

1 *House* BILL NO. *104*
 2 INTRODUCED BY *Johnnie Barrett Grand Mular*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 26-202.1, R.C.M. 1947, TO PROVIDE FOR PREFERENCE IN THE
 6 ISSUANCE OF SPECIAL ELK PERMITS TO APPLICANTS WHO DID NOT
 7 RECEIVE A SPECIAL ELK PERMIT FOR THE PREVIOUS SEASON."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 26-202.1, R.C.M. 1947, is amended
 11 to read as follows:

12 "26-202.1. Licenses -- fees -- classifications of
 13 licenses -- fees and powers under licenses. (1) Class A
 14 license--Resident Fishing License. Any resident as defined
 15 by section 26-202.3, upon payment of a fee of five dollars
 16 (\$5) shall receive a Class A license which shall entitle the
 17 holder thereof to fish with hook and line or rod as
 18 authorized by regulations of the commission.

19 (2) Class A-1 license--Resident Game Bird License.
 20 Except as herein provided, any resident as defined by
 21 section 26-202.3, who is twelve (12) years of age or older,
 22 may, upon payment of a fee of two dollars (\$2) receive a
 23 Class A-1 license, which will entitle the holder to pursue,
 24 hunt, shoot and kill game birds and possess the dead bodies
 25 of game birds which are so authorized by regulations of the

1 commission.

2 (a) No hunting licenses shall be issued to any resident
 3 person under the age of eighteen (18) years unless he
 4 presents to the person authorized to issue such license a
 5 certificate of competency as provided by this section.

6 The department of fish and game shall provide for a
 7 course of instruction in the safe handling of firearms and
 8 for the purpose may cooperate with any reputable association
 9 or organization having as one of its objectives the
 10 promotion of safety in the handling of firearms. The
 11 department may designate any person found by it to be
 12 competent to give instructions in the handling of firearms.
 13 A person so appointed shall give such course of instruction
 14 and upon the successful completion thereof shall issue to
 15 the person instructed a certificate of competency in the
 16 safe handling of firearms.

17 (3) Class A-2 License--Special Bow and Arrow License.
 18 Any holder of a Class A-1 license and any one of the
 19 following: a Class A-3, A-4, A-5, B-2, B-5 or B-6 license,
 20 may upon payment of an additional sum of three dollars (\$3)
 21 to any agent of the fish and game commission authorized to
 22 issue fishing and hunting licenses be entitled to a Class
 23 A-2 license, which shall authorize the holder thereof to
 24 pursue, hunt, shoot, and kill deer, antelope and elk with
 25 bow and arrow and to possess the carcass of deer, antelope

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1 and elk during a special season, as so licensed and in
2 special areas, as may be designated by the fish and game
3 commission.

4 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
5 defined by section 26-202.3 who is twelve (12) years of age
6 or older, may upon payment of the proper fee or fees be
7 entitled to purchase one each of the following licenses:
8 Class A-3, Deer A Tag, three dollars (\$3); Class A-4, Deer B
9 Tag, five dollars (\$5); Class A-5 Elk Tag, three dollars
10 (\$3); Class A-6, Black or Brown Bear Tag, five dollars (\$5);
11 which will entitle the holder to pursue, hunt, shoot, and
12 kill the game animal or animals authorized by the license
13 held and to possess the dead bodies of game animals of the
14 state which are so authorized by the regulation of the
15 commission.

16 (5) Class B License--Nonresident Fishing License. Any
17 person not a resident as defined in section 26-202.3, upon
18 payment of the sum of twenty dollars (\$20) to any agent of
19 the fish and game commission authorized to issue fishing and
20 hunting licenses, shall be entitled to a Class B license,
21 which shall entitle the holder thereof to fish with hook and
22 line as authorized by the rules and regulations of the
23 commission.

24 (6) Class B-1 License--Nonresident Game Bird License.
25 Except as herein provided, any person not a resident as

1 age or older, upon payment of the sum of twenty-five dollars
2 (\$25) to any agent of the fish and game commission
3 authorized to issue fishing and hunting licenses shall be
4 entitled to a Class B-1 license, which shall entitle the
5 holder thereof to pursue, hunt, shoot, kill and possess game
6 birds as authorized by the rules and regulations of the
7 commission.

8 No hunting licenses shall be issued to any nonresident
9 person under the age of eighteen (18) years unless he
10 presents to the person authorized to issue such license a
11 certificate of competency as provided in section 26-202.1
12 (2) (a) or a certificate verifying that he has successfully
13 completed a course in the safe handling of firearms in any
14 state or province.

15 (7) Class B-2 License--Nonresident Big Game License.
16 Any person not a resident as defined in section 26-202.3,
17 but who is twelve (12) years of age or older, upon the
18 payment of the sum of one hundred twenty-five dollars (\$125)
19 for the license year from May 1, 1967 to April 30, 1968 and
20 thereafter for subsequent license years upon payment of the
21 sum of one hundred fifty dollars (\$150) to any agent of the
22 fish and game commission authorized to issue fishing and
23 hunting licenses, shall be entitled to a Class B-2 license
24 which shall authorize the holder to pursue, hunt, shoot, and
25 kill game animals in the area or areas designated in the

1 license, as determined by the commission, and to possess the
2 carcasses of same, and to pursue, hunt, shoot, kill and
3 possess game birds, and to fish with hook and line as may
4 hereinafter be authorized by the rules and regulations of
5 the commission.

6 (8) Class B-3 license--Temporary Nonresident or Tourist
7 Fishing License. Any person not a resident as defined in
8 section 26-202.3, upon payment of the sum of ten dollars
9 (\$10) to any agent of the fish and game commission
10 authorized to issue fishing and hunting licenses, shall be
11 entitled to a temporary nonresident fishing license, which
12 shall authorize the holder to fish with hook and line as
13 authorized by the rules and regulations of the fish and game
14 commission for a period of six (6) days inclusive of the
15 dates indicated on the license.

16 (9) Class B-5 License--Nonresident Deer License. Any
17 person not a resident as defined in section 26-202.3, but
18 who is twelve (12) years of age or older, upon the payment
19 of the sum of thirty-five dollars (\$35) shall be entitled to
20 a Class B-5 license which shall authorize the holder to
21 pursue, hunt, shoot, and kill one (1) deer in the area or
22 areas designated in the license, as determined by the
23 commission, and to possess the carcass of same.

24 (10) Class B-6 License--Nonresident Antelope License.
25 Any person not a resident as defined in section 26-202.3,

1 but who is twelve (12) years of age or older, upon the
2 payment of the sum of thirty-five dollars (\$35) shall be
3 entitled to a Class B-6 license which shall authorize the
4 holder to pursue, hunt, shoot, and kill one (1) antelope in
5 the area designated in the license, as determined by the
6 commission, and to possess the carcass of same.

7 (11) Special licenses. Any applicant who is a resident
8 as defined by section 26-202.3, or any applicant who is the
9 holder of a Class B-2 nonresident big game license may apply
10 for a special license, which in the judgment of the fish and
11 game commission, is to be issued and shall pay the following
12 fees therefor:

13 Moose, resident twenty-five dollars (\$25), nonresident
14 fifty dollars (\$50);

15 Mountain Goat, resident fifteen dollars (\$15),
16 nonresident thirty dollars (\$30);

17 Mountain Sheep, resident twenty-five dollars (\$25),
18 nonresident fifty dollars (\$50);

19 Antelope, resident three dollars (\$3), nonresident ten
20 dollars (\$10);

21 Grizzly Bear, resident five dollars (\$5), nonresident
22 grizzly, black or brown bear, thirty-five dollars (\$35).

23 In the event a holder of a valid special grizzly bear
24 license kills a grizzly bear, he must purchase a trophy
25 license for a fee of twenty-five dollars (\$25) within ten

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1 (10) days after date of kill. Such trophy license shall
2 authorize the holder to possess and transport said trophy.

