

1 Senate BILL NO. 236
2 INTRODUCED BY Norman Flynn

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 26-202.1, R.C.M. 1947, TO PROVIDE A FEE INCREASE IN THE
6 RESIDENT AND NONRESIDENT HUNTING LICENSES; TO CHANGE THE
7 CLASS B-2 NONRESIDENT BIG GAME LICENSE TO CLASS B-2
8 NONRESIDENT COMBINATION BIRD AND FISH LICENSE AND MAKE IT A
9 PREREQUISITE TO PURCHASE HUNTING TAGS; TO PROVIDE FOR
10 CLASSIFICATION OF NONRESIDENT ELK AND DEER TAGS; TO LIMIT
11 THE TOTAL NUMBER OF NONRESIDENT ELK TAGS SOLD IN A LICENSE
12 YEAR; TO INCLUDE THE NONRESIDENT CONSERVATION LICENSE AS
13 PART OF THE CLASS B-2 LICENSE AND THE RESIDENT CONSERVATION
14 LICENSE AS PART OF THE CLASS AAA LICENSE; TO GIVE THE
15 COMMISSION AUTHORITY TO LIMIT THE NUMBER OF LICENSES SOLD IN
16 DESIGNATED HUNTING DISTRICTS; TO PROVIDE A FEE FOR SPECIAL
17 ELK AND DEER DRAWINGS; TO PROVIDE FOR A SPECIAL NONGAME
18 CERTIFICATE; AND TO PROVIDE A DELAYED EFFECTIVE DATE."

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

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

23 "26-202.1. Licenses -- fees -- classifications of
24 licenses -- fees and powers under licenses. (1) Class A
25 License--Resident Fishing License. Any resident as defined

1 by section 26-202.3, upon payment of a fee of five dollars
2 (\$5) shall receive a Class A license which shall entitle the
3 holder thereof to fish with hook and line or rod as
4 authorized by regulations of the commission.

5 (2) Class A-1 license--Resident Game Bird License.
6 Except as herein provided, any resident as defined by
7 section 26-202.3, who is twelve (12) years of age or older,
8 may, upon payment of a fee of ~~two~~ five dollars ~~(\$2)~~ (\$5)
9 receive a Class A-1 license, which will entitle the holder
10 to pursue, hunt, shoot and kill game birds and possess the
11 dead bodies of game birds which are so authorized by
12 regulations of the commission.

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

17 The department of fish and game shall provide for a
18 course of instruction in the safe handling of firearms and
19 for the purpose may cooperate with any reputable association
20 or organization having as one of its objectives the
21 promotion of safety in the handling of firearms. The
22 department may designate any person found by it to be
23 competent to give instructions in the handling of firearms.
24 A person so appointed shall give such course of instruction
25 and upon the successful completion thereof shall issue to

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1 the person instructed a certificate of competency in the
2 safe handling of firearms.

3 (3) Class A-2 License--Special Bow and Arrow License.
4 ~~Any A~~ holder of ~~a Class A-1--license--and~~ any one of the
5 following: a Class A-3, A-4, A-5, B-2, B-5 ~~or B-6~~ B-7, B-8,
6 B-9 or a special antelope license, may upon payment of an
7 additional sum of ~~three-dollars-(\$3)~~ five dollars (\$5) to
8 any agent of the fish and game commission authorized to
9 issue fishing and hunting licenses be entitled to a Class
10 A-2 license, which shall authorize the holder thereof to
11 pursue, hunt, shoot, and kill ~~deer, antelope and elk~~ the
12 game animals authorized by the licenses held with bow and
13 arrow and to possess ~~the carcass~~ these carcasses of deer,
14 ~~antelope and elk~~ during a special ~~season~~ seasons, as--so
15 ~~licensed~~ and in special areas, as may be designated by the
16 fish and game commission.

17 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
18 defined by section 26-202.3 who is twelve (12) years of age
19 or older, may upon payment of the proper fee or fees be
20 entitled to purchase one each of the following licenses:
21 Class A-3, Deer A Tag, ~~three-dollars-(\$3)~~ seven dollars
22 (\$7); Class A-4, Deer B Tag, ~~five-dollars-(\$5)~~ seven dollars
23 (\$7); Class A-5 Elk Tag, ~~three--dollars--(\$3)~~ ten dollars
24 (\$10); Class A-6, Black or Brown Bear Tag, ~~five-dollars-(\$5)~~
25 six dollars (\$6); which will entitle the holder to pursue,

1 hunt, shoot, and kill the game animal or animals authorized
2 by the license held and to possess the dead bodies of game
3 animals of the state which are so authorized by the
4 regulation of the commission.

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

13 (6) Class B-1 License--Nonresident Game Bird License.
14 Except as herein provided, any person not a resident as
15 defined in section 26-202.3, but who is twelve (12) years of
16 age or older, upon payment of the sum of ~~twenty-five-dollars~~
17 ~~(\$25)~~ thirty dollars (\$30) to any agent of the fish and game
18 commission authorized to issue fishing and hunting licenses
19 shall be entitled to a Class B-1 license, which shall
20 entitle the holder thereof to pursue, hunt, shoot, kill and
21 possess game birds as authorized by the rules and
22 regulations of the commission.

23 No hunting licenses shall be issued to any nonresident
24 person under the age of eighteen (18) years unless he
25 presents to the person authorized to issue such license a

1 certificate of competency as provided in section
2 26-202.1(2)(a) or a certificate verifying that he has
3 successfully completed a course in the safe handling of
4 firearms in any state or province.

