenses. This license includes the nonresident wildlife
 24 conservation license as prescribed in 87-2-202.

25 (2) Six thousand Class B-11 licenses are authorized for

1 sale each license year.

2 **87-2-510.** (Effective March 1, 1994) Class
 3 B-11--nonresident deer combination license. (1) Except as
 4 otherwise provided in this chapter, a person not a resident,
 5 as defined in 87-2-102, but who will be 12 years of age or
 6 older prior to September 15 of the season for which the
 7 license is issued may, upon payment of a fee of ~~\$175~~ \$213 or
 8 upon payment of the fee of \$223 if the license is one of the
 9 4,000 reserved pursuant to 87-2-511 for applicants
 10 indicating their intent either to use the services of a
 11 licensed outfitter or to hunt with a resident sponsor on
 12 land owned by that sponsor and subject to the limitations
 13 prescribed by law and department regulation, apply to the
 14 fish and game office, Helena, Montana, to purchase a Class
 15 B-11 nonresident deer combination license that entitles the
 16 holder to all the privileges of the Class B, Class B-1, and
 17 Class B-7 licenses. This license includes the nonresident
 18 wildlife conservation license as prescribed in 87-2-202.

19 (2) Six thousand Class B-11 licenses are authorized for
 20 sale each license year."

21 **Section 13.** Section 87-2-701, MCA, is amended to read:

22 **"87-2-701.** (Temporary) Special licenses. (1) Any
 23 applicant who will be 12 years of age or older prior to
 24 September 15 of the season for which the license is issued
 25 and is the holder of a resident wildlife conservation

1 license or a nonresident wildlife conservation license may
 2 apply for a special license which, in the judgment of the
 3 department, is to be issued and shall pay the following fees
 4 therefor:

- 5 (a) moose--resident, \$50 \$75; nonresident, ~~\$320~~ \$450;
 6 (b) mountain goat--resident, \$50 \$75; nonresident, ~~\$320~~
 7 \$450;
 8 (c) mountain sheep--resident, \$50 \$75; nonresident,
 9 ~~\$320~~ \$450;
 10 (d) antelope--resident, \$6 \$12; nonresident, ~~\$120~~ \$145;
 11 (e) grizzly bear--resident, \$50; nonresident, \$300;
 12 (f) black or brown bear--nonresident, \$120;
 13 (g) wild buffalo--resident, \$200; nonresident, \$1,000.
 14 (2) In the event a holder of a valid special grizzly
 15 bear license kills a grizzly bear, he must purchase a trophy
 16 license for a fee of \$25 within 10 days after date of kill.
 17 Such trophy license shall authorize the holder to possess
 18 and transport said trophy.

19 (3) Special licenses shall be issued in a manner
 20 prescribed by the department. (Terminates March 1,
 21 1994--sec. 12, Ch. 598, L. 1987.)

22 **87-2-701.** (Effective March 1, 1994) Special licenses.
 23 (1) Any applicant who will be 12 years of age or older prior
 24 to September 15 of the season for which the license is
 25 issued and is the holder of a resident wildlife conservation

1 license or a nonresident wildlife conservation license may-
 2 apply for a special license which, in the judgment of the
 3 department, is to be issued and shall pay the following fees
 4 therefor:

5 (a) moose--resident, \$50 \$75; nonresident, \$300 \$430;

6 (b) mountain goat--resident, \$50 \$75; nonresident, \$300
 7 \$430;

8 (c) mountain sheep--resident, \$50 \$75; nonresident,
 9 \$300 \$430;

10 (d) antelope--resident, \$6 \$12; nonresident, \$100 \$125;

11 (e) grizzly bear--resident, \$50; nonresident, \$300;

12 (f) black or brown bear--nonresident, \$100;

13 (g) wild buffalo--resident, \$200; nonresident, \$1,000.

14 (2) In the event a holder of a valid special grizzly
 15 bear license kills a grizzly bear, he must purchase a trophy
 16 license for a fee of \$25 within 10 days after date of kill.
 17 Such trophy license shall authorize the holder to possess
 18 and transport said trophy.

19 (3) Special licenses shall be issued in a manner
 20 prescribed by the department."

21 **Section 14.** Section 87-2-704, MCA, is amended to read:

22 "87-2-704. Regulation of special elk permits. (1) The
 23 department may:

24 (a) provide for the refund of resident elk tag license
 25 fees to persons applying for special elk permits in hunting

1 districts where there is no general elk hunting and set time
 2 limits and describe area restrictions;

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

7 (2) The fee for a special elk permit is \$3.

8 (2)(3) The department may adopt rules necessary to
 9 implement this section."

10 **Section 15.** Section 87-2-708, MCA, is amended to read:

11 "87-2-708. Class A-2--special bow and arrow license. A
 12 holder of a valid hunting license for which a special
 13 archery season is set by the department may receive, upon
 14 payment of an additional fee of \$7 \$8, a Class A-2 license
 15 which shall authorize the holder thereof to pursue, hunt,
 16 shoot, and kill with bow and arrow the game animals so
 17 authorized by the licenses held and to possess the carcass
 18 thereof during seasons and in areas, as designated by the
 19 department."

20 **Section 16.** Section 87-2-711, MCA, is amended to read:

21 "87-2-711. (Temporary) Class AAA--sportsman's license.
 22 Any resident, as defined by 87-2-102, who will be 12 years
 23 of age or older prior to September 15 of the season for
 24 which the license is issued, upon payment of the sum of
 25 \$45-50 \$60, shall be entitled to a sportsman's license which

1 shall permit the holder to exercise all rights granted to
 2 holders of Class A, A-1, A-3, A-5, A-6, and resident
 3 conservation licenses as prescribed in 87-2-202. The
 4 department shall furnish each holder of a sportsman's
 5 license an appropriate decal. (Terminates March 1,
 6 1994--sec. 12, Ch. 598, L. 1987.)

7 87-2-711. (Effective March 1, 1994) Class
 8 AAA--sportsman's license. Any resident, as defined by
 9 87-2-102, who will be 12 years of age or older prior to
 10 September 15 of the season for which the license is issued,
 11 upon payment of the sum of ~~\$38.50~~ \$53, shall be entitled to
 12 a sportsman's license which shall permit the holder to
 13 exercise all rights granted to holders of Class A, A-1, A-3,
 14 A-5, A-6, and resident conservation licenses as prescribed
 15 in 87-2-202. The department shall furnish each holder of a
 16 sportsman's license an appropriate decal."

17 **Section 17.** Section 87-2-903, MCA, is amended to read:

18 ***87-2-903. Compensation and duties of agents -- penalty**
 19 **for late submission of license money.** (1) License agents,
 20 except salaried employees of the department, shall receive
 21 for all services rendered the sum of ~~30-cents~~ 40 cents for
 22 the 1992 license year and 50 cents thereafter for each
 23 license, permit, or certificate issued. Each license agent
 24 shall submit to the department all duplicates of each class
 25 of licenses sold and shall accompany the duplicate licenses

1 with all moneys received for the sale of the licenses less a
 2 ~~fee--of--30-cents-for-each-license-sold~~ the appropriate fee.
 3 The department may designate classes of license agents and
 4 may establish a deadline for submission of license money by
 5 each class of agent. Each license agent shall keep his
 6 license account open at all reasonable hours to inspection
 7 by the department, the director, the wardens, or the
 8 legislative auditor.

9 (2) For purposes of this section, the term "license"
 10 includes any license, permit, and certificate prescribed by
 11 the department.

12 (3) If a license agent fails to submit to the
 13 department all money received from the declared sale of
 14 licenses, less the appropriate fee, by the deadline
 15 established by the department, an interest charge equal to
 16 the rate charged on late corporation license tax payments
 17 under 15-31-502 must be assessed. Acceptance of late
 18 payments with interest does not preclude the department from
 19 summarily revoking the appointment of a license agent under
 20 87-2-904."

21 **NEW SECTION. Section 18.** Effective date. [This act] is
 22 effective March 1, 1992.

-End-

STATE OF MONTANA - FISCAL NOTE

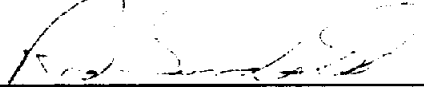
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0171, as introduced.

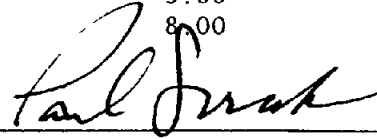
DESCRIPTION OF PROPOSED LEGISLATION:

This bill increases certain hunting and fishing licenses and increases the license agent commission. The following table details the current license fees and the proposed fees.

License Name	Current Fee	Proposed Fee
Resident Antelope	\$ 6.00	\$ 12.00
Resident Black Bear	8.00	15.00
Resident Conservation	2.00	4.00
Resident Deer A	9.00	15.00
Resident Deer B	6.00	8.00
Resident Elk	10.00	20.00
Resident Fishing	9.50	12.00
Resident Goat	50.00	75.00
Resident Moose	50.00	75.00
Resident Mt Lion	10.00	15.00
Resident Paddlefish	3.00	5.00
Resident Sheep	50.00	75.00
Resident Sportsman	45.50	60.00
Resident Turkey	3.00	5.00
Nonresident Antelope	120.00	145.00
Nonresident Bird	53.00	55.00
Nonresident Conservation	2.00	5.00
Nonresident Deer Combo	200.00	238.00
Nonresident Deer Combo Outfitter	200.00	248.00
Nonresident Elk Combo	450.00	462.00
Nonresident Elk Combo Outfitter	450.00	472.00
Nonresident Elk Combo Landowner	450.00	472.00
Nonresident Fish 2-Day	8.00	10.00
Nonresident Fish Season	36.00	40.00
Nonresident Goat	320.00	450.00
Nonresident Moose	320.00	450.00
Nonresident Paddlefish	10.00	15.00
Nonresident Sheep	320.00	450.00
Drawing Fees	2.00	3.00
Elk Permit	0.00	3.00
Archery	7.00	8.00


 ROD SUNDSTED, BUDGET DIRECTOR
 Office of Budget and Program Planning

DATE


 PAUL S. SVRCEK, PRIMARY SPONSOR

DATE

29 JAN 91

Fiscal Note for SB0171, as introduced **SB171**

The bill also increase the commission paid license agents from \$0.30 per license sold to \$0.40 per license in license year 1992 and \$0.50 per license in license year 1993.

ASSUMPTIONS:

1. The projected quantity of licenses sold is primarily based upon historical sales.
2. Projected licenses sales have been reduced in FY92 and FY93 for some licenses due to anticipated buyer resistance to the higher fees. No buyer resistance is anticipated in the sales of licenses which have quotas such as the nonresident big game license.
3. The projected increase in revenue has been converted from license year (starting March 1 of each year) and allocated to the appropriate fiscal year based on percentage of sales in each fiscal year.

FISCAL IMPACT:

Department of Fish, Wildlife, and Parks:

	<u>FY 92</u>			<u>FY 93</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
License Agent Commission	270,000	280,300	10,300	270,000	367,300	367,030
<u>Funding:</u>						
General License Act. (02)	270,000	280,300	10,300	270,000	367,300	97,300
<u>Revenues:</u>						
General License Act. (02)	19,171,471	20,366,773	1,195,302	19,171,487	22,699,423	3,527,936

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

The bill phases in an increase in the commission paid to over 400 private businesses from \$.30 to \$.50 per license sold.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The fee increase is projected to fund the department through 1997.

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0171, third reading.DESCRIPTION OF PROPOSED LEGISLATION:

This bill increases certain hunting and fishing licenses and the license agent commission. The fee increases are phased in as detailed in the following table.

License Name	Current Fee	Proposed Fee March 1, 1992	Proposed Fee March 1, 1994
Resident Antelope	\$ 6.00	9.00	\$ 12.00
Resident Black Bear	8.00	11.00	15.00
Resident Conservation	2.00	4.00	4.00
Resident Deer A	9.00	12.00	15.00
Resident Deer B	6.00	7.00	8.00
Resident Elk	10.00	15.00	20.00
Resident Fishing	9.50	11.00	12.00
Resident Goat	50.00	60.00	75.00
Resident Moose	50.00	60.00	75.00
Resident Mt Lion	10.00	13.00	15.00
Resident Paddlefish	3.00	4.00	5.00
Resident Sheep	50.00	60.00	75.00
Resident Sportsman	45.50	54.00	64.00
Resident Turkey	3.00	4.00	5.00
Nonresident Antelope	120.00	145.00	145.00
Nonresident Bird	53.00	55.00	55.00
Nonresident Conservation	2.00	5.00	5.00
Nonresident Deer Combo	200.00	238.00	238.00
Nonresident Deer Combo Outfitter	200.00	248.00	248.00
Nonresident Deer Combo Landowner	200.00	248.00	248.00
Nonresident Elk	450.00	462.00	462.00
Nonresident Elk Combo Outfitter	450.00	472.00	472.00
Nonresident Fish 2-Day	8.00	10.00	10.00
Nonresident Fish Season	36.00	40.00	40.00
Nonresident Goat	320.00	450.00	450.00
Nonresident Moose	320.00	450.00	450.00
Nonresident Paddlefish	10.00	15.00	15.00
Nonresident Sheep	320.00	450.00	450.00
Drawing Fees	2.00	3.00	3.00
Elk Permit	0.00	2.00	3.00
Archery	7.00	8.00	8.00

Rod Sundsted by SB 3/11/91
 ROD SUNDESTED, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

Paul S. Svrcek 3/12/91
 PAUL S. SVRCEK, PRIMARY SPONSOR DATE

Fiscal Note for SB0171, third reading

SB 171-2

The bill also increases the commission paid license agents from \$0.30 per license sold to \$0.40 per license in license year 1992 and \$0.50 per license in license year 1993.