3 In the event that the number of valid applications for
4 special licenses exceeds the number of special licenses
5 which the fish and game commission desires to issue in any
6 hunting district, then the number of special licenses issued
7 to the holders of Class B-2 nonresident big game licenses
8 shall not exceed ten per cent (10%) of the total issued.

9 (12) Class C License--Trapper's License. Any resident
10 as defined in section 26-202.3, upon making application and
11 paying the sum of ten dollars (\$10) to the fish and game
12 commission, shall be entitled to a trapper's license, which
13 shall authorize the holder thereof to trap fur-bearing
14 animals, within the state of Montana at such times and in
15 such manner as may be lawful so to do under the laws of the
16 state and the regulations of the fish and game commission,
17 and at such places as may be designated in said license.

18 (13) Class C-1 License--Landowner's Trapping License.
19 Any owner or tenant, or member of the immediate family of
20 said owner or tenant, upon making application to the fish
21 and game commission, and upon payment of the sum of one
22 dollar (\$1) shall be entitled to a landowner's trapping
23 license which shall entitle the holder thereof to trap any
24 fur-bearing animal, except beaver, on land owned or leased
25 by him, or his immediate family, at such times and in such

1 manner as may be lawful so to do under the laws of the state
2 and the regulations of the fish and game commission and at
3 such places as may be designated in said licenses.

4 (14) Exception. (a) A resident under the definition of
5 section 26-202.3, who is sixty-two (62) years or older shall
6 be entitled to fish and hunt game birds with a pioneer
7 license issued by the state fish and game commission for a
8 fee of fifteen cents (\$.15). The form of such license shall
9 be prescribed by the fish and game commission.

10 (b) Residents of all institutions under the
11 jurisdiction of the state board of institutions, except the
12 Montana state prison at Deer Lodge, will be entitled to fish
13 without a license. Such residents shall carry a permit on a
14 form prescribed by the commission and signed by the
15 superintendent of the institution in lieu of a license.

16 (c) A veteran who is a patient residing at a hospital
17 operated by the veterans administration, within or outside
18 the state, may fish with a license issued by the head of the
19 hospital on forms prescribed and furnished by the
20 commission. The fee for such license shall be fifteen cents
21 (\$.15).

22 (d) If a person is convicted of a violation of the fish
23 and game laws or regulations of Montana, the privilege
24 conferred by this subsection shall be revoked for not less
25 than six (6) months.

(e) Residents, as defined by section 26-202.3, under the age of fifteen (15) years may purchase Class A-1, A-3, A-4, and A-5 licenses for one-half (1/2) of the fees prescribed in this section.

(f) The commission, by rule or regulation, may prescribe the number of Class B-5 and B-6 licenses to be issued in each of the hunting districts designated by it.

(g) Special antelope licenses. In the event the number of valid applications for special antelope licenses for a hunting district exceeds the quota set by the commission for the district, such licenses shall be awarded by a drawing. Persons making valid application who did not receive an antelope license during the season immediately preceding the drawing shall be given first preference in such drawing for first, second and third choice hunting districts. The commission shall have the authority to promulgate such rules and regulations as are necessary to implement this subsection.

(h) Special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the commission for the district, these permits shall be awarded by a drawing. Persons making valid application who did not receive a special elk permit during the season immediately preceding the drawing shall receive first preference in this drawing

for first, second, and third choice hunting districts. The commission may promulgate the rules necessary to implement this subsection.

(15) Only one (1) license of any one (1) class, except Class B-3 and B-4 licenses, shall be issued to any one (1) person, provided, however, that the commission may prescribe rules and regulations for the issuance or sale of a replacement license of the same class in the event the original license is lost, stolen or destroyed upon payment of the sum of one dollar (\$1).

(16) Class AAA License--Sportsman's License. Any resident, as defined by section 26-202.3, who is twelve (12) years of age or older, upon payment of the sum of twenty dollars (\$20) 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 and A-6 licenses. The commission shall furnish each holder of a sportsman's license an appropriate decal.

(17) Class D-1 License--Nonresident Mountain Lion License. Any person not a resident as defined in section 26-202.3, but who is twelve (12) years of age or older, upon payment of the sum of twenty-five dollars (\$25) to any agent of the fish and game commission authorized to issue fishing and hunting licenses shall be entitled to a Class D-1 license, which shall entitle the holder thereof to pursue,

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1 hunt, shoot, kill and possess mountain lion as authorized by
2 the rules and regulations of the commission.

3 (18) Class D-2 License--Resident Mountain Lion License.

4 Any person who is a resident as defined in section 26-202.3,
5 and who is twelve (12) years of age or older, upon payment
6 of the sum of five dollars (\$5) to any agent of the fish and
7 game commission authorized to issue fishing and hunting
8 licenses shall be entitled to a Class D-2 license, which
9 shall entitle the holder thereof to pursue, hunt, shoot,
10 kill and possess mountain lion as authorized by the rules
11 and regulations of the commission."

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Approved by Comm.
on Fish and Game

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House BILL NO. *104*
INTRODUCED BY *Johnston Barrett Grand Mular*

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 26-202.1, R.C.M. 1947, TO PROVIDE FOR PREFERENCE IN THE ISSUANCE OF SPECIAL ELK PERMITS TO APPLICANTS WHO DID NOT RECEIVE A SPECIAL ELK PERMIT FOR THE PREVIOUS SEASON."

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

Section 1. Section 26-202.1, R.C.M. 1947, is amended to read as follows:

"26-202.1. Licenses -- fees -- classifications of licenses -- fees and powers under licenses. (1) Class A license--Resident Fishing License. Any resident as defined by section 26-202.3, upon payment of a fee of five dollars (\$5) shall receive a Class A license which shall entitle the holder thereof to fish with hook and line or rod as authorized by regulations of the commission.

(2) Class A-1 license--Resident Game Bird License. Except as herein provided, any resident as defined by section 26-202.3, who is twelve (12) years of age or older, may, upon payment of a fee of two dollars (\$2) receive a Class A-1 license, which will entitle the holder to pursue, hunt, shoot and kill game birds and possess the dead bodies of game birds which are so authorized by regulations of the

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commission.
(a) No hunting licenses shall be issued to any resident person under the age of eighteen (18) years unless he presents to the person authorized to issue such license a certificate of competency as provided by this section.
The department of fish and game shall provide for a course of instruction in the safe handling of firearms and for the purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of safety in the handling of firearms. The department may designate any person found by it to be competent to give instructions in the handling of firearms. A person so appointed shall give such course of instruction and upon the successful completion thereof shall issue to the person instructed a certificate of competency in the safe handling of firearms.
(3) Class A-2 License--Special Bow and Arrow License. Any holder of a Class A-1 license and any one of the following: a Class A-3, A-4, A-5, B-2, B-5 or B-6 license, may upon payment of an additional sum of three dollars (\$3) to any agent of the fish and game commission authorized to issue fishing and hunting licenses be entitled to a Class A-2 license, which shall authorize the holder thereof to pursue, hunt, shoot, and kill deer, antelope and elk with bow and arrow and to possess the carcass of deer, antelope

1 and elk during a special season, as so licensed and in
2 special areas, as may be designated by the fish and game
3 commission.