5 (7) Class B-2 License--Nonresident Big Game License.
6 Within the limitations of this section or any commission
7 rule, Any any person not a resident as defined in section
8 26-202.3, but who is twelve (12) years of age or older, upon
9 the payment of the sum of one hundred twenty five dollars
10 ~~(\$125) for the license year from May 1, 1967 to April 30,~~
11 ~~1968 and thereafter for subsequent license years upon~~
12 payment of the sum of one hundred fifty dollars ~~(\$150)~~ fifty
13 dollars (\$50) to any agent of the fish and game commission
14 authorized to issue fishing and hunting licenses, shall be
15 entitled to may apply to the fish and game office, Helena,
16 Montana for a Class B-2 license, and nonresident
17 conservation license as prescribed in section 26-230, which
18 shall authorize the holder to pursue, hunt, shoot, and kill
19 game animals in the area or areas designated in the license,
20 as determined by the commission, and to possess the
21 carcasses of same, and to pursue, hunt, shoot, kill and
22 possess game birds, and to fish with hook and line as may
23 hereinafter be authorized by the rules and regulations of
24 the commission, and possess game birds, and to fish with
25 hook and line as authorized by the rules and regulations of

1 the commission, and to purchase additional and special
2 licenses and tags as provided by law or commission
3 regulation.

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

14 (9) Class B-5 License--Nonresident Deer License. Any
15 person not a resident as defined in section 26-202.3, but
16 who is twelve (12) years of age or older and a holder of a
17 nonresident conservation license, upon the payment of the
18 sum of thirty five dollars ~~(\$35)~~ fifty dollars (\$50) shall
19 be entitled to a Class B-5 license which shall authorize the
20 holder to pursue, hunt, shoot, and kill one (1) deer in the
21 area or areas designated in the license, as determined by
22 the commission, and to possess the carcass of same.

23 (10) Class B-6 License--Nonresident Antelope License.
24 Any person not a resident as defined in section 26-202.3,
25 but who is twelve (12) years of age or older and a holder of

1 a nonresident conservation license, upon the payment of the
 2 sum of ~~thirty-five-dollars-(\$35)~~ fifty dollars (\$50) shall
 3 be 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) Class B-7, B-8, B-9 Licenses. Any person not a
 8 resident as defined in section 26-202.3, but who is twelve

9 (12) years of age or older, and is a holder of a B-2
 10 nonresident combination license, may upon payment of the
 11 proper fee or fees and subject to the limitations prescribed
 12 by law and commission regulation be entitled to apply to the
 13 Fish and Game Office, Helena, Montana, to purchase one each
 14 of the following licenses: Class B-7, Deer A Tag, fifty
 15 dollars (\$50); Class B-8, Deer B Tag, fifty dollars (\$50);
 16 Class B-9, Elk Tag, one hundred twenty-five dollars (\$125);
 17 and will entitle the holder to pursue, hunt, shoot, and kill
 18 the game animal or animals authorized by the license held
 19 and to possess the dead bodies of game animals of the state
 20 which are so authorized by the regulations of the
 21 commission.

22 ~~(11)~~ (12) Special licenses. Any applicant who is twelve
 23 (12) years of age or older and is a resident as defined by
 24 section 26-202.3, or any applicant who is the holder of a
 25 Class B-2 nonresident ~~big-game~~ combination license may apply

1 for a special license, which in the judgment of the fish and
 2 game commission, is to be issued and shall pay the following
 3 fees therefor:

4 Moose, resident twenty-five dollars (\$25), nonresident
 5 ~~fifty-dollars-(\$50)~~ one hundred twenty-five dollars (\$125);

6 Mountain Goat, resident fifteen dollars (\$15),
 7 nonresident ~~thirty-dollars-(\$30)~~ seventy-five dollars (\$75);

8 Mountain Sheep, resident twenty-five dollars (\$25),
 9 nonresident ~~fifty--dollars--(\$50)~~ one hundred twenty-five
 10 dollars (\$125);

11 Antelope, resident ~~three--dollars--(\$3)~~ five dollars
 12 (\$5), nonresident ~~ten--dollars--(\$10)~~ twenty-five dollars
 13 (\$25);

14 Grizzly Bear, resident ~~five--dollars--(\$5)~~ twenty-five
 15 dollars (\$25), nonresident one hundred twenty-five dollars
 16 (\$125) ~~grizzly-black-or--brown--bear,--thirty-five--dollars~~
 17 ~~(\$35);~~

18 Black or brown bear, nonresident thirty-five dollars
 19 (\$35).

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

25 In the event that the number of valid applications for

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

7 ~~(12)~~ (13) Class C License--Trapper's License. Any
 8 resident as defined in section 26-202.3, upon making
 9 application and paying the sum of ten dollars (\$10) to the
 10 fish and game commission, shall be entitled to a trapper's
 11 license, which shall authorize the holder thereof to trap
 12 fur-bearing animals, within the state of Montana at such
 13 times and in such manner as may be lawful so to do under the
 14 laws of the state and the regulations of the fish and game
 15 commission, and at such places as may be designated in said
 16 license.

17 ~~(13)~~ (14) Class C-1 License--Landowner's Trapping
 18 License. Any owner or tenant, or member of the immediate
 19 family of said owner or tenant, upon making application to
 20 the fish and game commission, and upon payment of the sum of
 21 one dollar (\$1) shall be entitled to a landowner's trapping
 22 license which shall entitle the holder thereof to trap any
 23 fur-bearing animal, except beaver, on land owned or leased
 24 by him, or his immediate family, at such times and in such
 25 manner as may be lawful so to do under the laws of the state

1 and the regulations of the fish and game commission and at
 2 such places as may be designated in said licenses.

3 ~~(14)~~ (15) Exception. (a) A resident under the definition
 4 of section 26-202.3, who is sixty-two (62) years or older
 5 shall be entitled to fish and hunt game birds with a pioneer
 6 license issued by the state fish and game commission for a
 7 fee of fifteen cents (\$.15). The form of such license shall
 8 be prescribed by the fish and game commission.

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

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

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

25 (e) Residents, as defined by section 26-202.3, under

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1 the age of fifteen (15) years may purchase Class A-1, A-3,
2 A-4, and A-5 licenses for one-half (1/2) of the fees
3 prescribed in this section.

4 (f) The commission, by rule or regulation, may
5 prescribe the number of Class B-5 and B-6, B-7, B-8, or B-9
6 licenses to be issued in each of the hunting districts
7 designated by it. Any license sold may be restricted to a
8 specific hunting area and may specify the species, age, and
9 sex to be taken in order to insure the proper management and
10 propagation of game animals in these areas. Not more than
11 eighteen thousand (18,000) nonresident elk licenses (B-9)
12 may be sold in any one license year.