ASSUMPTIONS:

1. The projected quantity of licenses sold is primarily based upon historical sales.
2. Projected license sales have been reduced in FY92 and FY93 for some licenses due to anticipated buyer resistance to the higher fees. No buyer resistance is anticipated in the sales of licenses which have quotas such as the nonresident big game license.
3. The projected increase in revenue has been converted from license year (starting March 1 of each year) and allocated to the appropriate fiscal year based on percentage of sales in each fiscal year.
4. The level of fees shown in the column entitled "Proposed Fees March 1, 1994" is based upon the assumption that SB0013 is passed. SB0013 extends the sunset date for the wildlife habitat license fees.

FISCAL IMPACT:

Department of Fish, Wildlife, and Parks:

	FY 92			FY 93		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
License Agent Commission	270,000	280,300	10,300	270,000	367,300	97,300
<u>Funding:</u>						
General License Act. (02)	270,000	280,300	10,300	270,000	367,300	97,300
<u>Revenues:</u>						
General License Act. (02)	19,171,471	20,035,286	863,815	19,171,487	21,621,810	2,450,323

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

The bill phases in an increase in the commission paid to over 400 private businesses from \$.30 to \$.50 per license sold.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The fee increase is projected to fund the department through 1995.

1 SENATE BILL NO. 171

2 INTRODUCED BY SVRCEK, RYE, SCHYE, GRADY
3 BY REQUEST OF THE DEPARTMENT OF FISH,
4 WILDLIFE, AND PARKS

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN
7 FISHING AND HUNTING LICENSE FEES AND THE LICENSE AGENT
8 COMMISSION; REVISING THE PROVISIONS OF THE CLASS B-10
9 NONRESIDENT BIG GAME COMBINATION LICENSE; AND AMENDING
10 SECTIONS 87-2-113, 87-2-202, 87-2-301, 87-2-302, 87-2-304,
11 87-2-306, 87-2-402, 87-2-403, 87-2-501, 87-2-505, 87-2-508,
12 87-2-510, 87-2-701, 87-2-704, 87-2-708, 87-2-711, AND
13 87-2-903, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14
15 WHEREAS, an increase in Montana hunting and fishing
16 license fees is necessary to raise revenue in order for the
17 Department of Fish, Wildlife, and Parks to meet an
18 anticipated revenue shortfall.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

21 **Section 1.** Section 87-2-113, MCA, is amended to read:

22 **"87-2-113. Drawing fee.** (1) When the department
23 determines a drawing is necessary prior to issuance of
24 hunting licenses for any game species during a hunting
25 season, it shall collect a ~~92~~ 93 per species drawing fee

1 with each application submitted.

2 (2) This fee must be deposited in the state special
3 revenue fund to the credit of the department as set forth in
4 87-1-601.

5 (3) The payment of a drawing fee confers no hunting
6 rights or privileges.

7 (4) The commission may waive the provisions of
8 subsection (1) when a drawing is required for a special
9 season under 87-1-304."

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

11 **"87-2-202. Application -- stamp attachment -- fee --**
12 **expiration.** (1) A wildlife conservation license shall be
13 sold upon written application. The application shall contain
14 the applicant's name, age, occupation, place of residence,
15 post-office address, and length of time in the state of
16 Montana; state whether the applicant is a citizen of the
17 United States or an alien; and be subscribed by the
18 applicant. The applicant shall present a driver's license or
19 other identification to substantiate the information.

20 (2) Hunting, fishing, or trapping licenses in the form
21 of tags or stamps issued to a holder of a wildlife
22 conservation license must be affixed to or recorded on the
23 wildlife conservation license according to such rules as the
24 department may prescribe.

25 (3) (a) Resident ~~and-nonresident~~ wildlife conservation

1 licenses may be purchased for a fee of ~~92~~ \$4.

2 (b) Nonresident wildlife conservation licenses may be
3 purchased for a fee of \$5.

4 (4) Licenses issued shall be void after the last day of
5 February next succeeding their issuance."

6 **Section 3.** Section 87-2-301, MCA, is amended to read:

7 **"87-2-301. Class A--resident fishing license.** Any
8 resident, as defined by 87-2-102, upon payment of a fee of
9 ~~99-50~~ \$11 BEGINNING MARCH 1, 1992, AND \$12 BEGINNING MARCH
10 1, 1994, shall receive a Class A license which shall entitle
11 the holder thereof to fish with hook and line or rod as
12 authorized by regulations of the department."

13 **Section 4.** Section 87-2-302, MCA, is amended to read:

14 **"87-2-302. Class B--nonresident fishing license.** Any
15 person not a resident, as defined in 87-2-102, upon payment
16 of the sum of ~~36~~ \$40 to any agent of the department
17 authorized to issue fishing and hunting licenses, shall be
18 entitled to a Class B license which shall entitle the holder
19 thereof to fish with hook and line as authorized by the
20 rules and regulations of the department."

21 **Section 5.** Section 87-2-304, MCA, is amended to read:

22 **"87-2-304. Class B-4--two-day nonresident fishing**
23 **license.** Any person not a resident, as defined in 87-2-102,
24 who is a holder of a valid wildlife conservation license,
25 upon payment of the sum of ~~8~~ \$10 to any agent of the

1 department authorized to issue fishing and hunting licenses,
2 shall be entitled to a 2-day nonresident fishing license
3 which shall authorize the holder to fish with hook and line,
4 as prescribed by rules and regulations of the department,
5 for 2 calendar days as indicated on the license."

6 **Section 6.** Section 87-2-306, MCA, is amended to read:

7 **"87-2-306. Paddlefish tags.** The department may issue
8 paddlefish tags to holders of valid Class A, Class B, and
9 Class B-4 fishing licenses for a fee of ~~3~~ \$4 BEGINNING
10 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for residents
11 and ~~10~~ \$15 for nonresidents. Each tag authorizes the holder
12 to fish with hook and line for paddlefish as prescribed by
13 rules of the department."

14 **Section 7.** Section 87-2-402, MCA, is amended to read:

15 **"87-2-402. Class B-1--nonresident upland game bird**
16 **license.** Except as otherwise provided in this chapter, a
17 person not a resident, as defined in 87-2-102, but who is 12
18 years of age or older, upon payment of a fee of ~~53~~ \$55 may
19 receive a Class B-1 license which shall entitle the holder
20 thereof to pursue, hunt, shoot, and kill upland game birds,
21 cranes, rails, snipes, and mourning doves and possess the
22 carcasses of upland game birds, cranes, rails, snipes, and
23 mourning doves as authorized by department rules."

24 **Section 8.** Section 87-2-403, MCA, is amended to read:

25 **"87-2-403. (Temporary) Wild turkey tags and fee. (1)**

1 The department may issue wild turkey tags to the holder of a
2 valid Class A-1 or Class B-1 license or as set out in
3 subsection (3). Each tag shall entitle the holder to pursue,
4 hunt, shoot, and kill one wild turkey and possess the
5 carcass thereof, during such times and such places as the
6 department shall authorize an open season on wild turkey.

7 (2) The fee for a wild turkey tag is ~~93~~ \$4 BEGINNING
8 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for
9 residents and \$13 for nonresidents. Turkey tags shall be
10 issued either by a drawing system or in unlimited number as
11 authorized by department rules.

12 (3) Subject to the provisions of subsection (2), a
13 person who is 62 years of age or older as provided in
14 87-2-801, certified as disabled under 87-2-803, or a
15 resident minor as described in 87-2-805 may purchase a wild
16 turkey tag upon presentation of his wildlife conservation
17 license. (Terminates March 1, 1994--sec. 12, Ch. 598, L.
18 1987.)

19 **87-2-403. (Effective March 1, 1994) Wild turkey tags**
20 **and fee.** (1) The department may issue wild turkey tags to
21 the holder of a valid Class A-1 or Class B-1 license or as
22 set out in subsection (3). Each tag shall entitle the holder
23 to pursue, hunt, shoot, and kill one wild turkey and possess
24 the carcass thereof, during such times and such places as
25 the department shall authorize an open season on wild

1 turkey.

2 (2) The fee for a wild turkey tag shall be ~~93~~ \$5.
3 Turkey tags shall be issued either by a drawing system or in
4 unlimited number as authorized by department rules.

5 (3) Subject to the provisions of subsection (2), a
6 person who is 62 years of age or older as provided in
7 87-2-801, certified as disabled under 87-2-803, or a
8 resident minor as described in 87-2-805 may purchase a wild
9 turkey tag upon presentation of his wildlife conservation
10 license."

11 **Section 9.** Section 87-2-501, MCA, is amended to read:

12 "87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident
13 deer, elk, and bear licenses -- special Class A-7 resident
14 and nonresident license requirements and preference. (1)
15 Except as otherwise provided in this chapter, a resident, as
16 defined by 87-2-102, or a nonresident who wishes to purchase
17 a Class A-7 elk license only, who will be 12 years of age or
18 older prior to September 15 of the season for which the
19 license is issued may, upon payment of the proper fee or
20 fees, be entitled to purchase one each of the following
21 licenses at the prescribed cost which will entitle the
22 holder to pursue, hunt, shoot, and kill the game animal or
23 animals authorized by the license held and to possess the
24 carcasses of those game animals as authorized by department
25 rules:

1 (a) Class A-3, deer A tag, ~~\$9~~ \$12 BEGINNING MARCH 1,
2 1992, AND \$15 BEGINNING MARCH 1, 1994;

3 (b) Class A-4, deer B tag, ~~\$6~~ \$7 BEGINNING MARCH 1,
4 1992, AND \$8 BEGINNING MARCH 1, 1994;

5 (c) Class A-5, elk tag, ~~\$10~~ \$15 BEGINNING MARCH 1,
6 1992, AND \$20 BEGINNING MARCH 1, 1994;

7 (d) Class A-6, black or brown bear tag, ~~\$8~~ \$11
8 BEGINNING MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994;

9 (e) Class A-7, antlerless elk tag, ~~\$10~~ \$15 BEGINNING
10 MARCH 1, 1992, AND \$20 BEGINNING MARCH 1, 1994.

11 (2) (a) The holder of a Class A-7 antlerless elk
12 license is entitled to take antlerless elk in areas
13 designated by the commission and at such times and upon such
14 terms as set forth by the commission.

15 (b) No person may take more than one elk during any
16 license year, and a person holding a Class A-7 antlerless
17 elk tag may not take an elk during the same license year
18 with a Class A-5 license or nonresident elk tag. The use of
19 Class A-7 antlerless elk licenses does not preclude the
20 department's use of special elk permits.

21 (c) A nonresident shall hold a nonresident Class B-10
22 license as a prerequisite to application for a Class A-7
23 license.

24 (3) Subject to the limitation of subsection (5), a
25 person who holds fee title to 640 acres or more of

1 contiguous land, at least some of which is used by elk, in a
2 hunting district where Class A-7 licenses are awarded under
3 this section shall be issued, upon application, a Class A-7
4 license.

5 (4) An applicant who receives a Class A-7 license under
6 subsection (3) may designate that the license be issued to
7 an immediate family member or a person employed by the
8 landowner. A corporation owning qualifying land under
9 subsection (3) may designate one of its shareholders to
10 receive the license.

11 (5) Fifteen percent of the Class A-7 licenses available
12 each year under this section in a hunting district must be
13 available to landowners under subsection (3)."

14 **Section 10.** Section 87-2-505, MCA, is amended to read:

15 **"87-2-505. (Temporary) Class B-10--nonresident big game**
16 **combination license.** Except as otherwise provided in this
17 chapter, a person not a resident, as defined in 87-2-102,
18 but who will be 12 years of age or older prior to September
19 15 of the season for which the license is issued may, upon
20 payment of the fee of ~~\$450~~ \$462 or upon payment of the fee
21 of \$472 if the license is one of the 5,600 licenses reserved
22 pursuant to 87-2-511 for applicants indicating their intent
23 to use the services of a licensed outfitter and subject to
24 the limitations prescribed by law and department regulation,
25 apply to the fish and game office, Helena, Montana, to

1 purchase a B-10 nonresident big game combination license
 2 which shall entitle the holder to all the privileges of
 3 Class B, Class B-1, and Class B-7~~7~~~~-and-black-bear~~ licenses,
 4 and an elk tag. This license includes the nonresident
 5 conservation license as prescribed in 87-2-202. Not more
 6 than 17,000 Class B-10 licenses may be sold in any one
 7 license year. (Terminates March 1, 1994--sec. 12, Ch. 598,
 8 L. 1987.)

9 87-2-505. (Effective March 1, 1994) Class
 10 B-10--nonresident big game combination license. Except as
 11 otherwise provided in this chapter, a person not a resident,
 12 as defined in 87-2-102, but who will be 12 years of age or
 13 older prior to September 15 of the season for which the
 14 license is issued may, upon payment of the fee of ~~\$375~~ \$385
 15 or upon payment of the fee of \$395 if the license is one of
 16 the 5,600 licenses reserved pursuant to 87-2-511 for
 17 applicants indicating their intent to use the services of a
 18 licensed outfitter and subject to the limitations prescribed
 19 by law and department regulation, apply to the fish and game
 20 office, Helena, Montana, to purchase a B-10 nonresident big
 21 game combination license which shall entitle the holder to
 22 all the privileges of Class B, Class B-1, and Class B-7~~7~~~~-and~~
 23 ~~black-bear~~ licenses, and an elk tag. This license includes
 24 the nonresident conservation license as prescribed in
 25 87-2-202. Not more than 17,000 Class B-10 licenses may be

1 sold in any one license year."

