

SENATE BILL NO. 298

INTRODUCED BY YELLOWTAIL, RYE, STANG, GILBERT
BY REQUEST OF THE DEPARTMENT OF FISH,
WILDLIFE, AND PARKS

IN THE SENATE

FEBRUARY 6, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
FEBRUARY 7, 1991	FIRST READING.
FEBRUARY 20, 1991	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 21, 1991	PRINTING REPORT. ON MOTION, CONSIDERATION PASSED FOR THE DAY
FEBRUARY 22, 1991	SECOND READING, DO PASS.
FEBRUARY 23, 1991	ENGROSSING REPORT. TRANSMITTED TO HOUSE. THIRD READING, PASSED. AYES, 49; NOES, 0.

IN THE HOUSE

MARCH 4, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME. FIRST READING.
MARCH 16, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. POSTED ON CONSENT CALENDAR.
MARCH 18, 1991	CONSENT CALENDAR, QUESTIONS AND ANSWERS.
MARCH 19, 1991	THIRD READING, CONCURRED IN. AYES, 99; NOES, 0. RETURNED TO SENATE.

IN THE SENATE

MARCH 20, 1991

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *298*
 2 INTRODUCED BY *Yellowtail* *Ryan* *Stang* *Dillbert*
 3 BY REQUEST OF THE DEPARTMENT OF FISH,
 4 WILDLIFE, AND PARKS

6 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE ELEMENTS
 7 NECESSARY TO DETERMINE RESIDENCY FOR PURPOSES OF HUNTING,
 8 FISHING, AND TRAPPING LICENSING; PROVIDING FOR THE
 9 DOCUMENTATION OF RESIDENCY; PROVIDING PENALTIES; AMENDING
 10 SECTIONS 87-2-102, 87-2-106, 87-2-109, AND 87-2-202, MCA;
 11 AND PROVIDING AN EFFECTIVE DATE."

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

14 **Section 1.** Section 87-2-102, MCA, is amended to read:

15 "87-2-102. Resident defined. In determining a resident
 16 for the purpose of issuing resident fishing, hunting, and
 17 trapping licenses, the following provisions ~~shall~~ apply:

18 (1) Members of the regular armed forces of the United
 19 States or members of the armed forces of foreign governments
 20 attached to the armed forces of the United States who are
 21 assigned to active duty in Montana and their dependents, as
 22 defined in 15-30-113, who reside in their Montana household
 23 with them, after a period of 30 days within Montana, upon
 24 presenting assignment orders emanating from the proper unit
 25 commander, ~~shall-be~~ are considered residents for the purpose

1 of this chapter. The 30-day residence requirement is waived
 2 in time of war.

3 (2) Any A person who has been a resident of the state
 4 of Montana ~~as defined in 1-1-215~~, for a period of 6 months
 5 immediately prior to making application for ~~said~~ a license
 6 ~~shall-be~~ is eligible to receive a resident hunting, fishing,
 7 or trapping license. A person is considered a resident if he
 8 meets the following criteria:

9 (a) he lives in Montana or has a fixed intent to return
 10 to this state when he leaves it;

11 (b) he files Montana state income tax returns if
 12 required to file as a resident;

13 (c) he licenses and titles in Montana as required by
 14 law any vehicles that he owns and operates in Montana;

15 (d) he does not use any resident hunting, fishing, or
 16 trapping privileges in another state or country during the
 17 time the resident Montana license is valid; and

18 (e) if he registers to vote, he registers only in
 19 Montana.

20 (3) Any enrollee of a job corps camp located within the
 21 state of Montana ~~shall is~~, after a period of 30 days within
 22 Montana, ~~be~~ considered a resident for the purpose of making
 23 application for a fishing license as long as he remains an
 24 enrollee in a Montana camp.

25 (4) A person ~~meeting~~ who does not reside in Montana but

1 who meets all of the following requirements is a resident
2 for purposes of obtaining hunting and fishing licenses:

3 (a) The person's principal employment is within this
4 state and the income from this employment is the principal
5 source of the applicant's family income.

6 (b) The person is required to pay and has paid Montana
7 income tax in a timely manner and proper amount.