4 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
5 defined by section 26-202.3 who is twelve (12) years of age
6 or older, may upon payment of the proper fee or fees be
7 entitled to purchase one each of the following licenses:
8 Class A-3, Deer A Tag, three dollars (\$3); Class A-4, Deer B
9 Tag, five dollars (\$5); Class A-5 Elk Tag, three dollars
10 (\$3); Class A-6, Black or Brown Bear Tag, five dollars (\$5);
11 which will entitle the holder to pursue, hunt, shoot, and
12 kill the game animal or animals authorized by the license
13 held and to possess the dead bodies of game animals of the
14 state which are so authorized by the regulation of the
15 commission.

16 (5) Class B License--Nonresident Fishing License. Any
17 person not a resident as defined in section 26-202.3, upon
18 payment of the sum of twenty dollars (\$20) to any agent of
19 the fish and game commission authorized to issue fishing and
20 hunting licenses, shall be entitled to a Class B license,
21 which shall entitle the holder thereof to fish with hook and
22 line as authorized by the rules and regulations of the
23 commission.

24 (6) Class B-1 License--Nonresident Game Bird License.
25 Except as herein provided, any person not a resident as

1 age or older, upon payment of the sum of twenty-five dollars
2 (\$25) to any agent of the fish and game commission
3 authorized to issue fishing and hunting licenses shall be
4 entitled to a Class B-1 license, which shall entitle the
5 holder thereof to pursue, hunt, shoot, kill and possess game
6 birds as authorized by the rules and regulations of the
7 commission.

8 No hunting licenses shall be issued to any nonresident
9 person under the age of eighteen (18) years unless he
10 presents to the person authorized to issue such license a
11 certificate of competency as provided in section 26-202.1
12 (2) (a) or a certificate verifying that he has successfully
13 completed a course in the safe handling of firearms in any
14 state or province.

15 (7) Class B-2 License--Nonresident Big Game License.
16 Any person not a resident as defined in section 26-202.3,
17 but who is twelve (12) years of age or older, upon the
18 payment of the sum of one hundred twenty-five dollars (\$125)
19 for the license year from May 1, 1967 to April 30, 1968 and
20 thereafter for subsequent license years upon payment of the
21 sum of one hundred fifty dollars (\$150) to any agent of the
22 fish and game commission authorized to issue fishing and
23 hunting licenses, shall be entitled to a Class B-2 license
24 which shall authorize the holder to pursue, hunt, shoot, and
25 kill game animals in the area or areas designated in the

1 license, as determined by the commission, and to possess the
2 carcasses of same, and to pursue, hunt, shoot, kill and
3 possess game birds, and to fish with hook and line as may
4 hereinafter be authorized by the rules and regulations of
5 the commission.

6 (8) Class B-3 license--Temporary Nonresident or Tourist
7 Fishing License. Any person not a resident as defined in
8 section 26-202.3, upon payment of the sum of ten dollars
9 (\$10) to any agent of the fish and game commission
10 authorized to issue fishing and hunting licenses, shall be
11 entitled to a temporary nonresident fishing license, which
12 shall authorize the holder to fish with hook and line as
13 authorized by the rules and regulations of the fish and game
14 commission for a period of six (6) days inclusive of the
15 dates indicated on the license.

16 (9) Class B-5 License--Nonresident Deer License. Any
17 person not a resident as defined in section 26-202.3, but
18 who is twelve (12) years of age or older, upon the payment
19 of the sum of thirty-five dollars (\$35) shall be entitled to
20 a Class B-5 license which shall authorize the holder to
21 pursue, hunt, shoot, and kill one (1) deer in the area or
22 areas designated in the license, as determined by the
23 commission, and to possess the carcass of same.

24 (10) Class B-6 License--Nonresident Antelope License.
25 Any person not a resident as defined in section 26-202.3,

1 but who is twelve (12) years of age or older, upon the
2 payment of the sum of thirty-five dollars (\$35) shall be
3 entitled to a Class B-6 license which shall authorize the
4 holder to pursue, hunt, shoot, and kill one (1) antelope in
5 the area designated in the license, as determined by the
6 commission, and to possess the carcass of same.

7 (11) Special licenses. Any applicant who is a resident
8 as defined by section 26-202.3, or any applicant who is the
9 holder of a Class B-2 nonresident big game license may apply
10 for a special license, which in the judgment of the fish and
11 game commission, is to be issued and shall pay the following
12 fees therefor:

13 Moose, resident twenty-five dollars (\$25), nonresident
14 fifty dollars (\$50);

15 Mountain Goat, resident fifteen dollars (\$15),
16 nonresident thirty dollars (\$30);

17 Mountain Sheep, resident twenty-five dollars (\$25),
18 nonresident fifty dollars (\$50);

19 Antelope, resident three dollars (\$3), nonresident ten
20 dollars (\$10);

21 Grizzly Bear, resident five dollars (\$5), nonresident
22 grizzly, black or brown bear, thirty-five dollars (\$35).

23 In the event a holder of a valid special grizzly bear
24 license kills a grizzly bear, he must purchase a trophy
25 license for a fee of twenty-five dollars (\$25) within ten

1 (10) days after date of kill. Such trophy license shall
2 authorize the holder to possess and transport said trophy.

3 In the event that the number of valid applications for
4 special licenses exceeds the number of special licenses
5 which the fish and game commission desires to issue in any
6 hunting district, then the number of special licenses issued
7 to the holders of Class 8-2 nonresident big game licenses
8 shall not exceed ten per cent (10%) of the total issued.

9 (12) Class C License--Trapper's License. Any resident
10 as defined in section 26-202.3, upon making application and
11 paying the sum of ten dollars (\$10) to the fish and game
12 commission, shall be entitled to a trapper's license, which
13 shall authorize the holder thereof to trap fur-bearing
14 animals, within the state of Montana at such times and in
15 such manner as may be lawful so to do under the laws of the
16 state and the regulations of the fish and game commission,
17 and at such places as may be designated in said license.

18 (13) Class C-1 License--Landowner's Trapping License.
19 Any owner or tenant, or member of the immediate family of
20 said owner or tenant, upon making application to the fish
21 and game commission, and upon payment of the sum of one
22 dollar (\$1) shall be entitled to a landowner's trapping
23 license which shall entitle the holder thereof to trap any
24 fur-bearing animal, except beaver, on land owned or leased
25 by him, or his immediate family, at such times and in such

1 manner as may be lawful so to do under the laws of the state
2 and the regulations of the fish and game commission and at
3 such places as may be designated in said licenses.

4 (14) Exception. (a) A resident under the definition of
5 section 26-202.3, who is sixty-two (62) years or older shall
6 be entitled to fish and hunt game birds with a pioneer
7 license issued by the state fish and game commission for a
8 fee of fifteen cents (\$.15). The form of such license shall
9 be prescribed by the fish and game commission.

10 (b) Residents of all institutions under the
11 jurisdiction of the state board of institutions, except the
12 Montana state prison at Deer Lodge, will be entitled to fish
13 without a license. Such residents shall carry a permit on a
14 form prescribed by the commission and signed by the
15 superintendent of the institution in lieu of a license.

16 (c) A veteran who is a patient residing at a hospital
17 operated by the veterans administration, within or outside
18 the state, may fish with a license issued by the head of the
19 hospital on forms prescribed and furnished by the
20 commission. The fee for such license shall be fifteen cents
21 (\$.15).

22 (d) If a person is convicted of a violation of the fish
23 and game laws or regulations of Montana, the privilege
24 conferred by this subsection shall be revoked for not less
25 than six (6) months.

1 (e) Residents, as defined by section 26-202.3, under
 2 the age of fifteen (15) years may purchase Class A-1, A-3,
 3 A-4, and A-5 licenses for one-half (1/2) of the fees
 4 prescribed in this section.

5 (f) The commission, by rule or regulation, may
 6 prescribe the number of Class B-5 and B-6 licenses to be
 7 issued in each of the hunting districts designated by it.