2 **Section 11.** Section 87-2-508, MCA, is amended to read:

3 "87-2-508. Class D-2--resident mountain lion license.
 4 Except as otherwise provided in this chapter, a person who
 5 is a resident, as defined in 87-2-102, and who is 12 years
 6 of age or older, upon payment of a fee of ~~\$10~~ \$13 BEGINNING
 7 MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994, may receive
 8 a Class D-2 license which shall entitle the holder thereof
 9 to pursue, hunt, shoot, and kill mountain lion and possess
 10 the carcass thereof as authorized by department rules. If a
 11 holder of a valid mountain lion license under this section
 12 kills a mountain lion, he must purchase a trophy license for
 13 a fee of \$50 within 10 days after the date of kill. The
 14 trophy license authorizes the holder to possess and
 15 transport such trophy."

16 **Section 12.** Section 87-2-510, MCA, is amended to read:

17 "87-2-510. (Temporary) Class B-11--nonresident deer
 18 combination license. (1) Except as otherwise provided in
 19 this chapter, a person not a resident, as defined in
 20 87-2-102, but who will be 12 years of age or older prior to
 21 September 15 of the season for which the license is issued
 22 may, upon payment of a fee of ~~\$200~~ \$238 or upon payment of
 23 the fee of \$248 if the license is one of the 4,000 reserved
 24 pursuant to 87-2-511 for applicants indicating their intent
 25 either to use the services of a licensed outfitter or to

1 hunt with a resident sponsor on land owned by that sponsor
 2 and subject to the limitations prescribed by law and
 3 department regulation, apply to the fish and game office,
 4 Helena, Montana, to purchase a Class B-11 nonresident deer
 5 combination license that entitles the holder to all the
 6 privileges of the Class B, Class B-1, and Class B-7
 7 licenses. This license includes the nonresident wildlife
 8 conservation license as prescribed in 87-2-202.

9 (2) Six thousand Class B-11 licenses are authorized for
 10 sale each license year.

11 87-2-510. (Effective March 1, 1994) Class
 12 B-11--nonresident deer combination license. (1) Except as
 13 otherwise provided in this chapter, a person not a resident,
 14 as defined in 87-2-102, but who will be 12 years of age or
 15 older prior to September 15 of the season for which the
 16 license is issued may, upon payment of a fee of \$175 \$213 or
 17 upon payment of the fee of \$223 if the license is one of the
 18 4,000 reserved pursuant to 87-2-511 for applicants
 19 indicating their intent either to use the services of a
 20 licensed outfitter or to hunt with a resident sponsor on
 21 land owned by that sponsor and subject to the limitations
 22 prescribed by law and department regulation, apply to the
 23 fish and game office, Helena, Montana, to purchase a Class
 24 B-11 nonresident deer combination license that entitles the
 25 holder to all the privileges of the Class B, Class B-1, and

1 Class B-7 licenses. This license includes the nonresident
 2 wildlife conservation license as prescribed in 87-2-202.

3 (2) Six thousand Class B-11 licenses are authorized for
 4 sale each license year."

5 **Section 13.** Section 87-2-701, MCA, is amended to read:

6 **"87-2-701. (Temporary) Special licenses.** (1) Any
 7 applicant who will be 12 years of age or older prior to
 8 September 15 of the season for which the license is issued
 9 and is the holder of a resident wildlife conservation
 10 license or a nonresident wildlife conservation license may
 11 apply for a special license which, in the judgment of the
 12 department, is to be issued and shall pay the following fees
 13 therefor:

14 (a) moose--resident, \$50 \$60 BEGINNING MARCH 1, 1992,
 15 AND \$75 BEGINNING MARCH 1, 1994; nonresident, \$320 \$450;

16 (b) mountain goat--resident, \$50 \$60 BEGINNING MARCH 1,
 17 1992, AND \$75 BEGINNING MARCH 1, 1994; nonresident, \$320
 18 \$450;

19 (c) mountain sheep--resident, \$50 \$60 BEGINNING MARCH
 20 1, 1992, AND \$75 BEGINNING MARCH 1, 1994; nonresident, \$320
 21 \$450;

22 (d) antelope--resident, \$6 \$9 BEGINNING MARCH 1, 1992,
 23 AND \$12 BEGINNING MARCH 1, 1994; nonresident, \$120 \$145;

24 (e) grizzly bear--resident, \$50; nonresident, \$300;

25 (f) black or brown bear--nonresident, \$120;

(g) wild buffalo--resident, \$200; nonresident, \$1,000.

(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of \$25 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

(3) Special licenses shall be issued in a manner prescribed by the department. (Terminates March 1, 1994--sec. 12, Ch. 598, L. 1987.)

87-2-701. (Effective March 1, 1994) Special licenses.

(1) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special license which, in the judgment of the department, is to be issued and shall pay the following fees therefor:

(a) moose--resident, \$50 \$75; nonresident, \$300 \$430;

(b) mountain goat--resident, \$50 \$75; nonresident, \$300 \$430;

(c) mountain sheep--resident, \$50 \$75; nonresident, \$300 \$430;

(d) antelope--resident, \$6 \$12; nonresident, \$100 \$125;

(e) grizzly bear--resident, \$50; nonresident, \$300;

(f) black or brown bear--nonresident, \$100;

(g) wild buffalo--resident, \$200; nonresident, \$1,000.

(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of \$25 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

(3) Special licenses shall be issued in a manner prescribed by the department."

Section 14. 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;

(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 fee for a special elk permit is \$2 BEGINNING MARCH 1, 1992, AND \$3 BEGINNING MARCH 1, 1994.

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

Section 15. Section 87-2-708, MCA, is amended to read:

"87-2-708. Class A-2--special bow and arrow license. A

1 holder of a valid hunting license for which a special
 2 archery season is set by the department may receive, upon
 3 payment of an additional fee of ~~\$7~~ \$8, a Class A-2 license
 4 which shall authorize the holder thereof to pursue, hunt,
 5 shoot, and kill with bow and arrow the game animals so
 6 authorized by the licenses held and to possess the carcass
 7 thereof during seasons and in areas, as designated by the
 8 department."

9 **Section 16.** Section 87-2-711, MCA, is amended to read:

10 **"87-2-711. (Temporary) Class AAA--sportsman's license.**

11 Any resident, as defined by 87-2-102, who will be 12 years
 12 of age or older prior to September 15 of the season for
 13 which the license is issued, upon payment of the sum of
 14 ~~\$45-50~~ \$60 ~~\$54~~ BEGINNING MARCH 1, 1992, AND \$64 BEGINNING
 15 MARCH 1, 1994, shall be entitled to a sportsman's license
 16 which shall permit the holder to exercise all rights granted
 17 to holders of Class A, A-1, A-3, A-5, A-6, and resident
 18 conservation licenses as prescribed in 87-2-202. The
 19 department shall furnish each holder of a sportsman's
 20 license an appropriate decal. (Terminates March 1,
 21 1994--sec. 12, Ch. 598, L. 1987.)

22 **87-2-711. (Effective March 1, 1994) Class**
 23 **AAA--sportsman's license.** Any resident, as defined by
 24 87-2-102, who will be 12 years of age or older prior to
 25 September 15 of the season for which the license is issued,

1 upon payment of the sum of ~~\$38-50~~ \$53 \$64, shall be entitled
 2 to a sportsman's license which shall permit the holder to
 3 exercise all rights granted to holders of Class A, A-1, A-3,
 4 A-5, A-6, and resident conservation licenses as prescribed
 5 in 87-2-202. The department shall furnish each holder of a
 6 sportsman's license an appropriate decal."

7 **Section 17.** Section 87-2-903, MCA, is amended to read:

8 **"87-2-903. Compensation and duties of agents -- penalty**
 9 **for late submission of license money.** (1) License agents,
 10 except salaried employees of the department, shall receive
 11 for all services rendered the sum of ~~30-cents~~ 40 cents for
 12 the 1992 license year and 50 cents thereafter for each
 13 license, permit, or certificate issued. Each license agent
 14 shall submit to the department all duplicates of each class
 15 of licenses sold and shall accompany the duplicate licenses
 16 with all moneys received for the sale of the licenses less a
 17 ~~fee-of-30-cents-for-each-license-sold~~ the appropriate fee.
 18 The department may designate classes of license agents and
 19 may establish a deadline for submission of license money by
 20 each class of agent. Each license agent shall keep his
 21 license account open at all reasonable hours to inspection
 22 by the department, the director, the wardens, or the
 23 legislative auditor.

24 (2) For purposes of this section, the term "license"
 25 includes any license, permit, and certificate prescribed by

1 the department.

2 (3) If a license agent fails to submit to the
3 department all money received from the declared sale of
4 licenses, less the appropriate fee, by the deadline
5 established by the department, an interest charge equal to
6 the rate charged on late corporation license tax payments
7 under 15-31-502 must be assessed. Acceptance of late
8 payments with interest does not preclude the department from
9 summarily revoking the appointment of a license agent under
10 87-2-904."

11 NEW SECTION. **Section 18.** Effective date. [This act] is
12 effective March 1, 1992.

-End-

1 SENATE BILL NO. 171

2 INTRODUCED BY SURCEK, RYE, SCHYE, GRADY

3 BY REQUEST OF THE DEPARTMENT OF FISH,

4 WILDLIFE, AND PARKS

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN
7 FISHING AND HUNTING LICENSE FEES AND THE LICENSE AGENT
8 COMMISSION; REVISING THE PROVISIONS OF THE CLASS B-10
9 NONRESIDENT BIG GAME COMBINATION LICENSE; AND AMENDING
10 SECTIONS 87-2-113, 87-2-202, 87-2-301, 87-2-302, 87-2-304,
11 87-2-306, 87-2-402, 87-2-403, 87-2-501, 87-2-505, 87-2-508,
12 87-2-510, 87-2-701, 87-2-704, 87-2-708, 87-2-711, AND
13 87-2-903, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14
15 WHEREAS, an increase in Montana hunting and fishing
16 license fees is necessary to raise revenue in order for the
17 Department of Fish, Wildlife, and Parks to meet an
18 anticipated revenue shortfall.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:21 **Section 1.** Section 87-2-113, MCA, is amended to read:

22 *87-2-113. Drawing fee. (1) When the department
23 determines a drawing is necessary prior to issuance of
24 hunting licenses for any game species during a hunting
25 season, it shall collect a \$2 \$3 per species drawing fee

1 with each application submitted.

2 (2) This fee must be deposited in the state special
3 revenue fund to the credit of the department as set forth in
4 87-1-601.

5 (3) The payment of a drawing fee confers no hunting
6 rights or privileges.

7 (4) The commission may waive the provisions of
8 subsection (1) when a drawing is required for a special
9 season under 87-1-304."

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

11 *87-2-202. Application -- stamp attachment -- fee --
12 expiration. (1) A wildlife conservation license shall be
13 sold upon written application. The application shall contain
14 the applicant's name, age, occupation, place of residence,
15 post-office address, and length of time in the state of
16 Montana; state whether the applicant is a citizen of the
17 United States or an alien; and be subscribed by the
18 applicant. The applicant shall present a driver's license or
19 other identification to substantiate the information.

20 (2) Hunting, fishing, or trapping licenses in the form
21 of tags or stamps issued to a holder of a wildlife
22 conservation license must be affixed to or recorded on the
23 wildlife conservation license according to such rules as the
24 department may prescribe.

25 (3) (a) Resident and-nonresident wildlife conservation

1 licenses may be purchased for a fee of ~~\$2~~ \$4.

2 (b) Nonresident wildlife conservation licenses may be
3 purchased for a fee of \$5.

4 (4) Licenses issued shall be void after the last day of
5 February next succeeding their issuance."

6 **Section 3.** Section 87-2-301, MCA, is amended to read:

7 **"87-2-301. Class A--resident fishing license.** Any
8 resident, as defined by 87-2-102, upon payment of a fee of
9 ~~\$9-58~~ \$11 BEGINNING MARCH 1, 1992, AND \$12 BEGINNING MARCH
10 1, 1994, shall receive a Class A license which shall entitle
11 the holder thereof to fish with hook and line or rod as
12 authorized by regulations of the department."

13 **Section 4.** Section 87-2-302, MCA, is amended to read:

14 **"87-2-302. Class B--nonresident fishing license.** Any
15 person not a resident, as defined in 87-2-102, upon payment
16 of the sum of ~~\$36~~ \$40 to any agent of the department
17 authorized to issue fishing and hunting licenses, shall be
18 entitled to a Class B license which shall entitle the holder
19 thereof to fish with hook and line as authorized by the
20 rules and regulations of the department."

21 **Section 5.** Section 87-2-304, MCA, is amended to read:

22 **"87-2-304. Class B-4--two-day nonresident fishing**
23 **license.** Any person not a resident, as defined in 87-2-102,
24 who is a holder of a valid wildlife conservation license,
25 upon payment of the sum of ~~\$8~~ \$10 to any agent of the

1 department authorized to issue fishing and hunting licenses,
2 shall be entitled to a 2-day nonresident fishing license
3 which shall authorize the holder to fish with hook and line,
4 as prescribed by rules and regulations of the department,
5 for 2 calendar days as indicated on the license."

6 **Section 6.** Section 87-2-306, MCA, is amended to read:

7 **"87-2-306. Paddlefish tags.** The department may issue
8 paddlefish tags to holders of valid Class A, Class B, and
9 Class B-4 fishing licenses for a fee of ~~\$3~~ \$4 BEGINNING
10 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for residents
11 and ~~\$10~~ \$15 for nonresidents. Each tag authorizes the holder
12 to fish with hook and line for paddlefish as prescribed by
13 rules of the department."