8 (c) The person has been employed within this state on a
9 full-time basis for at least 12 consecutive months
10 immediately preceding each application.

11 (d) The person's state of residency has laws
12 substantially similar to this subsection (4).

13 (5) An unmarried minor whose parents, legal guardian,
14 or custodial parent is a resident for purposes of this
15 section is also considered a resident for purposes of this
16 section."

17 **Section 2.** Section 87-2-106, MCA, is amended to read:

18 "**87-2-106. Application for license -- penalties for**
19 **violation -- forfeiture of privileges.** (1) A license may be
20 procured from the director, any warden, or any authorized
21 agent of the director. The applicant shall state his name,
22 age, occupation, place of residence, post-office address,
23 the qualifying length of time as a resident in the state of
24 Montana, whether a citizen of the United States or an alien,
25 and such other facts, data, or descriptions as may be

1 required by the department. An applicant for a resident
2 license shall present a valid Montana driver's license,
3 Montana driver's examiner's identification card, or other
4 identification specified by the department to substantiate
5 the required information. It is the applicant's burden to
6 provide documentation establishing his identity and
7 qualifications to purchase a license. It is unlawful and a
8 misdemeanor for a license agent to sell a hunting, fishing,
9 or trapping license to an applicant who fails to produce the
10 required identification at the time of application for
11 licensure. Except as provided in subsections (2) through
12 (4), the statements made by the applicant ~~shall~~ must be
13 subscribed to before the officer or agent issuing the
14 license.

15 (2) Except as provided in subsection (3), department
16 employees or officers may issue licenses by mail. Statements
17 on an application for a license to be issued by mail need
18 not be subscribed to before the employee or officer.

19 (3) To apply for a license under the provisions of
20 87-2-102(4), the applicant ~~must~~ shall apply to the director
21 and ~~must~~ shall submit at the time of application a notarized
22 affidavit that attests to fulfillment of the requirements of
23 87-2-102(4). The director shall process the application in
24 an expedient manner.

25 (4) A resident may apply for and purchase a wildlife

1 conservation license, hunting license, or fishing license
2 for his spouse, parent, child, brother, or sister who is
3 otherwise qualified to obtain such the license.

4 (5) A license is void unless subscribed to by the
5 licensee and by an employee or officer of the department or
6 by a license agent or an authorized representative of the
7 license agent.

8 (6) It is unlawful to subscribe to any statement, on
9 any application or license, that is materially false. Any
10 material false statement contained in an application renders
11 the license issued pursuant to it void. Any A person
12 violating any provision of this statute is guilty of a
13 misdemeanor.

14 (7) (a) A person not meeting the residency criteria set
15 out in 87-2-102 who is convicted of affirming to a false
16 statement to obtain a resident license shall be:

17 (i) fined not less than the greater of \$100 or twice
18 the cost of the nonresident license that authorized the
19 sought-after privilege or more than \$1,000;

20 (ii) imprisoned in the county jail for not more than 6
21 months; or

22 (iii) both fined and imprisoned.

23 (b) In addition to the penalties specified in
24 subsection (7)(a), upon conviction or forfeiture of bond or
25 bail, the person shall forfeit any current hunting, fishing,

1 and trapping licenses and the privilege to hunt, fish, and
2 trap in Montana for not less than 18 months.

3 (8) It is unlawful and a misdemeanor for a person to
4 purposefully or knowingly assist an unqualified applicant in
5 obtaining a resident license in violation of this section.

6 (7)(9) The department may bring an action to prosecute
7 a violation of this section within 3 years of the date of
8 application for licensure."

9 **Section 3.** Section 87-2-109, MCA, is amended to read:

10 **"87-2-109. Carrying and exhibiting license and**
11 **identification.** (1) It is unlawful for any a person to whom
12 a license or permit has been issued to fish for or take any
13 fish or pursue, hunt, shoot, kill, or take any game bird or
14 game animal or attempt to trap, trap, or take any
15 fur-bearing animal in this state unless he has the license,
16 licenses, or permit in his possession at the time.

17 (2) It is unlawful to refuse to exhibit a license or
18 permit and the identification used in purchasing a license
19 or permit for inspection to a warden or other officer
20 requesting to see it."