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

24 ~~(15)~~(16) Only one (1) license of any one (1) class,
25 except Class B-3 and B-4 licenses, shall be issued to any

1 one (1) person, provided, however, that the commission may
2 prescribe rules and regulations for the issuance or sale of
3 a replacement license of the same class in the event the
4 original license is lost, stolen or destroyed upon payment
5 of the sum of one dollar (\$1).

6 ~~(16)~~(17) Class AAA License--Sportsman's License. Any
7 resident, as defined by section 26-202.3, who is twelve (12)
8 years of age or older, upon payment of the sum of ~~twenty~~
9 ~~dollars--(\$20)~~ thirty-five dollars (\$35) shall be entitled to
10 a sportsman's license which shall permit the holder to
11 exercise all rights granted to holders of Class A, A-1, A-3,
12 A-5, ~~and A-6 licenses~~ and resident conservation licenses as
13 prescribed in section 26-230. The commission shall furnish
14 each holder of a sportsman's license an appropriate decal.

15 ~~(17)~~(18) Class D-1 License--Nonresident Mountain Lion
16 License. Any person not a resident as defined in section
17 26-202.3, but who is twelve (12) years of age or older and a
18 holder of a nonresident Class B-2 combination license, upon
19 payment of the sum of twenty-five dollars (\$25) to any agent
20 of the fish and game commission authorized to issue fishing
21 and hunting licenses shall be entitled to a Class D-1
22 license, which shall entitle the holder thereof to pursue,
23 hunt, shoot, kill and possess mountain lion as authorized by
24 the rules and regulations of the commission.

25 ~~(18)~~(19) Class D-2 License--Resident Mountain Lion

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

9 (20) Special elk or deer licenses. (a) Any person who
 10 is the holder of a valid resident elk license or a Class B-2
 11 nonresident combination license and valid elk tag may apply
 12 for a special elk license upon payment of a fee of one
 13 dollar (\$1).

14 (b) Any person who is the holder of a valid resident
 15 deer license or any nonresident who holds a class B-2
 16 license and a valid deer tag may apply for a special deer
 17 license upon payment of a fee of one dollar (\$1).

18 (c) The commission shall have the authority to
 19 promulgate such rules and regulations as are necessary to
 20 implement this subsection."

21 Section 2. Nongame certificate. (1) In order to
 22 promote the preservation and management of nongame wildlife
 23 within the state, the commission may issue a nongame
 24 certificate or window decal indicating that the holders of
 25 the certificates are supporting the natural resource

1 interests of the state of Montana.

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

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

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

13 Section 3. This act shall be effective May 1, 1976.

-End-

SB 236

STATE OF MONTANA

REQUEST NO. 101-75

FISCAL NOTE

Form BD-15

In compliance with a written request received January 28, 19 75, there is hereby submitted a Fiscal Note for Senate Bill 236 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 236 increases the fee for resident and nonresident hunting licenses; changes the nonresident big game license and makes it a prerequisite for hunting tags; classifies nonresident elk and deer tags; limits the total number of nonresident elk tags sold in a license year; includes the nonresident conservation license as part of the Class B-2 license and the resident conservation license as part of the Class AAA license, gives the Commission authority to limit the number of licenses sold in designated hunting districts; provides a fee for special elk and deer drawings; provides for a special nongame certificate, and provides an effective date of May 1, 1976.

ASSUMPTIONS:

1. The number of license sales projected under current law would not change as a result of proposed price increases.
2. There will be no fiscal impact in FY 76.

FISCAL IMPACT:

	FY 77
License Fee Collections Under Current Law (Fish & Game estimate)	\$5,900,000
License Fee Collections Under Proposed Law (Fish & Game Estimate)	<u>7,400,000</u>
Increase in Collections	<u>\$1,500,000</u>

CONCLUSION:

Enactment of SB 236 would result in a revenue increase of approximately \$1,500,000 to the Fish and Game ERA during the biennium.

Michael B. Pellings

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/1/75

Approved by Committee
on Natural Resources

SENATE BILL NO. 236

INTRODUCED BY NORMAN, FLYNN

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 26-202.1, R.C.M. 1947, TO PROVIDE A FEE INCREASE IN THE RESIDENT AND NONRESIDENT HUNTING LICENSES; TO CHANGE THE CLASS B-2 NONRESIDENT BIG GAME LICENSE TO CLASS B-2 NONRESIDENT COMBINATION BIRD AND FISH LICENSE AND MAKE IT A PREREQUISITE TO PURCHASE HUNTING TAGS; TO PROVIDE FOR CLASSIFICATION OF NONRESIDENT ELK AND DEER TAGS; TO LIMIT THE TOTAL NUMBER OF NONRESIDENT ELK TAGS SOLD IN A LICENSE YEAR; TO INCLUDE THE NONRESIDENT CONSERVATION LICENSE AS PART OF THE CLASS B-2 LICENSE AND THE RESIDENT CONSERVATION LICENSE AS PART OF THE CLASS AAA LICENSE; TO GIVE THE COMMISSION AUTHORITY TO LIMIT THE NUMBER OF LICENSES SOLD IN DESIGNATED HUNTING DISTRICTS; TO PROVIDE A FEE FOR SPECIAL ELK AND DEER DRAWINGS; TO PROVIDE FOR A SPECIAL NONGAME CERTIFICATE; AND TO PPOVIDE A DELAYED EFFECTIVE DATE."

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~~ five dollars ~~+\$2~~ (\$5) 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 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

1 the person instructed a certificate of competency in the
2 safe handling of firearms.

3 (3) Class A-2 License--Special Bow and Arrow License.
4 ~~Any A~~ holder of ~~a Class A-1 license~~ and any one of the
5 following: a Class A-3, A-4, A-5, B-2, B-5 ~~or B-6~~ B-7, B-8,
6 B-9 or a special antelope license, may upon payment of an
7 additional sum of ~~three dollars~~ five dollars (\$5) to
8 any agent of the fish and game commission authorized to
9 issue fishing and hunting licenses be entitled to a Class
10 A-2 license, which shall authorize the holder thereof to
11 pursue, hunt, shoot, and kill ~~deer, antelope and elk~~ the
12 game animals authorized by the licenses held with bow and
13 arrow and to possess ~~the carcass~~ these carcasses of deer,
14 antelope and elk during a special ~~season~~ seasons, as
15 licensed and in special areas, as may be designated by the
16 fish and game commission.