14 **Section 7.** Section 87-2-402, MCA, is amended to read:

15 **"87-2-402. Class B-1--nonresident upland game bird**
16 **license.** Except as otherwise provided in this chapter, a
17 person not a resident, as defined in 87-2-102, but who is 12
18 years of age or older, upon payment of a fee of ~~\$53~~ \$55 may
19 receive a Class B-1 license which shall entitle the holder
20 thereof to pursue, hunt, shoot, and kill upland game birds,
21 cranes, rails, snipes, and mourning doves and possess the
22 carcasses of upland game birds, cranes, rails, snipes, and
23 mourning doves as authorized by department rules."

24 **Section 8.** Section 87-2-403, MCA, is amended to read:

25 **"87-2-403. (Temporary) Wild turkey tags and fee. (1)**

1 The department may issue wild turkey tags to the holder of a
2 valid Class A-1 or Class B-1 license or as set out in
3 subsection (3). Each tag shall entitle the holder to pursue,
4 hunt, shoot, and kill one wild turkey and possess the
5 carcass thereof, during such times and such places as the
6 department shall authorize an open season on wild turkey.

7 (2) The fee for a wild turkey tag is ~~§3 \$4~~ BEGINNING
8 MARCH 1, 1992, AND §5 BEGINNING MARCH 1, 1994, for
9 residents and \$13 for nonresidents. Turkey tags shall be
10 issued either by a drawing system or in unlimited number as
11 authorized by department rules.

12 (3) Subject to the provisions of subsection (2), a
13 person who is 62 years of age or older as provided in
14 87-2-801, certified as disabled under 87-2-803, or a
15 resident minor as described in 87-2-805 may purchase a wild
16 turkey tag upon presentation of his wildlife conservation
17 license. (Terminates March 1, 1994--sec. 12, Ch. 598, L.
18 1987.)

19 **87-2-403. (Effective March 1, 1994) Wild turkey tags**
20 **and fee.** (1) The department may issue wild turkey tags to
21 the holder of a valid Class A-1 or Class B-1 license or as
22 set out in subsection (3). Each tag shall entitle the holder
23 to pursue, hunt, shoot, and kill one wild turkey and possess
24 the carcass thereof, during such times and such places as
25 the department shall authorize an open season on wild

1 turkey.

2 (2) The fee for a wild turkey tag shall be ~~§3 \$4~~ §5.
3 Turkey tags shall be issued either by a drawing system or in
4 unlimited number as authorized by department rules.

5 (3) Subject to the provisions of subsection (2), a
6 person who is 62 years of age or older as provided in
7 87-2-801, certified as disabled under 87-2-803, or a
8 resident minor as described in 87-2-805 may purchase a wild
9 turkey tag upon presentation of his wildlife conservation
10 license."

11 **Section 9.** Section 87-2-501, MCA, is amended to read:

12 "**87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident**
13 **deer, elk, and bear licenses -- special Class A-7 resident**
14 **and nonresident license requirements and preference.** (1)
15 Except as otherwise provided in this chapter, a resident, as
16 defined by 87-2-102, or a nonresident who wishes to purchase
17 a Class A-7 elk license only, who will be 12 years of age or
18 older prior to September 15 of the season for which the
19 license is issued may, upon payment of the proper fee or
20 fees, be entitled to purchase one each of the following
21 licenses at the prescribed cost which will entitle the
22 holder to pursue, hunt, shoot, and kill the game animal or
23 animals authorized by the license held and to possess the
24 carcasses of those game animals as authorized by department
25 rules:

1 (a) Class A-3, deer A tag, \$9 \$12 BEGINNING MARCH 1,
2 1992, AND \$15 BEGINNING MARCH 1, 1994;

3 (b) Class A-4, deer B tag, \$6 \$7 BEGINNING MARCH 1,
4 1992, AND \$8 BEGINNING MARCH 1, 1994;

5 (c) Class A-5, elk tag, \$10 \$15 BEGINNING MARCH 1,
6 1992, AND \$20 BEGINNING MARCH 1, 1994;

7 (d) Class A-6, black or brown bear tag, \$0 \$11
8 BEGINNING MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994;

9 (e) Class A-7, antlerless elk tag, \$10 \$15 BEGINNING
10 MARCH 1, 1992, AND \$20 BEGINNING MARCH 1, 1994.

11 (2) (a) The holder of a Class A-7 antlerless elk
12 license is entitled to take antlerless elk in areas
13 designated by the commission and at such times and upon such
14 terms as set forth by the commission.

15 (b) No person may take more than one elk during any
16 license year, and a person holding a Class A-7 antlerless
17 elk tag may not take an elk during the same license year
18 with a Class A-5 license or nonresident elk tag. The use of
19 Class A-7 antlerless elk licenses does not preclude the
20 department's use of special elk permits.

21 (c) A nonresident shall hold a nonresident Class B-10
22 license as a prerequisite to application for a Class A-7
23 license.

24 (3) Subject to the limitation of subsection (5), a
25 person who holds fee title to 640 acres or more of

1 contiguous land, at least some of which is used by elk, in a
2 hunting district where Class A-7 licenses are awarded under
3 this section shall be issued, upon application, a Class A-7
4 license.

5 (4) An applicant who receives a Class A-7 license under
6 subsection (3) may designate that the license be issued to
7 an immediate family member or a person employed by the
8 landowner. A corporation owning qualifying land under
9 subsection (3) may designate one of its shareholders to
10 receive the license.

11 (5) Fifteen percent of the Class A-7 licenses available
12 each year under this section in a hunting district must be
13 available to landowners under subsection (3)."

14 **Section 10.** Section 87-2-505, MCA, is amended to read:

15 "**87-2-505. (Temporary) Class B-10--nonresident big game**
16 **combination license.** Except as otherwise provided in this
17 chapter, a person not a resident, as defined in 87-2-102,
18 but who will be 12 years of age or older prior to September
19 15 of the season for which the license is issued may, upon
20 payment of the fee of \$450 \$462 or upon payment of the fee
21 of \$472 if the license is one of the 5,600 licenses reserved
22 pursuant to 87-2-511 for applicants indicating their intent
23 to use the services of a licensed outfitter and subject to
24 the limitations prescribed by law and department regulation,
25 apply to the fish and game office, Helena, Montana, to

1 purchase a B-10 nonresident big game combination license
 2 which shall entitle the holder to all the privileges of
 3 Class B, Class B-1, and Class B-7-and-black-bear licenses,
 4 and an elk tag. This license includes the nonresident
 5 conservation license as prescribed in 87-2-202. Not more
 6 than 17,000 Class B-10 licenses may be sold in any one
 7 license year. (Terminates March 1, 1994--sec. 12, Ch. 598,
 8 L. 1987.)

9 **87-2-505. (Effective March 1, 1994) Class**
 10 **B-10--nonresident big game combination license.** Except as
 11 otherwise provided in this chapter, a person not a resident,
 12 as defined in 87-2-102, but who will be 12 years of age or
 13 older prior to September 15 of the season for which the
 14 license is issued may, upon payment of the fee of ~~\$373~~ \$385
 15 or upon payment of the fee of \$395 if the license is one of
 16 the 5,600 licenses reserved pursuant to 87-2-511 for
 17 applicants indicating their intent to use the services of a
 18 licensed outfitter and subject to the limitations prescribed
 19 by law and department regulation, apply to the fish and game
 20 office, Helena, Montana, to purchase a B-10 nonresident big
 21 game combination license which shall entitle the holder to
 22 all the privileges of Class B, Class B-1, and Class B-7-and
 23 black-bear licenses, and an elk tag. This license includes
 24 the nonresident conservation license as prescribed in
 25 87-2-202. Not more than 17,000 Class B-10 licenses may be

1 sold in any one license year."

2 **Section 11.** Section 87-2-508, MCA, is amended to read:

3 **"87-2-508. Class D-2--resident mountain lion license.**

4 Except as otherwise provided in this chapter, a person who
 5 is a resident, as defined in 87-2-102, and who is 12 years
 6 of age or older, upon payment of a fee of ~~\$10~~ \$13 BEGINNING
 7 MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994, may receive
 8 a Class D-2 license which shall entitle the holder thereof
 9 to pursue, hunt, shoot, and kill mountain lion and possess
 10 the carcass thereof as authorized by department rules. If a
 11 holder of a valid mountain lion license under this section
 12 kills a mountain lion, he must purchase a trophy license for
 13 a fee of \$50 within 10 days after the date of kill. The
 14 trophy license authorizes the holder to possess and
 15 transport such trophy."

16 **Section 12.** Section 87-2-510, MCA, is amended to read:

17 **"87-2-510. (Temporary) Class B-11--nonresident deer**
 18 **combination license.** (1) Except as otherwise provided in
 19 this chapter, a person not a resident, as defined in
 20 87-2-102, but who will be 12 years of age or older prior to
 21 September 15 of the season for which the license is issued
 22 may, upon payment of a fee of ~~\$200~~ \$238 or upon payment of
 23 the fee of \$248 if the license is one of the 4,000 reserved
 24 pursuant to 87-2-511 for applicants indicating their intent
 25 either to use the services of a licensed outfitter or to

1 hunt with a resident sponsor on land owned by that sponsor
 2 and subject to the limitations prescribed by law and
 3 department regulation, apply to the fish and game office,
 4 Helena, Montana, to purchase a Class B-11 nonresident deer
 5 combination license that entitles the holder to all the
 6 privileges of the Class B, Class B-1, and Class B-7
 7 licenses. This license includes the nonresident wildlife
 8 conservation license as prescribed in 87-2-202.

9 (2) Six thousand Class B-11 licenses are authorized for
 10 sale each license year.

11 87-2-510. (Effective March 1, 1994) Class
 12 B-11--nonresident deer combination license. (1) Except as
 13 otherwise provided in this chapter, a person not a resident,
 14 as defined in 87-2-102, but who will be 12 years of age or
 15 older prior to September 15 of the season for which the
 16 license is issued may, upon payment of a fee of \$175 \$213 or
 17 upon payment of the fee of \$223 if the license is one of the
 18 4,000 reserved pursuant to 87-2-511 for applicants
 19 indicating their intent either to use the services of a
 20 licensed outfitter or to hunt with a resident sponsor on
 21 land owned by that sponsor and subject to the limitations
 22 prescribed by law and department regulation, apply to the
 23 fish and game office, Helena, Montana, to purchase a Class
 24 B-11 nonresident deer combination license that entitles the
 25 holder to all the privileges of the Class B, Class B-1, and

1 Class B-7 licenses. This license includes the nonresident
 2 wildlife conservation license as prescribed in 87-2-202.

3 (2) Six thousand Class B-11 licenses are authorized for
 4 sale each license year."

5 **Section 13.** Section 87-2-701, MCA, is amended to read:

6 **"87-2-701. (Temporary) Special licenses.** (1) Any
 7 applicant who will be 12 years of age or older prior to
 8 September 15 of the season for which the license is issued
 9 and is the holder of a resident wildlife conservation
 10 license or a nonresident wildlife conservation license may
 11 apply for a special license which, in the judgment of the
 12 department, is to be issued and shall pay the following fees
 13 therefor:

14 (a) moose--resident, \$50 \$60 BEGINNING MARCH 1, 1992,
 15 AND \$75 BEGINNING MARCH 1, 1994; nonresident, \$320 \$450;

16 (b) mountain goat--resident, \$50 \$60 BEGINNING MARCH 1,
 17 1992, AND \$75 BEGINNING MARCH 1, 1994; nonresident, \$320
 18 \$450;

19 (c) mountain sheep--resident, \$50 \$60 BEGINNING MARCH
 20 1, 1992, AND \$75 BEGINNING MARCH 1, 1994; nonresident, \$320
 21 \$450;

22 (d) antelope--resident, \$6 \$9 BEGINNING MARCH 1, 1992,
 23 AND \$12 BEGINNING MARCH 1, 1994; nonresident, \$120 \$145;

24 (e) grizzly bear--resident, \$50; nonresident, \$300;

25 (f) black or brown bear--nonresident, \$120;

(g) wild buffalo--resident, \$200; nonresident, \$1,000.

(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of \$25 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

(3) Special licenses shall be issued in a manner prescribed by the department. (Terminates March 1, 1994--sec. 12, Ch. 598, L. 1987.)

87-2-701. (Effective March 1, 1994) Special licenses.

(1) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special license which, in the judgment of the department, is to be issued and shall pay the following fees therefor:

(a) moose--resident, ~~\$50~~ \$75; nonresident, ~~\$300~~ \$430;

(b) mountain goat--resident, ~~\$50~~ \$75; nonresident, ~~\$300~~ \$430;

(c) mountain sheep--resident, ~~\$50~~ \$75; nonresident, ~~\$300~~ \$430;

(d) antelope--resident, ~~\$6~~ \$12; nonresident, ~~\$100~~ \$125;

(e) grizzly bear--resident, \$50; nonresident, \$300;

(f) black or brown bear--nonresident, \$100;

(g) wild buffalo--resident, \$200; nonresident, \$1,000.

(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of \$25 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

(3) Special licenses shall be issued in a manner prescribed by the department."

Section 14. 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;

(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 fee for a special elk permit is \$2 BEGINNING MARCH 1, 1992, AND \$3 BEGINNING MARCH 1, 1994.