21 **Section 4.** Section 87-2-202, MCA, is amended to read:

22 **"87-2-202. Application -- stamp attachment -- fee --**
23 **expiration.** (1) A wildlife conservation license ~~shall~~ must
24 be sold upon written application. The application ~~shall~~ must
25 contain the applicant's name, age, occupation, place of

1 residence, post-office address, and the qualifying length of
 2 time as a resident in the state of Montana; state whether
 3 the applicant is a citizen of the United States or an alien;
 4 and be subscribed by the applicant. The applicant shall
 5 present a valid Montana driver's license, a Montana driver's
 6 examiner's identification card, or other identification
 7 specified by the department to substantiate the required
 8 information when applying for a wildlife conservation
 9 license. It is the applicant's burden to provide
 10 documentation establishing his identity and qualifications
 11 to purchase a wildlife conservation license. It is unlawful
 12 and a misdemeanor for a license agent to sell a wildlife
 13 conservation license to an applicant who fails to produce
 14 the required identification at the time of application for
 15 licensure.

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

21 (3) Resident and nonresident wildlife conservation
 22 licenses may be purchased for a fee of \$2.

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

25 NEW SECTION. Section 5. Effective date. [This act] is

1 effective July 1, 1991.

-End-

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9 (a) he THE PERSON lives in Montana or has a fixed
10 intent to return to this state when he leaves it;

11 (b) he THE PERSON files Montana state income tax
12 returns if required to file as a resident;

13 (c) he THE PERSON licenses and titles in Montana as
14 required by law any vehicles that he THE PERSON owns and
15 operates in Montana;

16 (d) he THE PERSON does not use any resident hunting,
17 fishing, or trapping privileges in another state or country
18 during the time the resident Montana license is valid; and

19 (e) if he THE PERSON registers to vote, he THE PERSON
20 registers only in Montana.

21 (3) Any enrollee of a job corps camp located within the
22 state of Montana ~~shall is~~, after a period of 30 days within
23 Montana, be considered a resident for the purpose of making
24 application for a fishing license as long as he THE PERSON
25 remains an enrollee in a Montana camp.

1 (4) A person meeting who does not reside in Montana but
 2 who meets all of the following requirements is a resident
 3 for purposes of obtaining hunting and fishing licenses:

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 5 state and the income from this employment is the principal
 6 source of the applicant's family income.

7 (b) The person is required to pay and has paid Montana
 8 income tax in a timely manner and proper amount.

9 (c) The person has been employed within this state on a
 10 full-time basis for at least 12 consecutive months
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 23 APPLICANT'S name, age, occupation, place of residence,
 24 post-office address, the qualifying length of time as a
 25 resident in the state of Montana, whether a citizen of the

1 United States or an alien, and such other facts, data, or
 2 descriptions as may be required by the department. An
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 4 Montana driver's license, Montana driver's examiner's
 5 identification card, or other identification specified by
 6 the department to substantiate the required information. It
 7 is the applicant's burden to provide documentation
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 9 to purchase a license. It is unlawful and a misdemeanor for
 10 a license agent to sell a hunting, fishing, or trapping
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 12 identification at the time of application for licensure.
 13 Except as provided in subsections (2) through (4), the
 14 statements made by the applicant ~~shall~~ must be subscribed to
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19 the cost of the nonresident license that authorized the
20 sought-after privilege or more than \$1,000;

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22 months; or

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24 (b) In addition to the penalties specified in
25 subsection (7)(a), upon conviction or forfeiture of bond or

1 bail, the person shall forfeit any current hunting, fishing,
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9 application for licensure."

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15 game animal or attempt to trap, trap, or take any
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17 the license, licenses, or permit in his THE PERSON'S
18 possession at the time.

19 (2) It is unlawful to refuse to exhibit a license or
20 permit and the identification used in purchasing a license
21 or permit for inspection to a warden or other officer
22 requesting to see it."

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 24 licenses may be purchased for a fee of \$2.

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1 day of February next succeeding their issuance."

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 3 effective July 1, 1991.

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of this chapter. The 30-day residence requirement is waived in time of war.