17 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
18 defined by section 26-202.3 who is twelve (12) years of age
19 or older, may upon payment of the proper fee or fees be
20 entitled to purchase one each of the following licenses:
21 Class A-3, Deer A Tag, ~~three dollars~~ seven dollars
22 (\$7); Class A-4, Deer B Tag, ~~five dollars~~ seven dollars
23 (\$7); Class A-5 Elk Tag, ~~three dollars~~ ten dollars
24 (\$10); Class A-6, Black or Brown Bear Tag, ~~five dollars~~ six dollars (\$6); which will entitle the holder to pursue,

1 hunt, shoot, and kill the game animal or animals authorized
2 by the license held and to possess the dead bodies of game
3 animals of the state which are so authorized by the
4 regulation of the commission.

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

13 (6) Class B-1 License--Nonresident Game Bird License.
14 Except as herein provided, any person not a resident as
15 defined in section 26-202.3, but who is twelve (12) years of
16 age or older, upon payment of the sum of ~~twenty-five dollars~~
17 ~~(\$25)~~ thirty dollars (\$30) to any agent of the fish and game
18 commission authorized to issue fishing and hunting licenses
19 shall be entitled to a Class B-1 license, which shall
20 entitle the holder thereof to pursue, hunt, shoot, kill and
21 possess game birds as authorized by the rules and
22 regulations of the commission.

23 No hunting licenses shall be issued to any nonresident
24 person under the age of eighteen (18) years unless he
25 presents to the person authorized to issue such license a

1 certificate of competency as provided in section
 2 26-202.1(2)(a) or a certificate verifying that he has
 3 successfully completed a course in the safe handling of
 4 firearms in any state or province.

5 (7) Class B-2 License--Nonresident Big Game License.
 6 Within the limitations of this section or any commission
 7 rule, Any any person not a resident as defined in section
 8 26-202.3, but who is twelve (12) years of age or older, upon
 9 the payment of the sum of one hundred twenty-five dollars
 10 ~~(\$125) for the license year from May 1, 1967 to April 30,~~
 11 ~~1968 and thereafter for subsequent license years upon~~
 12 ~~payment of the sum of one hundred fifty dollars (\$150) fifty~~
 13 ~~dollars (\$50) to any agent of the fish and game commission~~
 14 ~~authorized to issue fishing and hunting licenses, shall be~~
 15 ~~entitled to~~ may apply to the fish and game office, Helena,
 16 Montana for a Class B-2 license, and nonresident
 17 conservation license as prescribed in section 26-230, which
 18 shall authorize the holder to pursue, hunt, shoot, and kill
 19 game animals in the area or areas designated in the license,
 20 as determined by the commission, and to possess the
 21 carcasses of same, and to pursue, hunt, shoot, kill and
 22 possess game birds, and to fish with hook and line as may
 23 hereinafter be authorized by the rules and regulations of
 24 the commission, and possess game birds, and to fish with
 25 hook and line as authorized by the rules and regulations of

1 the commission, and to purchase additional and special
 2 licenses and tags as provided by law or commission
 3 regulation.

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

14 (9) Class B-5 License--Nonresident Deer License. Any
 15 person not a resident as defined in section 26-202.3, but
 16 who is twelve (12) years of age or older and a holder of a
 17 nonresident conservation license, upon the payment of the
 18 sum of thirty-five dollars (\$35) fifty dollars (\$50) shall
 19 be entitled to a Class B-5 license which shall authorize the
 20 holder to pursue, hunt, shoot, and kill one (1) deer in the
 21 area or areas designated in the license, as determined by
 22 the commission, and to possess the carcass of same.

23 (10) Class B-6 License--Nonresident Antelope License.
 24 Any person not a resident as defined in section 26-202.3,
 25 but who is twelve (12) years of age or older and a holder of

1 a nonresident conservation license, upon the payment of the
 2 sum of ~~thirty-five dollars~~ (~~\$35~~) fifty dollars (\$50) shall

3 be 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) Class B-7, B-8, B-9 Licenses. Any person not a
 8 resident as defined in section 26-202.3, but who is twelve
 9 (12) years of age or older, and is a holder of a B-2
 10 nonresident combination license, may upon payment of the
 11 proper fee or fees and subject to the limitations prescribed
 12 by law and commission regulation be entitled to apply to the
 13 Fish and Game Office, Helena, Montana, to purchase one each
 14 of the following licenses: Class B-7, Deer A Tag, fifty
 15 dollars (\$50); Class B-8, Deer B Tag, fifty dollars (\$50);
 16 Class B-9, Elk Tag, one hundred twenty-five dollars (\$125);
 17 and will entitle the holder to pursue, hunt, shoot, and kill
 18 the game animal or animals authorized by the license held
 19 and to possess the dead bodies of game animals of the state
 20 which are so authorized by the regulations of the
 21 commission.

22 ~~(11)~~ (12) Special licenses. Any applicant who is twelve
 23 (12) years of age or older and is a resident as defined by
 24 section 26-202.3, or any applicant who is the holder of a
 25 Class B-2 nonresident ~~big-game~~ combination license may apply

1 for a special license, which in the judgment of the fish and
 2 game commission, is to be issued and shall pay the following
 3 fees therefor:

4 Moose, resident twenty-five dollars (\$25), nonresident
 5 ~~fifty dollars~~ (~~\$50~~) one hundred twenty-five dollars (\$125);

6 Mountain Goat, resident fifteen dollars (\$15),
 7 nonresident ~~thirty dollars~~ (~~\$30~~) seventy-five dollars (\$75);

8 Mountain Sheep, resident twenty-five dollars (\$25),
 9 nonresident ~~fifty dollars~~ (~~\$50~~) one hundred twenty-five
 10 dollars (\$125);

11 Antelope, resident ~~three dollars~~ (~~\$3~~) five dollars
 12 (\$5), nonresident ~~ten dollars~~ (~~\$10~~) twenty-five dollars
 13 (\$25);