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

Section 15. Section 87-2-708, MCA, is amended to read:

***87-2-708. Class A-2--special bow and arrow license. A**

holder of a valid hunting license for which a special archery season is set by the department may receive, upon payment of an additional fee of ~~\$7~~ \$8, a Class A-2 license which shall authorize the holder thereof to pursue, hunt, shoot, and kill with bow and arrow the game animals so authorized by the licenses held and to possess the carcass thereof during seasons and in areas, as designated by the department."

Section 16. Section 87-2-711, MCA, is amended to read:

***87-2-711. (Temporary) Class AAA--sportsman's license.** Any resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued, upon payment of the sum of ~~\$45-50~~ \$60 ~~\$54~~ BEGINNING MARCH 1, 1992, AND \$64 BEGINNING MARCH 1, 1994, shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to holders of Class A, A-1, A-3, A-5, A-6, and resident conservation licenses as prescribed in 87-2-202. The department shall furnish each holder of a sportsman's license an appropriate decal. (Terminates March 1, 1994--sec. 12, Ch. 598, L. 1987.)

87-2-711. (Effective March 1, 1994) Class AAA--sportsman's license. Any resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued,

upon payment of the sum of ~~\$30-50~~ \$53 \$64, shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to holders of Class A, A-1, A-3, A-5, A-6, and resident conservation licenses as prescribed in 87-2-202. The department shall furnish each holder of a sportsman's license an appropriate decal."

Section 17. Section 87-2-903, MCA, is amended to read:

***87-2-903. Compensation and duties of agents -- penalty for late submission of license money.** (1) License agents, except salaried employees of the department, shall receive for all services rendered the sum of ~~30-cents~~ 40 cents for the 1992 license year and 50 cents thereafter for each license, permit, or certificate issued. Each license agent shall submit to the department all duplicates of each class of licenses sold and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a ~~fee-of-30-cents-for-each-license-sold~~ the appropriate fee. The department may designate classes of license agents and may establish a deadline for submission of license money by each class of agent. Each license agent shall keep his license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(2) For purposes of this section, the term "license" includes any license, permit, and certificate prescribed by

1 the department.

2 (3) If a license agent fails to submit to the
3 department all money received from the declared sale of
4 licenses, less the appropriate fee, by the deadline
5 established by the department, an interest charge equal to
6 the rate charged on late corporation license tax payments
7 under 15-31-502 must be assessed. Acceptance of late
8 payments with interest does not preclude the department from
9 summarily revoking the appointment of a license agent under
10 87-2-904."

11 NEW SECTION. **Section 18.** Effective date. [This act] is
12 effective March 1, 1992.

-End-

HOUSE COMMITTEE OF THE WHOLE AMENDMENT
Senate Bill 171
Representative Daily

March 13, 1991 1:18 pm
Page 1 of 1

Mr. Chairman: I move to amend Senate Bill 171 (third reading copy -- blue).

Signed: 
Representative Daily

And, that such amendments to Senate Bill 171 read as follows:

1. Page 7, line 1.

Strike: "\$12"

Insert: "\$11"

2. Page 7, line 2.

Following: "1992"

Strike: remainder of line 2 through "1994"

3. Page 7, lines 5 and 9.

Strike: "\$15"

Insert: "\$12"

4. Page 7, lines 6 and 10.

Following: "1992"

Strike: remainder of line through "1994"

5. Page 12, lines 22 and 23.

Strike: "\$9" on line 22

Insert: "\$8"

Following: "1992" on line 22

Strike: remainder of line 22 through "1994" on line 23

6. Page 13, line 23.

Strike: "\$12"

Insert: "\$8"

ADOPT

REJECT

HOUSE

SB 171

1 SENATE BILL NO. 171

2 INTRODUCED BY SVRCEK, RYE, SCHYE, GRADY

3 BY REQUEST OF THE DEPARTMENT OF FISH,

4 WILDLIFE, AND PARKS

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN
7 FISHING AND HUNTING LICENSE FEES AND THE LICENSE AGENT
8 COMMISSION; REVISING THE PROVISIONS OF THE CLASS B-10
9 NONRESIDENT BIG GAME COMBINATION LICENSE; AND AMENDING
10 SECTIONS 87-2-113, 87-2-202, 87-2-301, 87-2-302, 87-2-304,
11 87-2-306, 87-2-402, 87-2-403, 87-2-501, 87-2-505, 87-2-508,
12 87-2-510, 87-2-701, 87-2-704, 87-2-708, 87-2-711, AND
13 87-2-903, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14
15 WHEREAS, an increase in Montana hunting and fishing
16 license fees is necessary to raise revenue in order for the
17 Department of Fish, Wildlife, and Parks to meet an
18 anticipated revenue shortfall.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

21 **Section 1.** Section 87-2-113, MCA, is amended to read:

22 "87-2-113. Drawing fee. (1) When the department
23 determines a drawing is necessary prior to issuance of
24 hunting licenses for any game species during a hunting
25 season, it shall collect a \$2 \$3 per species drawing fee

1 with each application submitted.

2 (2) This fee must be deposited in the state special
3 revenue fund to the credit of the department as set forth in
4 87-1-601.

5 (3) The payment of a drawing fee confers no hunting
6 rights or privileges.

7 (4) The commission may waive the provisions of
8 subsection (1) when a drawing is required for a special
9 season under 87-1-304."

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

11 "87-2-202. Application -- stamp attachment -- fee --
12 expiration. (1) A wildlife conservation license shall be
13 sold upon written application. The application shall contain
14 the applicant's name, age, occupation, place of residence,
15 post-office address, and length of time in the state of
16 Montana; state whether the applicant is a citizen of the
17 United States or an alien; and be subscribed by the
18 applicant. The applicant shall present a driver's license or
19 other identification to substantiate the information.

20 (2) Hunting, fishing, or trapping licenses in the form
21 of tags or stamps issued to a holder of a wildlife
22 conservation license must be affixed to or recorded on the
23 wildlife conservation license according to such rules as the
24 department may prescribe.

25 (3) (a) Resident ~~and-nonresident~~ wildlife conservation

1 licenses may be purchased for a fee of ~~\$2~~ \$4.

2 (b) Nonresident wildlife conservation licenses may be
3 purchased for a fee of \$5.

4 (4) Licenses issued shall be void after the last day of
5 February next succeeding their issuance."

6 **Section 3.** Section 87-2-301, MCA, is amended to read:

7 "87-2-301. Class A--resident fishing license. Any
8 resident, as defined by 87-2-102, upon payment of a fee of
9 ~~\$9.50~~ \$11 BEGINNING MARCH 1, 1992, AND \$12 BEGINNING MARCH
10 1, 1994, shall receive a Class A license which shall entitle
11 the holder thereof to fish with hook and line or rod as
12 authorized by regulations of the department."

13 **Section 4.** Section 87-2-302, MCA, is amended to read:

14 "87-2-302. Class B--nonresident fishing license. Any
15 person not a resident, as defined in 87-2-102, upon payment
16 of the sum of ~~\$36~~ \$40 to any agent of the department
17 authorized to issue fishing and hunting licenses, shall be
18 entitled to a Class B license which shall entitle the holder
19 thereof to fish with hook and line as authorized by the
20 rules and regulations of the department."

21 **Section 5.** Section 87-2-304, MCA, is amended to read:

22 "87-2-304. Class B-4--two-day nonresident fishing
23 license. Any person not a resident, as defined in 87-2-102,
24 who is a holder of a valid wildlife conservation license,
25 upon payment of the sum of ~~\$8~~ \$10 to any agent of the

1 department authorized to issue fishing and hunting licenses,
2 shall be entitled to a 2-day nonresident fishing license
3 which shall authorize the holder to fish with hook and line,
4 as prescribed by rules and regulations of the department,
5 for 2 calendar days as indicated on the license."

6 **Section 6.** Section 87-2-306, MCA, is amended to read:

7 "87-2-306. Paddlefish tags. The department may issue
8 paddlefish tags to holders of valid Class A, Class B, and
9 Class B-4 fishing licenses for a fee of ~~\$3~~ \$4 BEGINNING
10 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for residents
11 and ~~\$10~~ \$15 for nonresidents. Each tag authorizes the holder
12 to fish with hook and line for paddlefish as prescribed by
13 rules of the department."

14 **Section 7.** Section 87-2-402, MCA, is amended to read:

15 "87-2-402. Class B-1--nonresident upland game bird
16 license. Except as otherwise provided in this chapter, a
17 person not a resident, as defined in 87-2-102, but who is 12
18 years of age or older, upon payment of a fee of ~~\$53~~ \$55 may
19 receive a Class B-1 license which shall entitle the holder
20 thereof to pursue, hunt, shoot, and kill upland game birds,
21 cranes, rails, snipes, and mourning doves and possess the
22 carcasses of upland game birds, cranes, rails, snipes, and
23 mourning doves as authorized by department rules."

24 **Section 8.** Section 87-2-403, MCA, is amended to read:

25 "87-2-403. (Temporary) Wild turkey tags and fee. (1)

1 The department may issue wild turkey tags to the holder of a
 2 valid Class A-1 or Class B-1 license or as set out in
 3 subsection (3). Each tag shall entitle the holder to pursue,
 4 hunt, shoot, and kill one wild turkey and possess the
 5 carcass thereof, during such times and such places as the
 6 department shall authorize an open season on wild turkey.

7 (2) The fee for a wild turkey tag is ~~\$3~~ \$4 BEGINNING
 8 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for
 9 residents and \$13 for nonresidents. Turkey tags shall be
 10 issued either by a drawing system or in unlimited number as
 11 authorized by department rules.

12 (3) Subject to the provisions of subsection (2), a
 13 person who is 62 years of age or older as provided in
 14 87-2-801, certified as disabled under 87-2-803, or a
 15 resident minor as described in 87-2-805 may purchase a wild
 16 turkey tag upon presentation of his wildlife conservation
 17 license. (Terminates March 1, 1994--sec. 12, Ch. 598, L.
 18 1987.)

19 **87-2-403. (Effective March 1, 1994) Wild turkey tags**
 20 **and fee.** (1) The department may issue wild turkey tags to
 21 the holder of a valid Class A-1 or Class B-1 license or as
 22 set out in subsection (3). Each tag shall entitle the holder
 23 to pursue, hunt, shoot, and kill one wild turkey and possess
 24 the carcass thereof, during such times and such places as
 25 the department shall authorize an open season on wild

1 turkey.

2 (2) The fee for a wild turkey tag shall be ~~\$3~~ \$5.
 3 Turkey tags shall be issued either by a drawing system or in
 4 unlimited number as authorized by department rules.

5 (3) Subject to the provisions of subsection (2), a
 6 person who is 62 years of age or older as provided in
 7 87-2-801, certified as disabled under 87-2-803, or a
 8 resident minor as described in 87-2-805 may purchase a wild
 9 turkey tag upon presentation of his wildlife conservation
 10 license."

11 **Section 9.** Section 87-2-501, MCA, is amended to read:

12 **"87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident**
 13 **deer, elk, and bear licenses -- special Class A-7 resident**
 14 **and nonresident license requirements and preference.** (1)
 15 Except as otherwise provided in this chapter, a resident, as
 16 defined by 87-2-102, or a nonresident who wishes to purchase
 17 a Class A-7 elk license only, who will be 12 years of age or
 18 older prior to September 15 of the season for which the
 19 license is issued may, upon payment of the proper fee or
 20 fees, be entitled to purchase one each of the following
 21 licenses at the prescribed cost which will entitle the
 22 holder to pursue, hunt, shoot, and kill the game animal or
 23 animals authorized by the license held and to possess the
 24 carcasses of these game animals as authorized by department
 25 rules:

1 (a) Class A-3, deer A tag, ~~\$9 \$12~~ \$11 BEGINNING MARCH
2 1, 1992-AND \$15 BEGINNING-MARCH-17-1994;

3 (b) Class A-4, deer B tag, ~~\$6 \$7~~ BEGINNING MARCH 1,
4 1992, AND \$8 BEGINNING MARCH 1, 1994;

5 (c) Class A-5, elk tag, ~~\$10 \$15~~ \$12 BEGINNING MARCH 1,
6 1992-AND \$20 BEGINNING-MARCH-17-1994;

7 (d) Class A-6, black or brown bear tag, ~~\$8 \$11~~
8 BEGINNING MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994;

9 (e) Class A-7, antlerless elk tag, ~~\$10 \$15 \$12~~
10 BEGINNING MARCH 1, 1992-AND \$20 BEGINNING-MARCH-17-1994.

11 (2) (a) The holder of a Class A-7 antlerless elk
12 license is entitled to take antlerless elk in areas
13 designated by the commission and at such times and upon such
14 terms as set forth by the commission.

15 (b) No person may take more than one elk during any
16 license year, and a person holding a Class A-7 antlerless
17 elk tag may not take an elk during the same license year
18 with a Class A-5 license or nonresident elk tag. The use of
19 Class A-7 antlerless elk licenses does not preclude the
20 department's use of special elk permits.

21 (c) A nonresident shall hold a nonresident Class B-10
22 license as a prerequisite to application for a Class A-7
23 license.

24 (3) Subject to the limitation of subsection (5), a
25 person who holds fee title to 640 acres or more of

1 contiguous land, at least some of which is used by elk, in a
2 hunting district where Class A-7 licenses are awarded under
3 this section shall be issued, upon application, a Class A-7
4 license.

5 (4) An applicant who receives a Class A-7 license under
6 subsection (3) may designate that the license be issued to
7 an immediate family member or a person employed by the
8 landowner. A corporation owning qualifying land under
9 subsection (3) may designate one of its shareholders to
10 receive the license.