(2) Any A person who has been a resident of the state of Montana, ~~as defined in 1-1-2157~~, for a period of 6 months immediately prior to making application for ~~said~~ a license ~~shall-be~~ is eligible to receive a resident hunting, fishing, or trapping license. A person is considered a resident if he THE PERSON meets the following criteria:

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

14 **Section 1.** Section 87-2-102, MCA, is amended to read:

15 **"87-2-102. Resident defined.** In determining a resident
16 for the purpose of issuing resident fishing, hunting, and
17 trapping licenses, the following provisions shall apply:

18 (1) Members of the regular armed forces of the United
19 States or members of the armed forces of foreign governments
20 attached to the armed forces of the United States who are
21 assigned to active duty in Montana and their dependents, as
22 defined in 15-30-113, who reside in their Montana household
23 with them, after a period of 30 days within Montana, upon
24 presenting assignment orders emanating from the proper unit
25 commander, shall-be are considered residents for the purpose

1 of this chapter. The 30-day residence requirement is waived
2 in time of war.

3 (2) Any A person who has been a resident of the state
4 of Montana, ~~as defined in 1-1-215~~, for a period of 6 months
5 immediately prior to making application for ~~said a~~ license
6 ~~shall-be is~~ eligible to receive a resident hunting, fishing,
7 or trapping license. A person is considered a resident if he
8 THE PERSON meets the following criteria:

9 (a) he THE PERSON lives in Montana or has a fixed
10 intent to return to this state when he leaves it;

11 (b) he THE PERSON files Montana state income tax
12 returns if required to file as a resident;

13 (c) he THE PERSON licenses and titles in Montana as
14 required by law any vehicles that he THE PERSON owns and
15 operates in Montana;

16 (d) he THE PERSON does not use any resident hunting,
17 fishing, or trapping privileges in another state or country
18 during the time the resident Montana license is valid; and

19 (e) if he THE PERSON registers to vote, he THE PERSON
20 registers only in Montana.

21 (3) Any enrollee of a job corps camp located within the
22 state of Montana ~~shall is~~, after a period of 30 days within
23 Montana, be considered a resident for the purpose of making
24 application for a fishing license as long as he THE PERSON
25 remains an enrollee in a Montana camp.

1 (4) A person meeting who does not reside in Montana but
 2 who meets all of the following requirements is a resident
 3 for purposes of obtaining hunting and fishing licenses:

4 (a) The person's principal employment is within this
 5 state and the income from this employment is the principal
 6 source of the applicant's family income.

7 (b) The person is required to pay and has paid Montana
 8 income tax in a timely manner and proper amount.

9 (c) The person has been employed within this state on a
 10 full-time basis for at least 12 consecutive months
 11 immediately preceding each application.

12 (d) The person's state of residency has laws
 13 substantially similar to this subsection (4).

14 (5) An unmarried minor whose parents, legal guardian,
 15 or custodial parent is a resident for purposes of this
 16 section is also considered a resident for purposes of this
 17 section."

18 **Section 2.** Section 87-2-106, MCA, is amended to read:

19 "**87-2-106. Application for license -- penalties for**
 20 **violation -- forfeiture of privileges.** (1) A license may be
 21 procured from the director, any warden, or any authorized
 22 agent of the director. The applicant shall state ~~his~~ **THE**
 23 **APPLICANT'S** name, age, occupation, place of residence,
 24 post-office address, the qualifying length of time as a
 25 resident in the state of Montana, whether a citizen of the

1 United States or an alien, and ~~such~~ other facts, data, or
 2 descriptions as may be required by the department. **An**
 3 **applicant for a resident license shall present a valid**
 4 **Montana driver's license, Montana driver's examiner's**
 5 **identification card, or other identification specified by**
 6 **the department to substantiate the required information. It**
 7 **is the applicant's burden to provide documentation**
 8 **establishing ~~his~~ THE APPLICANT'S identity and qualifications**
 9 **to purchase a license. It is unlawful and a misdemeanor for**
 10 **a license agent to sell a hunting, fishing, or trapping**
 11 **license to an applicant who fails to produce the required**
 12 **identification at the time of application for licensure.**
 13 Except as provided in subsections (2) through (4), the
 14 statements made by the applicant ~~shall~~ **must** be subscribed to
 15 before the officer or agent issuing the license.