14 Grizzly Bear, resident ~~five dollars~~ (~~\$5~~) twenty-five
 15 dollars (\$25), nonresident one hundred twenty-five dollars
 16 (\$125) ~~grizzly, black or brown bear, thirty-five dollars~~
 17 ~~(\$35);~~

18 Black or brown bear, nonresident thirty-five dollars
 19 (\$35).

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

25 In the event that the number of valid applications for

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

7 ~~(12)~~(13) Class C License--Trapper's License. Any
 8 resident as defined in section 26-202.3, upon making
 9 application and paying the sum of ten dollars (\$10) to the
 10 fish and game commission, shall be entitled to a trapper's
 11 license, which shall authorize the holder thereof to trap
 12 fur-bearing animals, within the state of Montana at such
 13 times and in such manner as may be lawful so to do under the
 14 laws of the state and the regulations of the fish and game
 15 commission, and at such places as may be designated in said
 16 license.

17 ~~(13)~~(14) Class C-1 License--Landowner's Trapping
 18 License. Any owner or tenant, or member of the immediate
 19 family of said owner or tenant, upon making application to
 20 the fish and game commission, and upon payment of the sum of
 21 one dollar (\$1) shall be entitled to a landowner's trapping
 22 license which shall entitle the holder thereof to trap any
 23 fur-bearing animal, except beaver, on land owned or leased
 24 by him, or his immediate family, at such times and in such
 25 manner as may be lawful so to do under the laws of the state

1 and the regulations of the fish and game commission and at
 2 such places as may be designated in said licenses.

3 ~~(14)~~(15) Exception. (a) A resident under the definition
 4 of section 26-202.3, who is sixty-two (62) years or older
 5 shall be entitled to fish and hunt game birds with a pioneer
 6 license issued by the state fish and game commission for a
 7 fee of fifteen cents (\$.15). The form of such license shall
 8 be prescribed by the fish and game commission.

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

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

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

25 (e) Residents, as defined by section 26-202.3, under

1 the age of fifteen (15) years may purchase Class A-1, A-3,
2 A-4, and A-5 licenses for one-half (1/2) of the fees
3 prescribed in this section.

4 (f) The commission, by rule or regulation, may
5 prescribe the number of Class B-5 and B-6, ~~B-7, B-8, or B-9~~
6 licenses to be issued in each of the hunting districts
7 designated by it. Any license sold may be restricted to a
8 specific hunting area and may specify the species, age, and
9 sex to be taken in order to insure the proper management and
10 propagation of game animals in these areas. Not more than
11 eighteen thousand (18,000) nonresident elk licenses (B-9)
12 may be sold in any one license year.

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

24 ~~(15)~~ (16) Only one (1) license of any one (1) class,
25 except Class B-3 and B-4 licenses, shall be issued to any

1 one (1) person, provided, however, that the commission may
2 prescribe rules and regulations for the issuance or sale of
3 a replacement license of the same class in the event the
4 original license is lost, stolen or destroyed upon payment
5 of the sum of one dollar (\$1).

6 ~~(16)~~ (17) Class AAA License--Sportsman's License. Any
7 resident, as defined by section 26-202.3, who is twelve (12)
8 years of age or older, upon payment of the sum of ~~twenty~~
9 ~~dollars-~~ ~~(620)~~ thirty-five dollars (\$35) shall be entitled to
10 a sportsman's license which shall permit the holder to
11 exercise all rights granted to holders of Class A, A-1, A-3,
12 A-5, and A-6 ~~licenses~~ and resident conservation licenses as
13 prescribed in section 26-230. The commission shall furnish
14 each holder of a sportsman's license an appropriate decal.

15 ~~(17)~~ (18) Class D-1 License--Nonresident Mountain Lion
16 License. Any person not a resident as defined in section
17 26-202.3, but who is twelve (12) years of age or older and a
18 holder of a nonresident Class B-2 combination license, upon
19 payment of the sum of twenty-five dollars (\$25) to any agent
20 of the fish and game commission authorized to issue fishing
21 and hunting licenses shall be entitled to a Class D-1
22 license, which shall entitle the holder thereof to pursue,
23 hunt, shoot, kill and possess mountain lion as authorized by
24 the rules and regulations of the commission.

25 ~~(18)~~ (19) Class D-2 License--Resident Mountain Lion

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

(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. 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

1 of Montana.

2 Section 4. This act shall be effective May 1, 1976.

-End-

SENATE BILL NO. 236

INTRODUCED BY NORMAN, FLYNN

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 26-202.1, R.C.M. 1947, TO PROVIDE A FEE INCREASE IN THE RESIDENT AND NONRESIDENT HUNTING LICENSES; TO CHANGE THE CLASS B-2 NONRESIDENT BIG GAME LICENSE TO CLASS B-2 NONRESIDENT COMBINATION BIRD AND FISH LICENSE AND MAKE IT A PREREQUISITE TO PURCHASE HUNTING TAGS; TO PROVIDE FOR CLASSIFICATION OF NONRESIDENT ELK AND DEER TAGS; TO LIMIT THE TOTAL NUMBER OF NONRESIDENT ELK TAGS SOLD IN A LICENSE YEAR; TO INCLUDE THE NONRESIDENT CONSERVATION LICENSE AS PART OF THE CLASS B-2 LICENSE AND THE RESIDENT CONSERVATION LICENSE AS PART OF THE CLASS AAA LICENSE; TO GIVE THE COMMISSION AUTHORITY TO LIMIT THE NUMBER OF LICENSES SOLD IN DESIGNATED HUNTING DISTRICTS; TO PROVIDE A FEE FOR SPECIAL ELK AND DEER DRAWINGS; TO PROVIDE FOR A SPECIAL NONGAME CERTIFICATE; AND TO PROVIDE A DELAYED EFFECTIVE DATE."

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 five dollars (\$2) (\$5) TWO DOLLARS AND FIFTY CENTS (\$2.50)~~ 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 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

1 the person instructed a certificate of competency in the
2 safe handling of firearms.

3 (3) Class A-2 License--Special Bow and Arrow License.