8 (g) Special antelope licenses. In the event the number
 9 of valid applications for special antelope licenses for a
 10 hunting district exceeds the quota set by the commission for
 11 the district, such licenses shall be awarded by a drawing.
 12 Persons making valid application who did not receive an
 13 antelope license during the season immediately preceding the
 14 drawing shall be given first preference in such drawing for
 15 first, second and third choice hunting districts. The
 16 commission shall have the authority to promulgate such rules
 17 and regulations as are necessary to implement this
 18 subsection.

19 (h) Special elk permits. In the event the number of
 20 valid applications for special elk permits for a hunting
 21 district exceeds the quota set by the commission for the
 22 district, these permits shall be awarded by a drawing.
 23 Persons making valid application who did not receive a
 24 special elk permit during the season immediately preceding
 25 the drawing shall receive first preference in this drawing

1 for first, second, and third choice hunting districts. The
 2 commission may promulgate the rules necessary to implement
 3 this subsection.

4 (15) Only one (1) license of any one (1) class, except
 5 Class B-3 and B-4 licenses, shall be issued to any one (1)
 6 person, provided, however, that the commission may prescribe
 7 rules and regulations for the issuance or sale of a
 8 replacement license of the same class in the event the
 9 original license is lost, stolen or destroyed upon payment
 10 of the sum of one dollar (\$1).

11 (16) Class AAA License--Sportsman's License. Any
 12 resident, as defined by section 26-202.3, who is twelve (12)
 13 years of age or older, upon payment of the sum of twenty
 14 dollars (\$20) shall be entitled to a sportsman's license
 15 which shall permit the holder to exercise all rights granted
 16 to holders of Class A, A-1, A-3, A-5 and A-6 licenses. The
 17 commission shall furnish each holder of a sportsman's
 18 license an appropriate decal.

19 (17) Class D-1 License--Nonresident Mountain Lion
 20 License. Any person not a resident as defined in section
 21 26-202.3, but who is twelve (12) years of age or older, upon
 22 payment of the sum of twenty-five dollars (\$25) to any agent
 23 of the fish and game commission authorized to issue fishing
 24 and hunting licenses shall be entitled to a Class D-1
 25 license, which shall entitle the holder thereof to pursue,

1 hunt, shoot, kill and possess mountain lion as authorized by
2 the rules and regulations of the commission.

3 (18) Class D-2 License--Resident Mountain Lion License.
4 Any person who is a resident as defined in section 26-202.3,
5 and who is twelve (12) years of age or older, upon payment
6 of the sum of five dollars (\$5) to any agent of the fish and
7 game commission authorized to issue fishing and hunting
8 licenses shall be entitled to a Class D-2 license, which
9 shall entitle the holder thereof to pursue, hunt, shoot,
10 kill and possess mountain lion as authorized by the rules
11 and regulations of the commission."

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1 *House* BILL NO. *104*
 2 INTRODUCED BY *Johnston Barrett Brand Mular*
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 26-202.1, R.C.M. 1947, TO PROVIDE FOR PREFERENCE IN THE
 6 ISSUANCE OF SPECIAL ELK PERMITS TO APPLICANTS WHO DID NOT
 7 RECEIVE A SPECIAL ELK PERMIT FOR THE PREVIOUS SEASON."
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 26-202.1, R.C.M. 1947, is amended
 11 to read as follows:

12 "26-202.1. Licenses -- fees -- classifications of
 13 licenses -- fees and powers under licenses. (1) Class A
 14 license--Resident Fishing License. Any resident as defined
 15 by section 26-202.3, upon payment of a fee of five dollars
 16 (\$5) shall receive a Class A license which shall entitle the
 17 holder thereof to fish with hook and line or rod as
 18 authorized by regulations of the commission.

19 (2) Class A-1 license--Resident Game Bird License.
 20 Except as herein provided, any resident as defined by
 21 section 26-202.3, who is twelve (12) years of age or older,
 22 may, upon payment of a fee of two dollars (\$2) receive a
 23 Class A-1 license, which will entitle the holder to pursue,
 24 hunt, shoot and kill game birds and possess the dead bodies
 25 of game birds which are so authorized by regulations of the

1 commission.

2 (a) No hunting licenses shall be issued to any resident
 3 person under the age of eighteen (18) years unless he
 4 presents to the person authorized to issue such license a
 5 certificate of competency as provided by this section.

6 The department of fish and game shall provide for a
 7 course of instruction in the safe handling of firearms and
 8 for the purpose may cooperate with any reputable association
 9 or organization having as one of its objectives the
 10 promotion of safety in the handling of firearms. The
 11 department may designate any person found by it to be
 12 competent to give instructions in the handling of firearms.
 13 A person so appointed shall give such course of instruction
 14 and upon the successful completion thereof shall issue to
 15 the person instructed a certificate of competency in the
 16 safe handling of firearms.

17 (3) Class A-2 License--Special Bow and Arrow License.
 18 Any holder of a Class A-1 license and any one of the
 19 following: a Class A-3, A-4, A-5, B-2, B-5 or B-6 license,
 20 may upon payment of an additional sum of three dollars (\$3)
 21 to any agent of the fish and game commission authorized to
 22 issue fishing and hunting licenses be entitled to a Class
 23 A-2 license, which shall authorize the holder thereof to
 24 pursue, hunt, shoot, and kill deer, antelope and elk with
 25 bow and arrow and to possess the carcass of deer, antelope

1 and elk during a special season, as so licensed and in
2 special areas, as may be designated by the fish and game
3 commission.

4 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
5 defined by section 26-202.3 who is twelve (12) years of age
6 or older, may upon payment of the proper fee or fees be
7 entitled to purchase one each of the following licenses:
8 Class A-3, Deer A Tag, three dollars (\$3); Class A-4, Deer B
9 Tag, five dollars (\$5); Class A-5 Elk Tag, three dollars
10 (\$3); Class A-6, Black or Brown Bear Tag, five dollars (\$5);
11 which will entitle the holder to pursue, hunt, shoot, and
12 kill the game animal or animals authorized by the license
13 held and to possess the dead bodies of game animals of the
14 state which are so authorized by the regulation of the
15 commission.

16 (5) Class B License--Nonresident Fishing License. Any
17 person not a resident as defined in section 26-202.3, upon
18 payment of the sum of twenty dollars (\$20) to any agent of
19 the fish and game commission authorized to issue fishing and
20 hunting licenses, shall be entitled to a Class B license,
21 which shall entitle the holder thereof to fish with hook and
22 line as authorized by the rules and regulations of the
23 commission.

24 (6) Class B-1 License--Nonresident Game Bird License.
25 Except as herein provided, any person not a resident as

1 age or older, upon payment of the sum of twenty-five dollars
2 (\$25) to any agent of the fish and game commission
3 authorized to issue fishing and hunting licenses shall be
4 entitled to a Class B-1 license, which shall entitle the
5 holder thereof to pursue, hunt, shoot, kill and possess game
6 birds as authorized by the rules and regulations of the
7 commission.

8 No hunting licenses shall be issued to any nonresident
9 person under the age of eighteen (18) years unless he
10 presents to the person authorized to issue such license a
11 certificate of competency as provided in section 26-202.1
12 (2) (a) or a certificate verifying that he has successfully
13 completed a course in the safe handling of firearms in any
14 state or province.