11 (5) Fifteen percent of the Class A-7 licenses available
12 each year under this section in a hunting district must be
13 available to landowners under subsection (3)."

14 **Section 10.** Section 87-2-505, MCA, is amended to read:

15 **"87-2-505. (Temporary) Class B-10--nonresident big game**
16 **combination license.** Except as otherwise provided in this
17 chapter, a person not a resident, as defined in 87-2-102,
18 but who will be 12 years of age or older prior to September
19 15 of the season for which the license is issued may, upon
20 payment of the fee of ~~\$450~~ \$462 or upon payment of the fee
21 of \$472 if the license is one of the 5,600 licenses reserved
22 pursuant to 87-2-511 for applicants indicating their intent
23 to use the services of a licensed outfitter and subject to
24 the limitations prescribed by law and department regulation,
25 apply to the fish and game office, Helena, Montana, to

1 purchase a B-10 nonresident big game combination license
 2 which shall entitle the holder to all the privileges of
 3 Class B, Class B-1, and Class B-7~~7~~-~~and-black-bear~~ licenses,
 4 and an elk tag. This license includes the nonresident
 5 conservation license as prescribed in 87-2-202. Not more
 6 than 17,000 Class B-10 licenses may be sold in any one
 7 license year. (Terminates March 1, 1994--sec. 12, Ch. 598,
 8 L. 1987.)

9 **87-2-505. (Effective March 1, 1994) Class**
 10 **B-10--nonresident big game combination license.** Except as
 11 otherwise provided in this chapter, a person not a resident,
 12 as defined in 87-2-102, but who will be 12 years of age or
 13 older prior to September 15 of the season for which the
 14 license is issued may, upon payment of the fee of ~~\$\$\$3~~ \$385
 15 or upon payment of the fee of \$395 if the license is one of
 16 the 5,600 licenses reserved pursuant to 87-2-511 for
 17 applicants indicating their intent to use the services of a
 18 licensed outfitter and subject to the limitations prescribed
 19 by law and department regulation, apply to the fish and game
 20 office, Helena, Montana, to purchase a B-10 nonresident big
 21 game combination license which shall entitle the holder to
 22 all the privileges of Class B, Class B-1, and Class B-7~~7~~-~~and~~
 23 black--bear licenses, and an elk tag. This license includes
 24 the nonresident conservation license as prescribed in
 25 87-2-202. Not more than 17,000 Class B-10 licenses may be

1 sold in any one license year."

2 **Section 11.** Section 87-2-508, MCA, is amended to read:

3 **"87-2-508. Class D-2--resident mountain lion license.**

4 Except as otherwise provided in this chapter, a person who
 5 is a resident, as defined in 87-2-102, and who is 12 years
 6 of age or older, upon payment of a fee of ~~9+0~~ \$13 BEGINNING
 7 MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994, may receive
 8 a Class D-2 license which shall entitle the holder thereof
 9 to pursue, hunt, shoot, and kill mountain lion and possess
 10 the carcass thereof as authorized by department rules. If a
 11 holder of a valid mountain lion license under this section
 12 kills a mountain lion, he must purchase a trophy license for
 13 a fee of \$50 within 10 days after the date of kill. The
 14 trophy license authorizes the holder to possess and
 15 transport such trophy."

16 **Section 12.** Section 87-2-510, MCA, is amended to read:

17 **"87-2-510. (Temporary) Class B-11--nonresident deer**
 18 **combination license.** (1) Except as otherwise provided in
 19 this chapter, a person not a resident, as defined in
 20 87-2-102, but who will be 12 years of age or older prior to
 21 September 15 of the season for which the license is issued
 22 may, upon payment of a fee of ~~\$200~~ \$238 or upon payment of
 23 the fee of \$248 if the license is one of the 4,000 reserved
 24 pursuant to 87-2-511 for applicants indicating their intent
 25 either to use the services of a licensed outfitter or to

1 hunt with a resident sponsor on land owned by that sponsor
 2 and subject to the limitations prescribed by law and
 3 department regulation, apply to the fish and game office,
 4 Helena, Montana, to purchase a Class B-11 nonresident deer
 5 combination license that entitles the holder to all the
 6 privileges of the Class B, Class B-1, and Class B-7
 7 licenses. This license includes the nonresident wildlife
 8 conservation license as prescribed in 87-2-202.

9 (2) Six thousand Class B-11 licenses are authorized for
 10 sale each license year.

11 **87-2-510. (Effective March 1, 1994) Class**
 12 **B-11--nonresident deer combination license.** (1) Except as
 13 otherwise provided in this chapter, a person not a resident,
 14 as defined in 87-2-102, but who will be 12 years of age or
 15 older prior to September 15 of the season for which the
 16 license is issued may, upon payment of a fee of ~~\$175~~ \$213 or
 17 upon payment of the fee of \$223 if the license is one of the
 18 4,000 reserved pursuant to 87-2-511 for applicants
 19 indicating their intent either to use the services of a
 20 licensed outfitter or to hunt with a resident sponsor on
 21 land owned by that sponsor and subject to the limitations
 22 prescribed by law and department regulation, apply to the
 23 fish and game office, Helena, Montana, to purchase a Class
 24 B-11 nonresident deer combination license that entitles the
 25 holder to all the privileges of the Class B, Class B-1, and

1 Class B-7 licenses. This license includes the nonresident
 2 wildlife conservation license as prescribed in 87-2-202.

3 (2) Six thousand Class B-11 licenses are authorized for
 4 sale each license year."

5 **Section 13.** Section 87-2-701, MCA, is amended to read:

6 "**87-2-701. (Temporary) Special licenses.** (1) Any
 7 applicant who will be 12 years of age or older prior to
 8 September 15 of the season for which the license is issued
 9 and is the holder of a resident wildlife conservation
 10 license or a nonresident wildlife conservation license may
 11 apply for a special license which, in the judgment of the
 12 department, is to be issued and shall pay the following fees
 13 therefor:

14 (a) moose--resident, ~~\$50~~ \$60 BEGINNING MARCH 1, 1992,
 15 AND \$75 BEGINNING MARCH 1, 1994; nonresident, ~~\$320~~ \$450;

16 (b) mountain goat--resident, ~~\$50~~ \$60 BEGINNING MARCH 1,
 17 1992, AND \$75 BEGINNING MARCH 1, 1994; nonresident, ~~\$320~~
 18 \$450;

19 (c) mountain sheep--resident, ~~\$50~~ \$60 BEGINNING MARCH
 20 1, 1992, AND \$75 BEGINNING MARCH 1, 1994; nonresident, ~~\$320~~
 21 \$450;

22 (d) antelope--resident, ~~\$6~~ \$9 \$8 BEGINNING MARCH 1,
 23 1992,--AND \$12 BEGINNING--MARCH-17-1994; nonresident, ~~\$120~~
 24 \$145;

25 (e) grizzly bear--resident, \$50; nonresident, \$300;

1 (f) black or brown bear--nonresident, \$120;
 2 (g) wild buffalo--resident, \$200; nonresident, \$1,000.
 3 (2) In the event a holder of a valid special grizzly
 4 bear license kills a grizzly bear, he must purchase a trophy
 5 license for a fee of \$25 within 10 days after date of kill.
 6 Such trophy license shall authorize the holder to possess
 7 and transport said trophy.
 8 (3) Special licenses shall be issued in a manner
 9 prescribed by the department. (Terminates March 1,
 10 1994--sec. 12, Ch. 598, L. 1987.)
 11 **87-2-701. (Effective March 1, 1994) Special licenses.**
 12 (1) Any applicant who will be 12 years of age or older prior
 13 to September 15 of the season for which the license is
 14 issued and is the holder of a resident wildlife conservation
 15 license or a nonresident wildlife conservation license may
 16 apply for a special license which, in the judgment of the
 17 department, is to be issued and shall pay the following fees
 18 therefor:
 19 (a) moose--resident, \$50 \$75; nonresident, \$300 \$430;
 20 (b) mountain goat--resident, \$50 \$75; nonresident, \$300
 21 \$430;
 22 (c) mountain sheep--resident, \$50 \$75; nonresident,
 23 \$300 \$430;
 24 (d) antelope--resident, \$6 \$12 \$8; nonresident, \$100
 25 \$125;

1 (e) grizzly bear--resident, \$50; nonresident, \$300;
 2 (f) black or brown bear--nonresident, \$100;
 3 (g) wild buffalo--resident, \$200; nonresident, \$1,000.
 4 (2) In the event a holder of a valid special grizzly
 5 bear license kills a grizzly bear, he must purchase a trophy
 6 license for a fee of \$25 within 10 days after date of kill.
 7 Such trophy license shall authorize the holder to possess
 8 and transport said trophy.
 9 (3) Special licenses shall be issued in a manner
 10 prescribed by the department."
 11 **Section 14.** 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;
 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 fee for a special elk permit is \$2 BEGINNING
 23 MARCH 1, 1992, AND \$3 BEGINNING MARCH 1, 1994.
 24 +2+(3) The department may adopt rules necessary to
 25 implement this section."

1 **Section 15.** Section 87-2-708, MCA, is amended to read:

2 **"87-2-708. Class A-2--special bow and arrow license.** A
3 holder of a valid hunting license for which a special
4 archery season is set by the department may receive, upon
5 payment of an additional fee of \$7 ~~\$8~~, a Class A-2 license
6 which shall authorize the holder thereof to pursue, hunt,
7 shoot, and kill with bow and arrow the game animals so
8 authorized by the licenses held and to possess the carcass
9 thereof during seasons and in areas, as designated by the
10 department."

11 **Section 16.** Section 87-2-711, MCA, is amended to read:

12 **"87-2-711. (Temporary) Class AAA--sportsman's license.**
13 Any resident, as defined by 87-2-102, who will be 12 years
14 of age or older prior to September 15 of the season for
15 which the license is issued, upon payment of the sum of
16 ~~\$45-50 \$60~~ \$54 BEGINNING MARCH 1, 1992, AND \$64 BEGINNING
17 MARCH 1, 1994, shall be entitled to a sportsman's license
18 which shall permit the holder to exercise all rights granted
19 to holders of Class A, A-1, A-3, A-5, A-6, and resident
20 conservation licenses as prescribed in 87-2-202. The
21 department shall furnish each holder of a sportsman's
22 license an appropriate decal. (Terminates March 1,
23 1994--sec. 12, Ch. 598, L. 1987.)

24 **87-2-711. (Effective March 1, 1994) Class**
25 **AAA--sportsman's license.** Any resident, as defined by

1 87-2-102, who will be 12 years of age or older prior to
2 September 15 of the season for which the license is issued,
3 upon payment of the sum of ~~\$38-50 \$53~~ \$64, shall be entitled
4 to a sportsman's license which shall permit the holder to
5 exercise all rights granted to holders of Class A, A-1, A-3,
6 A-5, A-6, and resident conservation licenses as prescribed
7 in 87-2-202. The department shall furnish each holder of a
8 sportsman's license an appropriate decal."

9 **Section 17.** Section 87-2-903, MCA, is amended to read:

10 **"87-2-903. Compensation and duties of agents -- penalty**
11 **for late submission of license money.** (1) License agents,
12 except salaried employees of the department, shall receive
13 for all services rendered the sum of ~~30-cents~~ 40 cents for
14 the 1992 license year and 50 cents thereafter for each
15 license, permit, or certificate issued. Each license agent
16 shall submit to the department all duplicates of each class
17 of licenses sold and shall accompany the duplicate licenses
18 with all moneys received for the sale of the licenses less a
19 ~~fee--of--30-cents-for-each-license-sold~~ the appropriate fee.
20 The department may designate classes of license agents and
21 may establish a deadline for submission of license money by
22 each class of agent. Each license agent shall keep his
23 license account open at all reasonable hours to inspection
24 by the department, the director, the wardens, or the
25 legislative auditor.

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1 (2) For purposes of this section, the term "license"
2 includes any license, permit, and certificate prescribed by
3 the department.

4 (3) If a license agent fails to submit to the
5 department all money received from the declared sale of
6 licenses, less the appropriate fee, by the deadline
7 established by the department, an interest charge equal to
8 the rate charged on late corporation license tax payments
9 under 15-31-502 must be assessed. Acceptance of late
10 payments with interest does not preclude the department from
11 summarily revoking the appointment of a license agent under
12 87-2-904."

13 NEW SECTION. **Section 18.** Effective date. [This act] is
14 effective March 1, 1992.

-End-

Free Conference Committee
on Senate Bill No. 171
Report No.1, April 8, 1991

April 8, 1991
Page 2 of 3

Page 1 of 3

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 171, met and considered Senate Bill No. 171.