4 Any A holder of ~~a--Class--A-1-license-and~~ any one of the
5 following: a Class A-3, A-4, A-5, B-2, B-5, ~~or-B-6 B-7, B-8,~~
6 B-9 or a special antelope license, may upon payment of an
7 additional sum of ~~three-dollars-(\$3) five-dollars-(\$5)~~ THREE
8 DOLLARS (\$3) to any agent of the fish and game commission
9 authorized to issue fishing and hunting licenses be entitled
10 to a Class A-2 license, which shall authorize the holder
11 thereof to pursue, hunt, shoot, and kill ~~deery, antelope-and~~
12 elk the game animals authorized by the licenses held with
13 bow and arrow and to possess ~~the-carcasses~~ these carcasses of
14 ~~deery, antelope-and-elk~~ during a special season seasons, as
15 ~~se--licensed~~ and in special areas, as may be designated by
16 the fish and game commission.

17 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
18 defined by section 26-202.3 who is twelve (12) years of age
19 or older, may upon payment of the proper fee or fees be
20 entitled to purchase one each of the following licenses:
21 Class A-3, Deer A Tag, ~~three-dollars-(\$3) seven-dollars-(\$7)~~
22 FOUR DOLLARS (\$4); Class A-4, Deer B Tag, ~~five-dollars-(\$5)~~
23 ~~seven-dollars-(\$7)~~ TEN DOLLARS (\$10); Class A-5 Elk Tag,
24 ~~three--dollars--(\$3)~~ ten dollars (\$10); Class A-6, Black or
25 Brown Bear Tag, ~~five-dollars-(\$5) six dollars (\$6)~~; which

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

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

13 (6) Class B-1 License--Nonresident Game Bird License.
14 Except as herein provided, any person not a resident as
15 defined in section 26-202.3, but who is twelve (12) years of
16 age or older, upon payment of the sum of ~~twenty-five-dollars~~
17 ~~(\$25)~~ thirty dollars (\$30) to any agent of the fish and game
18 commission authorized to issue fishing and hunting licenses
19 shall be entitled to a Class B-1 license, which shall
20 entitle the holder thereof to pursue, hunt, shoot, kill and
21 possess game birds as authorized by the rules and
22 regulations of the commission.

23 No hunting licenses shall be issued to any nonresident
24 person under the age of eighteen (18) years unless he
25 presents to the person authorized to issue such license a

1 certificate of competency as provided in section
 2 26-202.1(2)(a) or a certificate verifying that he has
 3 successfully completed a course in the safe handling of
 4 firearms in any state or province.

5 (7) Class B-2 License--Nonresident Big Game License.

6 Within the limitations of this section or any commission
 7 rule, Any any person not a resident as defined in section
 8 26-202.3, but who is twelve (12) years of age or older, upon
 9 the payment of ~~the sum of one hundred twenty five dollars~~
 10 ~~(\$125) for the license year from May 17, 1967 to April 30,~~
 11 ~~1968 and thereafter for subsequent license years upon~~
 12 ~~payment of the sum of one hundred fifty dollars (\$150) fifty~~
 13 ~~dollars (\$50) to any agent of the fish and game commission~~
 14 ~~authorized to issue fishing and hunting licenses, shall be~~
 15 ~~entitled to~~ may apply to the fish and game office, Helena,
 16 Montana for a Class B-2 license, and nonresident
 17 conservation license as prescribed in section 26-230, which
 18 shall authorize the holder to pursue, hunt, shoot, and kill
 19 ~~game animals in the area or areas designated in the license,~~
 20 ~~as determined by the commission, and to possess the~~
 21 ~~carcasses of same, and to pursue, hunt, shoot, kill and~~
 22 ~~possess game birds, and to fish with hook and line as may~~
 23 ~~hereinafter be authorized by the rules and regulations of~~
 24 ~~the commission;~~ and possess game birds, and to fish with
 25 hook and line as authorized by the rules and regulations of

1 the commission, and to purchase additional and special
 2 licenses and tags as provided by law or commission
 3 regulation.

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

14 (9) Class B-5 License--Nonresident Deer License. Any
 15 person not a resident as defined in section 26-202.3, but
 16 who is twelve (12) years of age or older and a holder of a
 17 nonresident conservation license, upon the payment of the
 18 sum of ~~thirty five dollars (\$35) fifty dollars (\$50)~~ shall
 19 be entitled to a Class B-5 license which shall authorize the
 20 holder to pursue, hunt, shoot, and kill one (1) deer in the
 21 area or areas designated in the license, as determined by
 22 the commission, and to possess the carcass of same.

23 (10) Class B-6 License--Nonresident Antelope License.
 24 Any person not a resident as defined in section 26-202.3,
 25 but who is twelve (12) years of age or older and a holder of

1 a nonresident conservation license, upon the payment of the
 2 sum of ~~thirty-five-dollars-(\$35)~~ fifty dollars (\$50) shall
 3 be 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) Class B-7, B-8, B-9 Licenses. Any person not a
 8 resident as defined in section 26-202.3, but who is twelve
 9 (12) years of age or older, and is a holder of a B-2
 10 nonresident combination license, may upon payment of the
 11 proper fee or fees and subject to the limitations prescribed
 12 by law and commission regulation be entitled to apply to the
 13 Fish and Game Office, Helena, Montana, to purchase one each
 14 of the following licenses: Class B-7, Deer A Tag, fifty
 15 dollars (\$50); Class B-8, Deer B Tag, fifty dollars (\$50);
 16 Class B-9, Elk Tag, one hundred twenty-five dollars (\$125);
 17 and will entitle the holder to pursue, hunt, shoot, and kill
 18 the game animal or animals authorized by the license held
 19 and to possess the dead bodies of game animals of the state
 20 which are so authorized by the regulations of the
 21 commission.