15 (7) Class B-2 License--Nonresident Big Game License.
16 Any person not a resident as defined in section 26-202.3,
17 but who is twelve (12) years of age or older, upon the
18 payment of the sum of one hundred twenty-five dollars (\$125)
19 for the license year from May 1, 1967 to April 30, 1968 and
20 thereafter for subsequent license years upon payment of the
21 sum of one hundred fifty dollars (\$150) to any agent of the
22 fish and game commission authorized to issue fishing and
23 hunting licenses, shall be entitled to a Class B-2 license
24 which shall authorize the holder to pursue, hunt, shoot, and
25 kill game animals in the area or areas designated in the

1 license, as determined by the commission, and to possess the
2 carcasses of same, and to pursue, hunt, shoot, kill and
3 possess game birds, and to fish with hook and line as may
4 hereinafter be authorized by the rules and regulations of
5 the commission.

6 (8) Class B-3 license--Temporary Nonresident or Tourist
7 Fishing License. Any person not a resident as defined in
8 section 26-202.3, upon payment of the sum of ten dollars
9 (\$10) to any agent of the fish and game commission
10 authorized to issue fishing and hunting licenses, shall be
11 entitled to a temporary nonresident fishing license, which
12 shall authorize the holder to fish with hook and line as
13 authorized by the rules and regulations of the fish and game
14 commission for a period of six (6) days inclusive of the
15 dates indicated on the license.

16 (9) Class B-5 License--Nonresident Deer License. Any
17 person not a resident as defined in section 26-202.3, but
18 who is twelve (12) years of age or older, upon the payment
19 of the sum of thirty-five dollars (\$35) shall be entitled to
20 a Class B-5 license which shall authorize the holder to
21 pursue, hunt, shoot, and kill one (1) deer in the area or
22 areas designated in the license, as determined by the
23 commission, and to possess the carcass of same.

24 (10) Class B-6 License--Nonresident Antelope License.
25 Any person not a resident as defined in section 26-202.3,

1 but who is twelve (12) years of age or older, upon the
2 payment of the sum of thirty-five dollars (\$35) shall be
3 entitled to a Class B-6 license which shall authorize the
4 holder to pursue, hunt, shoot, and kill one (1) antelope in
5 the area designated in the license, as determined by the
6 commission, and to possess the carcass of same.

7 (11) Special licenses. Any applicant who is a resident
8 as defined by section 26-202.3, or any applicant who is the
9 holder of a Class B-2 nonresident big game license may apply
10 for a special license, which in the judgment of the fish and
11 game commission, is to be issued and shall pay the following
12 fees therefor:

13 Moose, resident twenty-five dollars (\$25), nonresident
14 fifty dollars (\$50);

15 Mountain Goat, resident fifteen dollars (\$15),
16 nonresident thirty dollars (\$30);

17 Mountain Sheep, resident twenty-five dollars (\$25),
18 nonresident fifty dollars (\$50);

19 Antelope, resident three dollars (\$3), nonresident ten
20 dollars (\$10);

21 Grizzly Bear, resident five dollars (\$5), nonresident
22 grizzly, black or brown bear, thirty-five dollars (\$35).

23 In the event a holder of a valid special grizzly bear
24 license kills a grizzly bear, he must purchase a trophy
25 license for a fee of twenty-five dollars (\$25) within ten

1 (10) days after date of kill. Such trophy license shall
2 authorize the holder to possess and transport said trophy.

3 In the event that the number of valid applications for
4 special licenses exceeds the number of special licenses
5 which the fish and game commission desires to issue in any
6 hunting district, then the number of special licenses issued
7 to the holders of Class B-2 nonresident big game licenses
8 shall not exceed ten per cent (10%) of the total issued.

9 (12) Class C License--Trapper's License. Any resident
10 as defined in section 26-202.3, upon making application and
11 paying the sum of ten dollars (\$10) to the fish and game
12 commission, shall be entitled to a trapper's license, which
13 shall authorize the holder thereof to trap fur-bearing
14 animals, within the state of Montana at such times and in
15 such manner as may be lawful so to do under the laws of the
16 state and the regulations of the fish and game commission,
17 and at such places as may be designated in said license.

18 (13) Class C-1 License--Landowner's Trapping License.
19 Any owner or tenant, or member of the immediate family of
20 said owner or tenant, upon making application to the fish
21 and game commission, and upon payment of the sum of one
22 dollar (\$1) shall be entitled to a landowner's trapping
23 license which shall entitle the holder thereof to trap any
24 fur-bearing animal, except beaver, on land owned or leased
25 by him, or his immediate family, at such times and in such

1 manner as may be lawful so to do under the laws of the state
2 and the regulations of the fish and game commission and at
3 such places as may be designated in said licenses.

4 (14) Exception. (a) A resident under the definition of
5 section 26-202.3, who is sixty-two (62) years or older shall
6 be entitled to fish and hunt game birds with a pioneer
7 license issued by the state fish and game commission for a
8 fee of fifteen cents (\$.15). The form of such license shall
9 be prescribed by the fish and game commission.

10 (b) Residents of all institutions under the
11 jurisdiction of the state board of institutions, except the
12 Montana state prison at Deer Lodge, will be entitled to fish
13 without a license. Such residents shall carry a permit on a
14 form prescribed by the commission and signed by the
15 superintendent of the institution in lieu of a license.

16 (c) A veteran who is a patient residing at a hospital
17 operated by the veterans administration, within or outside
18 the state, may fish with a license issued by the head of the
19 hospital on forms prescribed and furnished by the
20 commission. The fee for such license shall be fifteen cents
21 (\$.15).

22 (d) If a person is convicted of a violation of the fish
23 and game laws or regulations of Montana, the privilege
24 conferred by this subsection shall be revoked for not less
25 than six (6) months.

1 (e) Residents, as defined by section 26-202.3, under
2 the age of fifteen (15) years may purchase Class A-1, A-3,
3 A-4, and A-5 licenses for one-half (1/2) of the fees
4 prescribed in this section.

5 (f) The commission, by rule or regulation, may
6 prescribe the number of Class B-5 and B-6 licenses to be
7 issued in each of the hunting districts designated by it.

8 (g) Special antelope licenses. In the event the number
9 of valid applications for special antelope licenses for a
10 hunting district exceeds the quota set by the commission for
11 the district, such licenses shall be awarded by a drawing.
12 Persons making valid application who did not receive an
13 antelope license during the season immediately preceding the
14 drawing shall be given first preference in such drawing for
15 first, second and third choice hunting districts. The
16 commission shall have the authority to promulgate such rules
17 and regulations as are necessary to implement this
18 subsection.

19 (h) Special elk permits. In the event the number of
20 valid applications for special elk permits for a hunting
21 district exceeds the quota set by the commission for the
22 district, these permits shall be awarded by a drawing.
23 Persons making valid application who did not receive a
24 special elk permit during the season immediately preceding
25 the drawing shall receive first preference in this drawing

1 for first, second, and third choice hunting districts. The
2 commission may promulgate the rules necessary to implement
3 this subsection.

4 (15) Only one (1) license of any one (1) class, except
5 Class B-3 and B-4 licenses, shall be issued to any one (1)
6 person, provided, however, that the commission may prescribe
7 rules and regulations for the issuance or sale of a
8 replacement license of the same class in the event the
9 original license is lost, stolen or destroyed upon payment
10 of the sum of one dollar (\$1).

11 (16) Class AAA License--Sportsman's License. Any
12 resident, as defined by section 26-202.3, who is twelve (12)
13 years of age or older, upon payment of the sum of twenty
14 dollars (\$20) shall be entitled to a sportsman's license
15 which shall permit the holder to exercise all rights granted
16 to holders of Class A, A-1, A-3, A-5 and A-6 licenses. The
17 commission shall furnish each holder of a sportsman's
18 license an appropriate decal.