We recommend that Senate Bill No. 171 (reference copy - salmon) be amended as follows:

1. Page 3, line 9.

Strike: "\$12"
Insert: "\$13"

2. Page 3, line 16.

Following: "\$40"
Insert: "beginning March 1, 1992, and \$45 beginning March 1, 1994,"

3. Page 7, line 2.

Following: "~~1994~~"
Insert: ", and \$13 beginning March 1, 1994"

4. Page 7, line 5.

Following: "~~\$15~~"
Strike: "\$12"
Insert: "\$13"

5. Page 7, line 6.

Following: "~~1994~~"
Insert: ", and \$16 beginning March 1, 1994"

6. Page 7, line 9.

Following: "~~\$15~~"
Strike: "\$12"
Insert: "\$13"

7. Page 7, line 10.

Following: "~~1994~~"
Insert: ", and \$16 beginning March 1, 1994"

8. Page 8, line 20.

Following: "\$462"
Insert: "beginning March 1, 1992, and \$475 beginning March 1, 1994,"

9. Page 8, line 21.

Following: "\$472"
Insert: "beginning March 1, 1992, and \$485 beginning March 1, 1994,"

10. Page 9, line 14.

Following: "~~3373~~"
Strike: "\$385"
Insert: "\$398"

11. Page 9, line 15.

Following: "fee of"
Strike: "\$395"
Insert: "\$408"

12. Page 10, line 22.

Following: "\$238"
Insert: "beginning March 1, 1992, and \$245 beginning March 1, 1994,"

13. Page 10, line 23.

Following: "\$248"
Insert: "beginning March 1, 1992, and \$250 beginning March 1, 1994,"

14. Page 11, line 16.

Strike: "\$213"
Insert: "\$220"

15. Page 11, line 17.

Strike: "\$223"
Insert: "\$225"

16. Page 12, line 15.

Following: "\$450"
Insert: "beginning March 1, 1992, and \$475 beginning March 1, 1994"

17. Page 12, line 18.

Following: "\$450"
Insert: "beginning March 1, 1992, and \$475 beginning March 1, 1994"

18. Page 12, line 21.

Following: "\$450"
Insert: "beginning March 1, 1992, and \$475 beginning March 1, 1994"

19. Page 12, line 22.

Strike: "\$8"
Insert: "\$9"

20. Page 12, line 23.

Following: "~~1994~~"
Insert: ", and \$11 beginning March 1, 1994"

ADOPT

REJECT

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SB 171

21. Page 12, line 24.

Following: "~~\$145~~"

Insert: "beginning March 1, 1992, and \$150 beginning March 1,
1994"

22. Page 13, line 19.

Strike: "~~\$430~~"

Insert: "\$455"

23. Page 13, line 21.

Strike: "~~\$430~~"

Insert: "\$455"

24. Page 13, line 23.

Strike: "~~\$430~~"

Insert: "\$455"

25. Page 13, line 24.

Strike: "~~\$8~~"

Insert: "\$11"

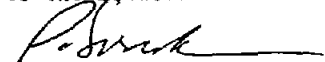
26. Page 13, line 25.

Strike: "~~\$125~~"


Insert: "\$130"

And that this Free Conference Committee report be adopted.

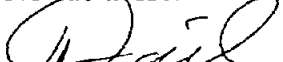
For the Senate:

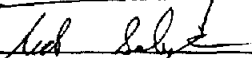

Chair, Sen. Paul Svrcek

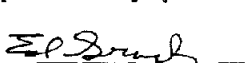

Sen. Cecil Weeding


Sen. David Rye

For the House:


Chair, Rep. Fred Dally


Rep. Ted Schye


Rep. Ed Grady

4-8-91
Amd. Coord.

4/8 SB 10:30
Sec. of Senate

1 SENATE BILL NO. 171

2 INTRODUCED BY SVRCEK, RYE, SCHYE, GRADY

3 BY REQUEST OF THE DEPARTMENT OF FISH,

4 WILDLIFE, AND PARKS

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN
7 FISHING AND HUNTING LICENSE FEES AND THE LICENSE AGENT
8 COMMISSION; REVISING THE PROVISIONS OF THE CLASS B-10
9 NONRESIDENT BIG GAME COMBINATION LICENSE; AND AMENDING
10 SECTIONS 87-2-113, 87-2-202, 87-2-301, 87-2-302, 87-2-304,
11 87-2-306, 87-2-402, 87-2-403, 87-2-501, 87-2-505, 87-2-508,
12 87-2-510, 87-2-701, 87-2-704, 87-2-708, 87-2-711, AND
13 87-2-903, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14
15 WHEREAS, an increase in Montana hunting and fishing
16 license fees is necessary to raise revenue in order for the
17 Department of Fish, Wildlife, and Parks to meet an
18 anticipated revenue shortfall.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

21 Section 1. Section 87-2-113, MCA, is amended to read:

22 *87-2-113. Drawing fee. (1) When the department
23 determines a drawing is necessary prior to issuance of
24 hunting licenses for any game species during a hunting
25 season, it shall collect a \$2 \$3 per species drawing fee

1 with each application submitted.

2 (2) This fee must be deposited in the state special
3 revenue fund to the credit of the department as set forth in
4 87-1-601.

5 (3) The payment of a drawing fee confers no hunting
6 rights or privileges.

7 (4) The commission may waive the provisions of
8 subsection (1) when a drawing is required for a special
9 season under 87-1-304."

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

11 *87-2-202. Application -- stamp attachment -- fee --
12 expiration. (1) A wildlife conservation license shall be
13 sold upon written application. The application shall contain
14 the applicant's name, age, occupation, place of residence,
15 post-office address, and length of time in the state of
16 Montana; state whether the applicant is a citizen of the
17 United States or an alien; and be subscribed by the
18 applicant. The applicant shall present a driver's license or
19 other identification to substantiate the information.

20 (2) Hunting, fishing, or trapping licenses in the form
21 of tags or stamps issued to a holder of a wildlife
22 conservation license must be affixed to or recorded on the
23 wildlife conservation license according to such rules as the
24 department may prescribe.

25 (3) (a) Resident and nonresident wildlife conservation



1 licenses may be purchased for a fee of ~~\$2~~ \$4.

2 (b) Nonresident wildlife conservation licenses may be
3 purchased for a fee of \$5.

4 (4) Licenses issued shall be void after the last day of
5 February next succeeding their issuance."

6 **Section 3.** Section 87-2-301, MCA, is amended to read:

7 **"87-2-301. Class A--resident fishing license.** Any
8 resident, as defined by 87-2-102, upon payment of a fee of
9 ~~\$9-50~~ \$11 BEGINNING MARCH 1, 1992, AND ~~\$12~~ \$13 BEGINNING
10 MARCH 1, 1994, shall receive a Class A license which shall
11 entitle the holder thereof to fish with hook and line or rod
12 as authorized by regulations of the department."

13 **Section 4.** Section 87-2-302, MCA, is amended to read:

14 **"87-2-302. Class B--nonresident fishing license.** Any
15 person not a resident, as defined in 87-2-102, upon payment
16 of the sum of ~~\$36~~ \$40 BEGINNING MARCH 1, 1992, AND \$45
17 BEGINNING MARCH 1, 1994, to any agent of the department
18 authorized to issue fishing and hunting licenses, shall be
19 entitled to a Class B license which shall entitle the holder
20 thereof to fish with hook and line as authorized by the
21 rules and regulations of the department."

22 **Section 5.** Section 87-2-304, MCA, is amended to read:

23 **"87-2-304. Class B-4--two-day nonresident fishing**
24 **license.** Any person not a resident, as defined in 87-2-102,
25 who is a holder of a valid wildlife conservation license,

1 upon payment of the sum of ~~\$8~~ \$10 to any agent of the
2 department authorized to issue fishing and hunting licenses,
3 shall be entitled to a 2-day nonresident fishing license
4 which shall authorize the holder to fish with hook and line,
5 as prescribed by rules and regulations of the department,
6 for 2 calendar days as indicated on the license."

7 **Section 6.** Section 87-2-306, MCA, is amended to read:

8 **"87-2-306. Paddlefish tags.** The department may issue
9 paddlefish tags to holders of valid Class A, Class B, and
10 Class B-4 fishing licenses for a fee of ~~\$3~~ \$4 BEGINNING
11 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for residents
12 and ~~\$10~~ \$15 for nonresidents. Each tag authorizes the holder
13 to fish with hook and line for paddlefish as prescribed by
14 rules of the department."

15 **Section 7.** Section 87-2-402, MCA, is amended to read:

16 **"87-2-402. Class B-1--nonresident upland game bird**
17 **license.** Except as otherwise provided in this chapter, a
18 person not a resident, as defined in 87-2-102, but who is 12
19 years of age or older, upon payment of a fee of ~~\$53~~ \$55 may
20 receive a Class B-1 license which shall entitle the holder
21 thereof to pursue, hunt, shoot, and kill upland game birds,
22 cranes, rails, snipes, and mourning doves and possess the
23 carcasses of upland game birds, cranes, rails, snipes, and
24 mourning doves as authorized by department rules."

25 **Section 8.** Section 87-2-403, MCA, is amended to read:

1 ***87-2-403. (Temporary) Wild turkey tags and fee.** (1)
 2 The department may issue wild turkey tags to the holder of a
 3 valid Class A-1 or Class B-1 license or as set out in
 4 subsection (3). Each tag shall entitle the holder to pursue,
 5 hunt, shoot, and kill one wild turkey and possess the
 6 carcass thereof, during such times and such places as the
 7 department shall authorize an open season on wild turkey.

8 (2) The fee for a wild turkey tag is ~~\$3~~ \$4 BEGINNING
 9 MARCH 1, 1992, AND \$5 BEGINNING MARCH 1, 1994, for
 10 residents and \$13 for nonresidents. Turkey tags shall be
 11 issued either by a drawing system or in unlimited number as
 12 authorized by department rules.

13 (3) Subject to the provisions of subsection (2), a
 14 person who is 62 years of age or older as provided in
 15 87-2-801, certified as disabled under 87-2-803, or a
 16 resident minor as described in 87-2-805 may purchase a wild
 17 turkey tag upon presentation of his wildlife conservation
 18 license. (Terminates March 1, 1994--sec. 12, Ch. 598, L.
 19 1987.)

20 **87-2-403. (Effective March 1, 1994) Wild turkey tags**
 21 **and fee.** (1) The department may issue wild turkey tags to
 22 the holder of a valid Class A-1 or Class B-1 license or as
 23 set out in subsection (3). Each tag shall entitle the holder
 24 to pursue, hunt, shoot, and kill one wild turkey and possess
 25 the carcass thereof, during such times and such places as

1 the department shall authorize an open season on wild
 2 turkey.

3 (2) The fee for a wild turkey tag shall be ~~\$3~~ \$5.
 4 Turkey tags shall be issued either by a drawing system or in
 5 unlimited number as authorized by department rules.

6 (3) Subject to the provisions of subsection (2), a
 7 person who is 62 years of age or older as provided in
 8 87-2-801, certified as disabled under 87-2-803, or a
 9 resident minor as described in 87-2-805 may purchase a wild
 10 turkey tag upon presentation of his wildlife conservation
 11 license."

12 **Section 9.** Section 87-2-501, MCA, is amended to read:

13 ***87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident**
 14 **deer, elk, and bear licenses -- special Class A-7 resident**
 15 **and nonresident license requirements and preference.** (1)
 16 Except as otherwise provided in this chapter, a resident, as
 17 defined by 87-2-102, or a nonresident who wishes to purchase
 18 a Class A-7 elk license only, who will be 12 years of age or
 19 older prior to September 15 of the season for which the
 20 license is issued may, upon payment of the proper fee or
 21 fees, be entitled to purchase one each of the following
 22 licenses at the prescribed cost which will entitle the
 23 holder to pursue, hunt, shoot, and kill the game animal or
 24 animals authorized by the license held and to possess the
 25 carcasses of those game animals as authorized by department

1 rules:

2 (a) Class A-3, deer A tag, ~~\$9 \$12~~ \$11 BEGINNING MARCH
3 1, 1992, AND \$15 BEGINNING-MARCH-17-1994, AND \$13 BEGINNING
4 MARCH 1, 1994;

5 (b) Class A-4, deer B tag, ~~\$6~~ \$7 BEGINNING MARCH 1,
6 1992, AND \$8 BEGINNING MARCH 1, 1994;

7 (c) Class A-5, elk tag, ~~\$10 \$15 \$12~~ \$13 BEGINNING MARCH
8 1, 1992, AND \$20 BEGINNING-MARCH-17-1994, AND \$16 BEGINNING
9 MARCH 1, 1994;

10 (d) Class A-6, black or brown bear tag, ~~\$8~~ \$11
11 BEGINNING MARCH 1, 1992, AND \$15 BEGINNING MARCH 1, 1994;

12 (e) Class A-7, antlerless elk tag, ~~\$10 \$15 \$12~~ \$13
13 BEGINNING MARCH 1, 1992, AND \$20 BEGINNING--MARCH--17--1994,
14 AND \$16 BEGINNING MARCH 1, 1994.

15 (2) (a) The holder of a Class A-7 antlerless elk
16 license is entitled to take antlerless elk in areas
17 designated by the commission and at such times and upon such
18 terms as set forth by the commission.

19 (b) No person may take more than one elk during any
20 license year, and a person holding a Class A-7 antlerless
21 elk tag may not take an elk during the same license year
22 with a Class A-5 license or nonresident elk tag. The use of
23 Class A-7 antlerless elk licenses does not preclude the
24 department's use of special elk permits.

25 (c) A nonresident shall hold a nonresident Class B-10

1 license as a prerequisite to application for a Class A-7
2 license.

3 (3) Subject to the limitation of subsection (5), a
4 person who holds fee title to 640 acres or more of
5 contiguous land, at least some of which is used by elk, in a
6 hunting district where Class A-7 licenses are awarded under
7 this section shall be issued, upon application, a Class A-7
8 license.

9 (4) An applicant who receives a Class A-7 license under
10 subsection (3) may designate that the license be issued to
11 an immediate family member or a person employed by the
12 landowner. A corporation owning qualifying land under
13 subsection (3) may designate one of its shareholders to
14 receive the license.

15 (5) Fifteen percent of the Class A-7 licenses available
16 each year under this section in a hunting district must be
17 available to landowners under subsection (3)."