22 ~~(11)~~ (12) Special licenses. Any applicant who is twelve
 23 (12) years of age or older and is a resident as defined by
 24 section 26-202.3, or any applicant who is the holder of a
 25 Class B-2 nonresident big-game combination license may apply

1 for a special license, which in the judgment of the fish and
 2 game commission, is to be issued and shall pay the following
 3 fees therefor:

4 Moose, resident twenty-five dollars (\$25), nonresident
 5 ~~fifty-dollars-(\$50)~~ one hundred twenty-five dollars (\$125);

6 Mountain Goat, resident fifteen dollars (\$15),
 7 nonresident ~~thirty-dollars-(\$30)~~ seventy-five dollars (\$75);

8 Mountain Sheep, resident twenty-five dollars (\$25),
 9 nonresident ~~fifty-dollars-(\$50)~~ one hundred twenty-five
 10 dollars (\$125);

11 Antelope, resident ~~three-dollars-(\$3)~~ five dollars
 12 (\$5), nonresident ~~ten-dollars-(\$10)~~ twenty-five dollars
 13 (\$25);

14 Grizzly Bear, resident ~~five-dollars-(\$5)~~ twenty-five
 15 dollars (\$25), nonresident one hundred twenty-five dollars
 16 (\$125) ~~grizzly, black-or-brown-bear,--thirty-five-dollars~~
 17 ~~(\$35);~~

18 Black or brown bear, nonresident thirty-five dollars
 19 (\$35).

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

25 In the event that the number of valid applications for

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

7 ~~(12)~~ (13) Class C License--Trapper's License. Any
 8 resident as defined in section 26-202.3, upon making
 9 application and paying the sum of ten dollars (\$10) to the
 10 fish and game commission, shall be entitled to a trapper's
 11 license, which shall authorize the holder thereof to trap
 12 fur-bearing animals, within the state of Montana at such
 13 times and in such manner as may be lawful so to do under the
 14 laws of the state and the regulations of the fish and game
 15 commission, and at such places as may be designated in said
 16 license.

17 ~~(13)~~ (14) Class C-1 License--Landowner's Trapping
 18 License. Any owner or tenant, or member of the immediate
 19 family of said owner or tenant, upon making application to
 20 the fish and game commission, and upon payment of the sum of
 21 one dollar (\$1) shall be entitled to a landowner's trapping
 22 license which shall entitle the holder thereof to trap any
 23 fur-bearing animal, except beaver, on land owned or leased
 24 by him, or his immediate family, at such times and in such
 25 manner as may be lawful so to do under the laws of the state

1 and the regulations of the fish and game commission and at
 2 such places as may be designated in said licenses.

3 ~~(14)~~ (15) Exception. (a) A resident under the definition
 4 of section 26-202.3, who is sixty-two (62) years or older
 5 shall be entitled to fish and hunt game birds with a pioneer
 6 license issued by the state fish and game commission for a
 7 fee of fifteen cents (\$.15). The form of such license shall
 8 be prescribed by the fish and game commission.

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

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

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

25 (e) Residents, as defined by section 26-202.3, under

1 the age of fifteen (15) years may purchase Class A-1, A-3,
2 A-4, and A-5 licenses for one-half (1/2) of the fees
3 prescribed in this section.

4 (f) The commission, by rule or regulation, may
5 prescribe the number of Class B-5 and B-6, B-7, B-8, or B-9
6 licenses to be issued in each of the hunting districts
7 designated by it. Any license sold may be restricted to a
8 specific hunting area and may specify the species, age, and
9 sex to be taken in order to insure the proper management and
10 propagation of game animals in these areas, PROVIDED,
11 HOWEVER, THAT NO NUMBER LIMIT SHALL BE PLACED ON B-7, B-8
12 AND B-9 LICENSE BY AREA EXCEPT IN MAJOR HUNTER CONCENTRATION
13 AREAS AS DETERMINED BY THE COMMISSION. Not more than
14 eighteen--thousand--(~~18,000~~) SIXTEEN THOUSAND (16,000)
15 nonresident elk licenses (B-9) may be sold in any-one
16 license-year THE HUNTING LICENSE YEAR BEGINNING MAY 1, 1976,
17 AND NO MORE THAN TWELVE THOUSAND (12,000) NONRESIDENT ELK
18 LICENSES (B-9) MAY BE SOLD IN THE LICENSE YEAR BEGINNING MAY
19 1, 1977.

20 (g) Special antelope licenses. In the event the number
21 of valid applications for special antelope licenses for a
22 hunting district exceeds the quota set by the commission for
23 the district, such licenses shall be awarded by a drawing.
24 Persons making valid application who did not receive an
25 antelope license during the season immediately preceding the

1 drawing shall be given first preference in such drawing for
2 first, second and third choice hunting districts. The
3 commission shall have the authority to promulgate such rules
4 and regulations as are necessary to implement this
5 subsection.

6 ~~(15)~~ (16) Only one (1) license of any one (1) class,
7 except Class B-3 and B-4 licenses, shall be issued to any
8 one (1) person, provided, however, that the commission may
9 prescribe rules and regulations for the issuance or sale of
10 a replacement license of the same class in the event the
11 original license is lost, stolen or destroyed upon payment
12 of the sum of one dollar (\$1).

13 ~~(16)~~ (17) Class AAA License--Sportsman's License. Any
14 resident, as defined by section 26-202.3, who is twelve (12)
15 years of age or older, upon payment of the sum of ~~twenty~~
16 ~~dollars--(~~\$20~~)~~ thirty-five dollars (\$35) shall be entitled to
17 a sportsman's license which shall permit the holder to
18 exercise all rights granted to holders of Class A, A-1, A-3,
19 A-5, and A-6 ~~licenses~~ and resident conservation licenses as
20 prescribed in section 26-230. The commission shall furnish
21 each holder of a sportsman's license an appropriate decal.

22 ~~(17)~~ (18) Class D-1 License--Nonresident Mountain Licn
23 License. Any person not a resident as defined in section
24 26-202.3, but who is twelve (12) years of age or older and a
25 holder of a nonresident Class B-2 combination license, upon

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

7 ~~(18)~~ (19) Class D-2 License--Resident Mountain Lion
 8 License. Any person who is a resident as defined in section
 9 26-202.3, and who is twelve (12) years of age or older, upon
 10 payment of the sum of five dollars (\$5) to any agent of the
 11 fish and game commission authorized to issue fishing and
 12 hunting licenses shall be entitled to a Class D-2 license,
 13 which shall entitle the holder thereof to pursue, hunt,
 14 shoot, kill and possess mountain lion as authorized by the
 15 rules and regulations of the commission.