19 (17) Class D-1 License--Nonresident Mountain Lion
20 License. Any person not a resident as defined in section
21 26-202.3, but who is twelve (12) years of age or older, upon
22 payment of the sum of twenty-five dollars (\$25) to any agent
23 of the fish and game commission authorized to issue fishing
24 and hunting licenses shall be entitled to a Class D-1
25 license, which shall entitle the holder thereof to pursue,

1 hunt, shoot, kill and possess mountain lion as authorized by
2 the rules and regulations of the commission.

3 (18) Class D-2 License--Resident Mountain Lion License.

4 Any person who is a resident as defined in section 26-202.3,
5 and who is twelve (12) years of age or older, upon payment
6 of the sum of five dollars (\$5) to any agent of the fish and
7 game commission authorized to issue fishing and hunting
8 licenses shall be entitled to a Class D-2 license, which
9 shall entitle the holder thereof to pursue, hunt, shoot,
10 kill and possess mountain lion as authorized by the rules
11 and regulations of the commission."

-End-

March 21, 1975

SENATE COMMITTEE ON NATURAL RESOURCES AND FISH AND GAME
AMENDMENTS TO HOUSE BILL NO. 104

1. Amend title, line 7.
Following: "SEASON"
Insert: "; and to make other changes"
2. Amend page 1, section 1, line 22.
Following: "two dollars"
Strike: "\$2)"
Insert: "and fifty cents (\$2.50)"
3. Amend page 2, section 1, lines 18 through 20.
Following: line 17.
Strike: "Any holder of a Class A-1 license and any one of the following: a Class A-3, A-4, A-5, B-2, B-5 or B-6"
Insert: "A holder of any one of the following: a Class A-3, A-4, A-5, B-2, B-5, B-7, B-8, B-9 or a special antelope"
4. Amend page 2, section 1, line 24.
Following: "kill"
Strike: "deer, antelope and elk"
Insert: "the game animals authorized by the licenses held"
5. Amend page 2, section 1, lines 25 through line 1 on page 3.
Following: "to possess"
Strike: "the carcass of deer, antelope and elk during a special season, as so licensed"
Insert: "these carcasses during special seasons,"
6. Amend page 3, section 1, line 8.
Following: "A Tag,"
Strike: "three dollars (\$3)"
Insert: "four dollars (\$4)"
7. Amend page 3, section 1, line 9.
Following: "Tag,"
Strike: "five dollars (\$5)"
Insert: "ten dollars (\$10)"
8. Amend page 3, section 1, lines 9 and 10.
Following: "Elk Tag,"
Strike: "three dollars (\$3)"
Insert: "ten dollars (\$10)"
9. Amend page 3, section 1, line 10.
Following: "Bear Tag,"
Strike: "five dollars (\$5)"
Insert: "six dollars (\$6)"

10. Amend page 4, section 1, lines 1 and 2.
Following: "sum of"
Strike: "twenty-five dollars (\$25)"
Insert: "thirty dollars (\$30)"
11. Amend page 4, section 1, line 15.
Following: line 15
Strike: "Any"
Insert: "Within the limitations of this section or any commission rule, any"
12. Amend page 4, section 1, line 18.
Following: "payment of"
Strike: lines 18 through line 5 on page 5 in their entirety
Insert: "fifty dollars (\$50) may apply to the fish and game office, Helena, Montana for a Class B-2 license, and nonresident conservation license as prescribed in section 26-230, which shall authorize the holder to pursue, hunt, shoot, kill and possess game birds, and to fish with hook and line as authorized by the rules and regulations of the commission, and to purchase additional and special licenses and tags as provided by law or commission regulation."
13. Amend page 5, section 1, line 18.
Following: "or older"
Insert: "and a holder of a nonresident conservation license"
14. Amend page 5, section 1, line 19.
Following: "sum of"
Strike: "thirty-five dollars (\$35)"
Insert: "fifty dollars (\$50)"
15. Amend page 6, section 1, line 1.
Following: "age or older"
Insert: "and a holder of a nonresident conservation license"
16. Amend page 6, section 1, line 2.
Following: "sum of"
Strike: "thirty-five dollars (\$35)"
Insert: "fifty dollars (\$50)"
17. Amend page 6, section 1, line 6.
Following: line 6
Insert: "(11) Class B-7, B-8, B-9 Licenses. Any person not a resident as defined in section 26-202.3, but who is twelve (12) years of age or older, and is a holder of a B-2 nonresident combination license, may upon payment of the proper fee or fees and subject to the limitations prescribed by law and commission regulation be entitled to apply to the Fish and Game Office, Helena, Montana, to purchase one each of the following licenses: Class B-7, Deer A Tag, fifty dollars (\$50); Class B-8, Deer B Tag, fifty dollars (\$50); Class B-9, Elk Tag, one hundred twenty-five dollars (\$125);

and will entitle the holder to pursue, hunt, shoot, and kill the game animal or animals authorized by the license held and to possess the dead bodies of game animals of the state which are so authorized by the regulations of the commission."

Renumber: All subsequent subsections

18. Amend page 6, section 1, line 7.
Following: "who is"
Insert: "twelve (12) years of age or older and is"
19. Amend page 6, section 1, line 9.
Following: "nonresident"
Strike: "big game"
Insert: "combination"
20. Amend page 6, section 1, line 14.
Following: line 13
Strike: "fifty dollars (\$50)"
Insert: "one hundred twenty-five dollars (\$125)"
21. Amend page 6, section 1, line 16.
Following: "nonresident"
Strike: "thirty dollars (\$30)"
Insert: "seventy-five dollars (\$75)"
22. Amend page 6, section 1, line 18.
Following: "nonresident"
Strike: "fifty dollars (\$50)"
Insert: "one hundred twenty-five dollars (\$125)"
23. Amend page 6, section 1, lines 19 and 20.
Following: "resident"
Strike: "three dollars (\$3), nonresident ten dollars (\$10)"
Insert: "five dollars (\$5), nonresident twenty-five dollars (\$25)"
24. Amend page 6, section 1, lines 21, and 22.
Following: "resident"
Strike: "five dollars (\$5), nonresident grizzly, black or brown bear, thirty-five dollars (\$35)"
Insert: "twenty-five dollars (\$25), nonresident one hundred twenty-five dollars (\$125);
Black or brown bear, nonresident thirty-five dollars (\$35)"
25. Amend page 7, section 1, line 7.
Following: "to"
Strike: "the holders of Class B-2 nonresident big game licenses"
Insert: "nonresident license holders in that hunting district"
26. Amend page 9, section 1, line 6.
Following: "and B-6"
Insert: ", B-7, B-8, or B-9"

27. Amend page 9, section 1, line 7.
Following: "it."
Insert: "Any license sold may be restricted to a specific hunting area and may specify the species, age, and sex to be taken in order to insure the proper management and propagation of game animals in these areas, provided, however, that no number limit shall be placed on B-7, B-8 and B-9 license by area except in major hunter concentration areas as determined by the commission. Not more than sixteen thousand (16,000) nonresident elk licenses (B-9) may be sold in the hunting license year beginning May 1, 1976, and no more than twelve thousand (12,000) nonresident elk licenses (B-9) may be sold in the license year beginning May 1, 1977."
28. Amend page 10, section 1, lines 13 and 14.
Following: "sum of"
Strike: "twenty dollars (\$20)"
Insert: "thirty-five dollars (\$35)"
29. Amend page 10, section 1, line 16.
Following: "A-5"
Strike: "and A-6 licenses"
Insert: ",A-6 and resident conservation licenses as prescribed in section 26-230"
30. Amend page 10, section 1, line 21.
Following: "older"
Insert: "and a holder of a nonresident Class B-2 combination license"
31. Amend page 11, section 1, line 11.
Following: line 11
Insert: "(20) Special elk or deer licenses. (a) Any person who is the holder of a valid resident elk license or a Class B-2 nonresident combination license and valid elk tag may apply for a special elk license upon payment of a fee of one dollar (\$1).
(b) Any person who is the holder of a valid resident deer license or any nonresident who holds a Class B-2 license and a valid deer tag may apply for a special deer license upon payment of a fee of one dollar (\$1).
(c) The commission shall have the authority to promulgate such rules and regulations as are necessary to implement this subsection.
Section 2. There is a new R.C.M. section that reads as follows:
(1) The commission 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 may 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 commission.
(2) The commission may adopt rules necessary to implement this section.