16 (2) Except as provided in subsection (1), department
 17 employees or officers may issue licenses by mail. Statements
 18 on an application for a license to be issued by mail need
 19 not be subscribed to before the employee or officer.

20 (3) To apply for a license under the provisions of
 21 87-2-102(4), the applicant ~~must~~ **shall** apply to the director
 22 and ~~must~~ **shall** submit at the time of application a notarized
 23 affidavit that attests to fulfillment of the requirements of
 24 87-2-102(4). The director shall process the application in
 25 an expedient manner.

1 (4) A resident may apply for and purchase a wildlife
2 conservation license, hunting license, or fishing license
3 for his spouse, parent, child, brother, or sister who is
4 otherwise qualified to obtain such the license.

5 (5) A license is void unless subscribed to by the
6 licensee and by an employee or officer of the department or
7 by a license agent or an authorized representative of the
8 license agent.

9 (6) It is unlawful to subscribe to any statement, on
10 any application or license, that is materially false. Any
11 material false statement contained in an application renders
12 the license issued pursuant to it void. Any A person
13 violating any provision of this statute is guilty of a
14 misdemeanor.

15 (7) (a) A person not meeting the residency criteria set
16 out in 87-2-102 who is convicted of affirming to a false
17 statement to obtain a resident license shall be:

18 (i) fined not less than the greater of \$100 or twice
19 the cost of the nonresident license that authorized the
20 sought-after privilege or more than \$1,000;

21 (ii) imprisoned in the county jail for not more than 6
22 months; or

23 (iii) both fined and imprisoned.

24 (b) In addition to the penalties specified in
25 subsection (7)(a), upon conviction or forfeiture of bond or

1 bail, the person shall forfeit any current hunting, fishing,
2 and trapping licenses and the privilege to hunt, fish, and
3 trap in Montana for not less than 18 months.

4 (8) It is unlawful and a misdemeanor for a person to
5 purposely or knowingly assist an unqualified applicant in
6 obtaining a resident license in violation of this section.

7 (9) The department may bring an action to prosecute
8 a violation of this section within 3 years of the date of
9 application for licensure."

10 **Section 3.** Section 87-2-109, MCA, is amended to read:

11 **"87-2-109. Carrying and exhibiting license and**
12 **identification.** (1) It is unlawful for any a person to whom
13 a license or permit has been issued to fish for or take any
14 fish or pursue, hunt, shoot, kill, or take any game bird or
15 game animal or attempt to trap, trap, or take any
16 fur-bearing animal in this state unless he THE PERSON has
17 the license, licenses, or permit in his THE PERSON'S
18 possession at the time.

19 (2) It is unlawful to refuse to exhibit a license or
20 permit and the identification used in purchasing a license
21 or permit for inspection to a warden or other officer
22 requesting to see it."

23 **Section 4.** Section 87-2-202, MCA, is amended to read:

24 **"87-2-202. Application -- stamp attachment -- fee --**
25 **expiration.** (1) A wildlife conservation license shall must

1 be sold upon written application. The application ~~shall~~ must
 2 contain the applicant's name, age, occupation, place of
 3 residence, post-office address, and the qualifying length of
 4 time as a resident in the state of Montana; state whether
 5 the applicant is a citizen of the United States or an alien;
 6 and be subscribed by the applicant. The applicant shall
 7 present a valid Montana driver's license, a Montana driver's
 8 examiner's identification card, or other identification
 9 specified by the department to substantiate the required
 10 information when applying for a wildlife conservation
 11 license. It is the applicant's burden to provide
 12 documentation establishing his THE APPLICANT'S identity and
 13 qualifications to purchase a wildlife conservation license.
 14 It is unlawful and a misdemeanor for a license agent to sell
 15 a wildlife conservation license to an applicant who fails to
 16 produce the required identification at the time of
 17 application for licensure.

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

23 (3) Resident and nonresident wildlife conservation
 24 licenses may be purchased for a fee of \$2.

25 (4) Licenses issued ~~shall--be~~ are void after the last

1 day of February next succeeding their issuance."

