

Licenses—Hunting and Fishing—Forest Rangers.

A United States forest ranger may legally hold a resident hunting and fishing license in Montana although he also holds a similar license in Idaho for the same season.

J. W. Carney, Esq.,
Assistant Game Warden,
Helena, Montana.

August 30, 1927.

My dear Mr. Carney:

You have requested my opinion whether it is permissible for a forest ranger to hold a resident hunting and fishing license in Montana and Idaho during the same season.

Section 3685 R. C. M. 1921, as amended by chapter 192, laws of 1925, reads in part as follows:

“Said applicant, if a resident of the State of Montana and a citizen of the United States shall pay to the officer or person countersigning and issuing the license the sum of Two Dollars (\$2.00) as a license fee, and shall obtain a license of Class A, which shall entitle the holder to hunt, kill, capture, take and possess game, game birds and animals and to fish with hook and line as authorized by this Act.

“All citizens of the United States who have lived in this State for at least six months, immediately preceding their application for a license, or officers and soldiers of the United States Army shall be deemed resident citizens for the purposes of this section, as well as all officers of the Forest Service and of the Biological Survey of the United States Department of Agriculture.”

The statute gives an officer of the Forest Service the status of a resident citizen for the purpose of obtaining a fishing and hunting license. It confers that status irrespective of the actual place of residence of such Forest Service officer, which may be Montana, Idaho, or any other state.

It is therefore my opinion that a forest ranger, whom I assume to be an “officer of the Forest Service”, is entitled to procure a resident citizen’s hunting and fishing license in Montana. The fact that he also has procured such a license in Idaho does not, under the statute, bar him from obtaining a Montana license.

As to whether his procuring a Montana license would bar his securing one in Idaho, is a matter governed by the laws of the latter state, and on which I express no opinion.

Very truly yours,

L. A. FOOT,
Attorney General.