Section 3. There is a new R.C.M. section that reads as follows:

Nongame certificate. (1) In order to promote the preservation and management of nongame wildlife within the state, the commission may issue a nongame certificate or window decal indicating that the holders of the certificates are supporting the natural resource interests of the state of Montana.

(2) The form of the certificates or window decals shall be determined by the commission and the inscription upon it shall indicate that no hunting, fishing or trapping privilege is thereby conferred.

(3) These certificates shall be sold for an annual fee of five dollars (\$5).

(4) The proceeds collected from the sale of the certificates shall be deposited in the fish and game fund and be expended for the management, preservation, and propagation of all species of nongame wildlife in the state of Montana.

Section 4. Effective date. This act shall be effective May 1, 1976."

March 26, 1975

SENATE COMMITTEE ON NATURAL RESOURCES AND FISH AND GAME
AMENDMENTS TO HOUSE BILL NO. 104

That House Bill No. 104, third reading, be amended as follows:

1. Amend amendments 1 through 31.

Strike: amendments 1 through 31 in their entirety

and amend third reading bill as follows:

1. Amend title, line 6.

Following: "PERMITS"

Insert: "and to limit the number of nonresident big game (B-2) licenses"

2. Amend page 9, section 1, line 7.

Following: "by it."

Insert: "Not more than sixteen thousand (16,000) nonresident big game (B-2) licenses may be sold in the hunting license year beginning May 1, 1976, and no more than 12,000 nonresident big game licenses (B-2) may be sold in the license year beginning May 1, 1977."

AND AS SO AMENDED, BE CONCURRED IN

1 HOUSE BILL NO. 104

2 INTRODUCED BY JOHNSTON, BARRETT, BRAND, MULAR

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 26-202.1, R.C.M. 1947, TO PROVIDE FOR PREFERENCE IN THE
6 ISSUANCE OF SPECIAL ELK PERMITS TO APPLICANTS WHO DID NOT
7 RECEIVE A SPECIAL ELK PERMIT FOR THE PREVIOUS SEASON."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10 Section 1. Section 26-202.1, R.C.M. 1947, is amended
11 to read as follows:12 "26-202.1. Licenses -- fees -- classifications of
13 licenses -- fees and powers under licenses. (1) Class A
14 license--Resident Fishing License. Any resident as defined
15 by section 26-202.3, upon payment of a fee of five dollars
16 (\$5) shall receive a Class A license which shall entitle the
17 holder thereof to fish with hook and line or rod as
18 authorized by regulations of the commission.19 (2) Class A-1 license--Resident Game Bird License.
20 Except as herein provided, any resident as defined by
21 section 26-202.3, who is twelve (12) years of age or older,
22 may, upon payment of a fee of two dollars (\$2) receive a
23 Class A-1 license, which will entitle the holder to pursue,
24 hunt, shoot and kill game birds and possess the dead bodies
25 of game birds which are so authorized by regulations of the

1 commission.

2 (a) No hunting licenses shall be issued to any resident
3 person under the age of eighteen (18) years unless he
4 presents to the person authorized to issue such license a
5 certificate of competency as provided by this section.6 The department of fish and game shall provide for a
7 course of instruction in the safe handling of firearms and
8 for the purpose may cooperate with any reputable association
9 or organization having as one of its objectives the
10 promotion of safety in the handling of firearms. The
11 department may designate any person found by it to be
12 competent to give instructions in the handling of firearms.
13 A person so appointed shall give such course of instruction
14 and upon the successful completion thereof shall issue to
15 the person instructed a certificate of competency in the
16 safe handling of firearms.17 (3) Class A-2 License--Special Bow and Arrow License.
18 Any holder of a Class A-1 license and any one of the
19 following: a Class A-3, A-4, A-5, B-2, B-5 or B-6 license,
20 may upon payment of an additional sum of three dollars (\$3)
21 to any agent of the fish and game commission authorized to
22 issue fishing and hunting licenses be entitled to a Class
23 A-2 license, which shall authorize the holder thereof to
24 pursue, hunt, shoot, and kill deer, antelope and elk with
25 bow and arrow and to possess the carcass of deer, antelope

1 and elk during a special season, as so licensed and in
2 special areas, as may be designated by the fish and game
3 commission.

4 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
5 defined by section 26-202.3 who is twelve (12) years of age
6 or older, may upon payment of the proper fee or fees be
7 entitled to purchase one each of the following licenses:
8 Class A-3, Deer A Tag, three dollars (\$3); Class A-4, Deer B
9 Tag, five dollars (\$5); Class A-5 Elk Tag, three dollars
10 (\$3); Class A-6, Black or Brown Bear Tag, five dollars (\$5);
11 which will entitle the holder to pursue, hunt, shoot, and
12 kill the game animal or animals authorized by the license
13 held and to possess the dead bodies of game animals of the
14 state which are so authorized by the regulation of the
15 commission.

16 (5) Class B License--Nonresident Fishing License. Any
17 person not a resident as defined in section 26-202.3, upon
18 payment of the sum of twenty dollars (\$20) to any agent of
19 the fish and game commission authorized to issue fishing and
20 hunting licenses, shall be entitled to a Class B license,
21 which shall entitle the holder thereof to fish with hook and
22 line as authorized by the rules and regulations of the
23 commission.

24 (6) Class B-1 License--Nonresident Game Bird License.
25 Except as herein provided, any person not a resident as

1 defined in section 26-202.3, but who is twelve (12) years of
2 age or older, upon payment of the sum of twenty-five dollars
3 (\$25) to any agent of the fish and game commission
4 authorized to issue fishing and hunting licenses shall be
5 entitled to a Class B-1 license, which shall entitle the
6 holder thereof to pursue, hunt, shoot, kill and possess game
7 birds as authorized by the rules and regulations of the
8 commission.

9 No hunting licenses shall be issued to any nonresident
10 person under the age of eighteen (18) years unless he
11 presents to the person authorized to issue such license a
12 certificate of competency as provided in section 26-202.1
13 (2) (a) or a certificate verifying that he has successfully
14 completed a course in the safe handling of firearms in any
15 state or province.

16 (7) Class B-2 License--Nonresident Big Game License.
17 Any person not a resident as defined in section 26-202.3,
18 but who is twelve (12) years of age or older, upon the
19 payment of the sum of one hundred twenty-five dollars (\$125)
20 for the license year from May 1, 1967 to April 30, 1968 and
21 thereafter for subsequent license years upon payment of the
22 sum of one hundred fifty dollars (\$150) to any agent of the
23 fish and game commission authorized to issue fishing and
24 hunting licenses, shall be entitled to a Class B-2 license
25 which shall authorize the holder to pursue, hunt, shoot, and

1 kill game animals in the area or areas designated in the
 2 license, as determined by the commission, and to possess the
 3 carcasses of same, and to pursue, hunt, shoot, kill and
 4 possess game birds, and to fish with hook and line as may
 5 hereinafter be authorized by the rules and regulations of
 6 the commission.