2 NEW SECTION. Section 5. Effective date. [This act] is
 3 effective July 1, 1991.

-End-

SENATE BILL NO. 298

INTRODUCED BY YELLOWTAIL, RYE, STANG, GILBERT

BY REQUEST OF THE DEPARTMENT OF FISH,

WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE ELEMENTS NECESSARY TO DETERMINE RESIDENCY FOR PURPOSES OF HUNTING, FISHING, AND TRAPPING LICENSING; PROVIDING FOR THE DOCUMENTATION OF RESIDENCY; PROVIDING PENALTIES; AMENDING SECTIONS 87-2-102, 87-2-106, 87-2-109, AND 87-2-202, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 87-2-102, MCA, is amended to read:

"87-2-102. Resident defined. In determining a resident for the purpose of issuing resident fishing, hunting, and trapping licenses, the following provisions shall apply:

(1) Members of the regular armed forces of the United States or members of the armed forces of foreign governments attached to the armed forces of the United States who are assigned to active duty in Montana and their dependents, as defined in 15-30-113, who reside in their Montana household with them, after a period of 30 days within Montana, upon presenting assignment orders emanating from the proper unit commander, shall be are considered residents for the purpose

of this chapter. The 30-day residence requirement is waived in time of war.

(2) Any A person who has been a resident of the state of Montana, as defined in 1-1-215, for a period of 6 months immediately prior to making application for said a license shall-be is eligible to receive a resident hunting, fishing, or trapping license. A person is considered a resident if he THE PERSON meets the following criteria:

(a) he THE PERSON lives in Montana or has a fixed intent to return to this state when he leaves it;

(b) he THE PERSON files Montana state income tax returns if required to file as a resident;

(c) he THE PERSON licenses and titles in Montana as required by law any vehicles that he THE PERSON owns and operates in Montana;

(d) he THE PERSON does not use any resident hunting, fishing, or trapping privileges in another state or country during the time the resident Montana license is valid; and

(e) if he THE PERSON registers to vote, he THE PERSON registers only in Montana.

(3) Any enrollee of a job corps camp located within the state of Montana shall is, after a period of 30 days within Montana, be considered a resident for the purpose of making application for a fishing license as long as he THE PERSON remains an enrollee in a Montana camp.

1 (4) A person meeting who does not reside in Montana but
 2 who meets all of the following requirements is a resident
 3 for purposes of obtaining hunting and fishing licenses:

4 (a) The person's principal employment is within this
 5 state and the income from this employment is the principal
 6 source of the applicant's family income.

7 (b) The person is required to pay and has paid Montana
 8 income tax in a timely manner and proper amount.

9 (c) The person has been employed within this state on a
 10 full-time basis for at least 12 consecutive months
 11 immediately preceding each application.

12 (d) The person's state of residency has laws
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 20 violation -- forfeiture of privileges. (1) A license may be
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 22 agent of the director. The applicant shall state his THE
 23 APPLICANT'S name, age, occupation, place of residence,
 24 post-office address, the qualifying length of time as a
 25 resident in the state of Montana, whether a citizen of the

1 United States or an alien, and such other facts, data, or
 2 descriptions as may be required by the department. An
 3 applicant for a resident license shall present a valid
 4 Montana driver's license, Montana driver's examiner's
 5 identification card, or other identification specified by
 6 the department to substantiate the required information. It
 7 is the applicant's burden to provide documentation
 8 establishing his THE APPLICANT'S identity and qualifications
 9 to purchase a license. It is unlawful and a misdemeanor for
 10 a license agent to sell a hunting, fishing, or trapping
 11 license to an applicant who fails to produce the required
 12 identification at the time of application for licensure.
 13 Except as provided in subsections (2) through (4), the
 14 statements made by the applicant ~~shall~~ must be subscribed to
 15 before the officer or agent issuing the license.

16 (2) Except as provided in subsection (3), department
 17 employees or officers may issue licenses by mail. Statements
 18 on an application for a license to be issued by mail need
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20 (3) To apply for a license under the provisions of
 21 87-2-102(4), the applicant ~~must~~ shall apply to the director
 22 and ~~must~~ shall submit at the time of application a notarized
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 19 of tags or stamps issued to a holder of a wildlife
 20 conservation license must be affixed to or recorded on the
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 24 licenses may be purchased for a fee of \$2.

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