18 **Section 10.** Section 87-2-505, MCA, is amended to read:

19 "**87-2-505. (Temporary) Class B-10--nonresident big game**
20 **combination license.** Except as otherwise provided in this
21 chapter, a person not a resident, as defined in 87-2-102,
22 but who will be 12 years of age or older prior to September
23 15 of the season for which the license is issued may, upon
24 payment of the fee of ~~\$450~~ \$462 BEGINNING MARCH 1, 1992, AND
25 \$475 BEGINNING MARCH 1, 1994, or upon payment of the fee of

1 §472 BEGINNING MARCH 1, 1992, AND §485 BEGINNING MARCH 1,
 2 1994, if the license is one of the 5,600 licenses reserved
 3 pursuant to 87-2-511 for applicants indicating their intent
 4 to use the services of a licensed outfitter and subject to
 5 the limitations prescribed by law and department regulation,
 6 apply to the fish and game office, Helena, Montana, to
 7 purchase a B-10 nonresident big game combination license
 8 which shall entitle the holder to all the privileges of
 9 Class B, Class B-1, and Class B-7~~7~~-and-black-bear licenses,
 10 and an elk tag. This license includes the nonresident
 11 conservation license as prescribed in 87-2-202. Not more
 12 than 17,000 Class B-10 licenses may be sold in any one
 13 license year. (Terminates March 1, 1994--sec. 12, Ch. 598,
 14 L. 1987.)

15 **87-2-505.** (Effective March 1, 1994) Class
 16 B-10--nonresident big game combination license. Except as
 17 otherwise provided in this chapter, a person not a resident,
 18 as defined in 87-2-102, but who will be 12 years of age or
 19 older prior to September 15 of the season for which the
 20 license is issued may, upon payment of the fee of ~~§373~~ §385
 21 §398 or upon payment of the fee of §395 §408 if the license
 22 is one of the 5,600 licenses reserved pursuant to 87-2-511
 23 for applicants indicating their intent to use the services
 24 of a licensed outfitter and subject to the limitations
 25 prescribed by law and department regulation, apply to the

1 fish and game office, Helena, Montana, to purchase a B-10
 2 nonresident big game combination license which shall entitle
 3 the holder to all the privileges of Class B, Class B-1, and
 4 Class B-7~~7~~-and-black-bear licenses, and an elk tag. This
 5 license includes the nonresident conservation license as
 6 prescribed in 87-2-202. Not more than 17,000 Class B-10
 7 licenses may be sold in any one license year."

8 **Section 11.** Section 87-2-508, MCA, is amended to read:

9 **"87-2-508.** Class D-2--resident mountain lion license.
 10 Except as otherwise provided in this chapter, a person who
 11 is a resident, as defined in 87-2-102, and who is 12 years
 12 of age or older, upon payment of a fee of ~~§10~~ §13 BEGINNING
 13 MARCH 1, 1992, AND §15 BEGINNING MARCH 1, 1994, may receive
 14 a Class D-2 license which shall entitle the holder thereof
 15 to pursue, hunt, shoot, and kill mountain lion and possess
 16 the carcass thereof as authorized by department rules. If a
 17 holder of a valid mountain lion license under this section
 18 kills a mountain lion, he must purchase a trophy license for
 19 a fee of \$50 within 10 days after the date of kill. The
 20 trophy license authorizes the holder to possess and
 21 transport such trophy."

22 **Section 12.** Section 87-2-510, MCA, is amended to read:

23 **"87-2-510.** (Temporary) Class B-11--nonresident deer
 24 combination license. (1) Except as otherwise provided in
 25 this chapter, a person not a resident, as defined in

1 87-2-102, but who will be 12 years of age or older prior to
 2 September 15 of the season for which the license is issued
 3 may, upon payment of a fee of ~~\$200~~ \$238 BEGINNING MARCH 1,
 4 1992, AND \$245 BEGINNING MARCH 1, 1994, or upon payment of
 5 the fee of \$248 BEGINNING MARCH 1, 1992, AND \$250 BEGINNING
 6 MARCH 1, 1994, if the license is one of the 4,000 reserved
 7 pursuant to 87-2-511 for applicants indicating their intent
 8 either to use the services of a licensed outfitter or to
 9 hunt with a resident sponsor on land owned by that sponsor
 10 and subject to the limitations prescribed by law and
 11 department regulation, apply to the fish and game office,
 12 Helena, Montana, to purchase a Class B-11 nonresident deer
 13 combination license that entitles the holder to all the
 14 privileges of the Class B, Class B-1, and Class B-7
 15 licenses. This license includes the nonresident wildlife
 16 conservation license as prescribed in 87-2-202.

17 (2) Six thousand Class B-11 licenses are authorized for
 18 sale each license year.

19 87-2-510. (Effective March 1, 1994) Class
 20 B-11--nonresident deer combination license. (1) Except as
 21 otherwise provided in this chapter, a person not a resident,
 22 as defined in 87-2-102, but who will be 12 years of age or
 23 older prior to September 15 of the season for which the
 24 license is issued may, upon payment of a fee of ~~\$175~~ \$213
 25 ~~\$220~~ or upon payment of the fee of ~~\$223~~ \$225 if the license

1 is one of the 4,000 reserved pursuant to 87-2-511 for
 2 applicants indicating their intent either to use the
 3 services of a licensed outfitter or to hunt with a resident
 4 sponsor on land owned by that sponsor and subject to the
 5 limitations prescribed by law and department regulation,
 6 apply to the fish and game office, Helena, Montana, to
 7 purchase a Class B-11 nonresident deer combination license
 8 that entitles the holder to all the privileges of the Class
 9 B, Class B-1, and Class B-7 licenses. This license includes
 10 the nonresident wildlife conservation license as prescribed
 11 in 87-2-202.

12 (2) Six thousand Class B-11 licenses are authorized for
 13 sale each license year."

14 **Section 13.** Section 87-2-701, MCA, is amended to read:

15 **"87-2-701. (Temporary) Special licenses.** (1) Any
 16 applicant who will be 12 years of age or older prior to
 17 September 15 of the season for which the license is issued
 18 and is the holder of a resident wildlife conservation
 19 license or a nonresident wildlife conservation license may
 20 apply for a special license which, in the judgment of the
 21 department, is to be issued and shall pay the following fees
 22 therefor:

23 (a) moose--resident, ~~\$50~~ \$60 BEGINNING MARCH 1, 1992,
 24 AND ~~\$75~~ \$75 BEGINNING MARCH 1, 1994; nonresident, ~~\$320~~ \$450
 25 BEGINNING MARCH 1, 1992, AND ~~\$475~~ \$475 BEGINNING MARCH 1, 1994;

1 (b) mountain goat--resident, ~~\$50~~ \$60 BEGINNING MARCH 1,
 2 1992, AND ~~\$75~~ \$75 BEGINNING MARCH 1, 1994; nonresident, ~~\$320~~
 3 \$450 BEGINNING MARCH 1, 1992, AND ~~\$475~~ \$475 BEGINNING MARCH 1,
 4 1994;

5 (c) mountain sheep--resident, ~~\$50~~ \$60 BEGINNING MARCH
 6 1, 1992, AND ~~\$75~~ \$75 BEGINNING MARCH 1, 1994; nonresident, ~~\$320~~
 7 \$450 BEGINNING MARCH 1, 1992, AND ~~\$475~~ \$475 BEGINNING MARCH 1,
 8 1994;

9 (d) antelope--resident, ~~\$6~~ \$9 ~~\$8~~ \$9 BEGINNING MARCH 1,
 10 1992, AND ~~\$12~~ \$12 BEGINNING MARCH 1, 1994, AND ~~\$11~~ \$11 BEGINNING
 11 MARCH 1, 1994; nonresident, ~~\$120~~ \$145 BEGINNING MARCH 1,
 12 1992, AND ~~\$150~~ \$150 BEGINNING MARCH 1, 1994;

13 (e) grizzly bear--resident, \$50; nonresident, \$300;

14 (f) black or brown bear--nonresident, \$120;

15 (g) wild buffalo--resident, \$200; nonresident, \$1,000.

16 (2) In the event a holder of a valid special grizzly
 17 bear license kills a grizzly bear, he must purchase a trophy
 18 license for a fee of \$25 within 10 days after date of kill.
 19 Such trophy license shall authorize the holder to possess
 20 and transport said trophy.

21 (3) Special licenses shall be issued in a manner
 22 prescribed by the department. (Terminates March 1,
 23 1994--sec. 12, Ch. 598, L. 1987.)

24 87-2-701. (Effective March 1, 1994) Special licenses.

25 (1) Any applicant who will be 12 years of age or older prior

1 to September 15 of the season for which the license is
 2 issued and is the holder of a resident wildlife conservation
 3 license or a nonresident wildlife conservation license may
 4 apply for a special license which, in the judgment of the
 5 department, is to be issued and shall pay the following fees
 6 therefor:

7 (a) moose--resident, ~~\$50~~ \$75; nonresident, ~~\$300~~ \$430
 8 \$455;

9 (b) mountain goat--resident, ~~\$50~~ \$75; nonresident, ~~\$300~~
 10 \$430 \$455;

11 (c) mountain sheep--resident, ~~\$50~~ \$75; nonresident,
 12 ~~\$300~~ \$430 \$455;

13 (d) antelope--resident, ~~\$6~~ \$12 ~~\$8~~ \$11; nonresident,
 14 ~~\$100~~ \$125 \$130;

15 (e) grizzly bear--resident, \$50; nonresident, \$300;

16 (f) black or brown bear--nonresident, \$100;

17 (g) wild buffalo--resident, \$200; nonresident, \$1,000.

18 (2) In the event a holder of a valid special grizzly
 19 bear license kills a grizzly bear, he must purchase a trophy
 20 license for a fee of \$25 within 10 days after date of kill.
 21 Such trophy license shall authorize the holder to possess
 22 and transport said trophy.

23 (3) Special licenses shall be issued in a manner
 24 prescribed by the department."

25 **Section 14.** Section 87-2-704, MCA, is amended to read:

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

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

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

11 (2) The fee for a special elk permit is \$2 BEGINNING
12 MARCH 1, 1992, AND \$3 BEGINNING MARCH 1, 1994.

13 ~~{2}~~{3} The department may adopt rules necessary to
14 implement this section."

15 **Section 15.** Section 87-2-708, MCA, is amended to read:

16 **"87-2-708. Class A-2--special bow and arrow license.** A
17 holder of a valid hunting license for which a special
18 archery season is set by the department may receive, upon
19 payment of an additional fee of ~~\$7~~ \$8, a Class A-2 license
20 which shall authorize the holder thereof to pursue, hunt,
21 shoot, and kill with bow and arrow the game animals so
22 authorized by the licenses held and to possess the carcass
23 thereof during seasons and in areas, as designated by the
24 department."

25 **Section 16.** Section 87-2-711, MCA, is amended to read:

1 **"87-2-711. (Temporary) Class AAA--sportsman's license.**
2 Any resident, as defined by 87-2-102, who will be 12 years
3 of age or older prior to September 15 of the season for
4 which the license is issued, upon payment of the sum of
5 ~~\$45-50~~ \$60 \$54 BEGINNING MARCH 1, 1992, AND \$64 BEGINNING
6 MARCH 1, 1994, shall be entitled to a sportsman's license
7 which shall permit the holder to exercise all rights granted
8 to holders of Class A, A-1, A-3, A-5, A-6, and resident
9 conservation licenses as prescribed in 87-2-202. The
10 department shall furnish each holder of a sportsman's
11 license an appropriate decal. (Terminates March 1,
12 1994--sec. 12, Ch. 598, L. 1987.)

13 **87-2-711. (Effective March 1, 1994) Class**
14 **AAA--sportsman's license.** Any resident, as defined by
15 87-2-102, who will be 12 years of age or older prior to
16 September 15 of the season for which the license is issued,
17 upon payment of the sum of ~~\$30-50~~ \$53 \$64, shall be entitled
18 to a sportsman's license which shall permit the holder to
19 exercise all rights granted to holders of Class A, A-1, A-3,
20 A-5, A-6, and resident conservation licenses as prescribed
21 in 87-2-202. The department shall furnish each holder of a
22 sportsman's license an appropriate decal."

23 **Section 17.** Section 87-2-903, MCA, is amended to read:

24 **"87-2-903. Compensation and duties of agents -- penalty**
25 **for late submission of license money.** (1) License agents,

1 except salaried employees of the department, shall receive
 2 for all services rendered the sum of ~~30-cents~~ 40 cents for
 3 the 1992 license year and 50 cents thereafter for each
 4 license, permit, or certificate issued. Each license agent
 5 shall submit to the department all duplicates of each class
 6 of licenses sold and shall accompany the duplicate licenses
 7 with all moneys received for the sale of the licenses less a
 8 ~~fee--of--30-cents-for-each-license-sold~~ the appropriate fee.
 9 The department may designate classes of license agents and
 10 may establish a deadline for submission of license money by
 11 each class of agent. Each license agent shall keep his
 12 license account open at all reasonable hours to inspection
 13 by the department, the director, the wardens, or the
 14 legislative auditor.

15 (2) For purposes of this section, the term "license"
 16 includes any license, permit, and certificate prescribed by
 17 the department.

18 (3) If a license agent fails to submit to the
 19 department all money received from the declared sale of
 20 licenses, less the appropriate fee, by the deadline
 21 established by the department, an interest charge equal to
 22 the rate charged on late corporation license tax payments
 23 under 15-31-502 must be assessed. Acceptance of late
 24 payments with interest does not preclude the department from
 25 summarily revoking the appointment of a license agent under

1 87-2-904."

2 NEW SECTION. Section 18. Effective date. [This act] is
 3 effective March 1, 1992.

-End-