7 (8) Class B-3 license--Temporary Nonresident or Tourist
 8 Fishing License. Any person not a resident as defined in
 9 section 26-202.3, upon payment of the sum of ten dollars
 10 (\$10) to any agent of the fish and game commission
 11 authorized to issue fishing and hunting licenses, shall be
 12 entitled to a temporary nonresident fishing license, which
 13 shall authorize the holder to fish with hook and line as
 14 authorized by the rules and regulations of the fish and game
 15 commission for a period of six (6) days inclusive of the
 16 dates indicated on the license.

17 (9) Class B-5 License--Nonresident Deer License. Any
 18 person not a resident as defined in section 26-202.3, but
 19 who is twelve (12) years of age or older, upon the payment
 20 of the sum of thirty-five dollars (\$35) shall be entitled to
 21 a Class B-5 license which shall authorize the holder to
 22 pursue, hunt, shoot, and kill one (1) deer in the area or
 23 areas designated in the license, as determined by the
 24 commission, and to possess the carcass of same.

25 (10) Class B-6 License--Nonresident Antelope License.

1 Any person not a resident as defined in section 26-202.3,
 2 but who is twelve (12) years of age or older, upon the
 3 payment of the sum of thirty-five dollars (\$35) shall be
 4 entitled to a Class B-6 license which shall authorize the
 5 holder to pursue, hunt, shoot, and kill one (1) antelope in
 6 the area designated in the license, as determined by the
 7 commission, and to possess the carcass of same.

8 (11) Special licenses. Any applicant who is a resident
 9 as defined by section 26-202.3, or any applicant who is the
 10 holder of a Class B-2 nonresident big game license may apply
 11 for a special license, which in the judgment of the fish and
 12 game commission, is to be issued and shall pay the following
 13 fees therefor:

14 Moose, resident twenty-five dollars (\$25), nonresident
 15 fifty dollars (\$50);

16 Mountain Goat, resident fifteen dollars (\$15),
 17 nonresident thirty dollars (\$30);

18 Mountain Sheep, resident twenty-five dollars (\$25),
 19 nonresident fifty dollars (\$50);

20 Antelope, resident three dollars (\$3), nonresident ten
 21 dollars (\$10);

22 Grizzly Bear, resident five dollars (\$5), nonresident
 23 grizzly, black or brown bear, thirty-five dollars (\$35).

24 In the event a holder of a valid special grizzly bear
 25 license kills a grizzly bear, he must purchase a trophy

1 license for a fee of twenty-five dollars (\$25) within ten
2 (10) days after date of kill. Such trophy license shall
3 authorize the holder to possess and transport said trophy.

4 In the event that the number of valid applications for
5 special licenses exceeds the number of special licenses
6 which the fish and game commission desires to issue in any
7 hunting district, then the number of special licenses issued
8 to the holders of Class B-2 nonresident big game licenses
9 shall not exceed ten per cent (10%) of the total issued.

10 (12) Class C License--Trapper's License. Any resident
11 as defined in section 26-202.3, upon making application and
12 paying the sum of ten dollars (\$10) to the fish and game
13 commission, shall be entitled to a trapper's license, which
14 shall authorize the holder thereof to trap fur-bearing
15 animals, within the state of Montana at such times and in
16 such manner as may be lawful so to do under the laws of the
17 state and the regulations of the fish and game commission,
18 and at such places as may be designated in said license.

19 (13) Class C-1 License--Landowner's Trapping License.
20 Any owner or tenant, or member of the immediate family of
21 said owner or tenant, upon making application to the fish
22 and game commission, and upon payment of the sum of one
23 dollar (\$1) shall be entitled to a landowner's trapping
24 license which shall entitle the holder thereof to trap any
25 fur-bearing animal, except beaver, on land owned or leased

1 by him, or his immediate family, at such times and in such
2 manner as may be lawful so to do under the laws of the state
3 and the regulations of the fish and game commission and at
4 such places as may be designated in said licenses.

5 (14) Exception. (a) A resident under the definition of
6 section 26-202.3, who is sixty-two (62) years or older shall
7 be entitled to fish and hunt game birds with a pioneer
8 license issued by the state fish and game commission for a
9 fee of fifteen cents (\$.15). The form of such license shall
10 be prescribed by the fish and game commission.

11 (b) Residents of all institutions under the
12 jurisdiction of the state board of institutions, except the
13 Montana state prison at Deer Lodge, will be entitled to fish
14 without a license. Such residents shall carry a permit on a
15 form prescribed by the commission and signed by the
16 superintendent of the institution in lieu of a license.

17 (c) A veteran who is a patient residing at a hospital
18 operated by the veterans administration, within or outside
19 the state, may fish with a license issued by the head of the
20 hospital on forms prescribed and furnished by the
21 commission. The fee for such license shall be fifteen cents
22 (\$.15).

23 (d) If a person is convicted of a violation of the fish
24 and game laws or regulations of Montana, the privilege
25 conferred by this subsection shall be revoked for not less

1 than six (6) months.

2 (e) Residents, as defined by section 26-202.3, under
3 the age of fifteen (15) years may purchase Class A-1, A-3,
4 A-4, and A-5 licenses for one-half (1/2) of the fees
5 prescribed in this section.

6 (f) The commission, by rule or regulation, may
7 prescribe the number of Class B-5 and B-6 licenses to be
8 issued in each of the hunting districts designated by it.

9 (g) Special antelope licenses. In the event the number
10 of valid applications for special antelope licenses for a
11 hunting district exceeds the quota set by the commission for
12 the district, such licenses shall be awarded by a drawing.
13 Persons making valid application who did not receive an
14 antelope license during the season immediately preceding the
15 drawing shall be given first preference in such drawing for
16 first, second and third choice hunting districts. The
17 commission shall have the authority to promulgate such rules
18 and regulations as are necessary to implement this
19 subsection.

20 (h) Special elk permits. In the event the number of
21 valid applications for special elk permits for a hunting
22 district exceeds the quota set by the commission for the
23 district, these permits shall be awarded by a drawing.
24 Persons making valid application who did not receive a
25 special elk permit during the season immediately preceding

1 the drawing shall receive first preference in this drawing
2 for first, second, and third choice hunting districts. The
3 commission may promulgate the rules necessary to implement
4 this subsection.

5 (15) Only one (1) license of any one (1) class, except
6 Class B-3 and B-4 licenses, shall be issued to any one (1)
7 person, provided, however, that the commission may prescribe
8 rules and regulations for the issuance or sale of a
9 replacement license of the same class in the event the
10 original license is lost, stolen or destroyed upon payment
11 of the sum of one dollar (\$1).

12 (16) Class AAA License--Sportsman's License. Any
13 resident, as defined by section 26-202.3, who is twelve (12)
14 years of age or older, upon payment of the sum of twenty
15 dollars (\$20) 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 and A-6 licenses. The
18 commission shall furnish each holder of a sportsman's
19 license an appropriate decal.

20 (17) Class D-1 License--Nonresident Mountain Lion
21 License. Any person not a resident as defined in section
22 26-202.3, but who is twelve (12) years of age or older, upon
23 payment of the sum of twenty-five dollars (\$25) to any agent
24 of the fish and game commission authorized to issue fishing
25 and hunting licenses shall be entitled to a Class D-1

1 license, which shall entitle the holder thereof to pursue,
2 hunt, shoot, kill and possess mountain lion as authorized by
3 the rules and regulations of the commission.

4 (13) Class D-2 License--Resident Mountain Lion License.
5 Any person who is a resident as defined in section 26-202.3,
6 and who is twelve (12) years of age or older, upon payment
7 of the sum of five dollars (\$5) to any agent of the fish and
8 game commission authorized to issue fishing and hunting
9 licenses shall be entitled to a Class D-2 license, which
10 shall entitle the holder thereof to pursue, hunt, shoot,
11 kill and possess mountain lion as authorized by the rules
12 and regulations of the commission."

-End-