16 (20) Special elk or deer licenses. (a) Any person who
 17 is the holder of a valid resident elk license or a Class B-2
 18 nonresident combination license and valid elk tag may apply
 19 for a special elk license upon payment of a fee of one
 20 dollar (\$1).

21 (b) Any person who is the holder of a valid resident
 22 deer license or any nonresident who holds a Class B-2
 23 license and a valid deer tag may apply for a special deer
 24 license upon payment of a fee of one dollar (\$1).

25 (c) The commission shall have the authority to

1 promulgate such rules and regulations as are necessary to
 2 implement this subsection."

3 SECTION 2. THERE IS A NEW R.C.M. SECTION THAT READS AS
 4 FOLLOWS:

5 (1) The commission may: (a) provide for the refund
 6 of resident elk tag license fees to persons applying for
 7 special elk permits in hunting districts where there is no
 8 general elk hunting, and may set time limits and describe
 9 area restrictions;

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

14 (2) The commission may adopt rules necessary to
 15 implement this section.

16 Section 3. Nongame certificate. (1) In order to
 17 promote the preservation and management of nongame wildlife
 18 within the state, the commission may issue a nongame
 19 certificate or window decal indicating that the holders of
 20 the certificates are supporting the natural resource
 21 interests of the state of Montana.

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

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

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

8 Section 4. This act shall be effective May 1, 1976.

-End-

March 28, 1975

10-1

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendment to SENATE BILL NO. 236,
third reading copy, as follows:

1. Amend title, page 1, line 10.

Following: "NONRESIDENT"

Strike: "ELK AND"

2. Amend title, page 1, line 10.

Following: "TAGS;"

Insert: "TO PROVIDE FOR B-10 NONRESIDENT BIG GAME COMBINATION
LICENSE;"

3. Amend title, page 1, line 11.

Following: "NONRESIDENT"

Strike: "ELK TAGS"

Insert: "BIG GAME COMBINATION LICENSES"

4. Amend page 2, section 1, subsection (2), lines 8 and 9.

Following: "~~5~~"

Strike: "TWO DOLLARS AND FIFTY CENTS (\$2.50)"

Insert: "five dollars (\$5)"

5. Amend page 3, section 1, subsection (3), line 5.

Following: "B-5,"

Insert: "B-6"

6. Amend page 3, section 1, subsection (3), line 6.

Strike: "B-9 or a special antelope"

Insert: "or B-10"

7. Amend page 3, section 1, subsection (3), lines 7 and 8.

Following: "~~5~~"

Strike: "THREE DOLLARS (\$3)"

Insert: "five dollars (\$5)"

COMMITTEE OF THE WHOLE AMENDMENTS TO SENATE BILL NO. 236

8. Amend page 3, section 1, subsection (4), line 22.
Strike: "FOUR DOLLARS (\$4)"
Insert: "seven dollars (\$7)"
9. Amend page 3, section 1, subsection (4), line 23.
Following: "~~7~~"
Strike: "TEN DOLLARS (\$10)"
Insert: "seven dollars (\$7)"
10. Amend page 3, section 1, subsection (4), line 24.
Following: "~~3~~"
Strike: "ten dollars (\$10)"
Insert: "eight dollars (\$8)"
11. Amend page 5, section 1, subsection (7), line 5.
Following: "Nonresident"
Strike: "Big Game"
Insert: "Combination"
12. Amend page 7, section 1, subsection (10), line 1.
Following: "a"
Strike: "nonresident conservation"
Insert: "Class B-2 nonresident combination"
13. Amend page 7, section 1, subsection (10), line 7.
Following: "B-7"
Strike: ", "
Insert: "and"
14. Amend page 7, section 1, subsection (11), line 7.
Following: "B-8"
Strike: ", B-9"

COMMITTEE OF THE WHOLE AMENDMENTS TO SENATE BILL NO. 236

15. Amend page 7, section 1, subsection (11), line 16.

Strike: line 16 in its entirety.

16. Amend page 7, section 1, subsection (11), following line 21.

Insert: a new subsection and renumber subsequent subsections.

"(12) B-10 nonresident big game combination license.

Any person not a resident as defined in section 26-202.3,

but who is twelve (12) years of age or older may, upon

payment of the proper fee or fees and subject to the limita-

tions prescribed by law and commission regulation, be

entitled to apply to the fish and game office, Helena,

Montana, to purchase a B-10 nonresident big game combination

thirty-five (\$235)

license for two hundred ~~thirty-five~~ dollars ~~thirty-five~~ which shall

entitle the holder to all the privileges of a B-2 non-

resident combination license, a deer A tag, and elk tag and

a black bear license. This license includes the nonresident

conservation license as prescribed in section 26-230."

17. Amend page 8, section 1, present subsection (12), lines 12 and 13.

Following: "(\$5)"

Strike: ",nonresident twenty-five dollars (\$25)"

18. Amend page 8, section 1, present subsection (12), lines 18 and 19.

Following: "nonresident"

Strike: "thirty-five dollars (\$35)"

Insert: "fifty dollars (\$50)"

19. Amend page 8, section 1, present subsection (12), line 25.

Following: "valid"

Insert: "resident"

COMMITTEE OF THE WHOLE AMENDMENTS TO SENATE BILL NO. 236

20. Amend page 9, section 1, present subsection (12), line 1.
Strike: "special"
21. Amend page 9, section 1, present subsection (12), line 1.
Following: "number of"
Strike: "special"
22. Amend page 9, section 1, present subsection (12), line 3.
Following: "number of"
Strike: "special"
23. Amend page 11, section 1, present subsection (15)(f), line 5.
Following: "or"
Strike: "B-9"
Insert: "B-10"
24. Amend page 11, section 1, present subsection (15)(f), line 12.
Following: "AND"
Strike: "B-9"
Insert: "B-10"
25. Amend page 11, section 1, present subsection (15)(f), lines 15 through 19.
Following: "nonresident"
Strike: the remainder of subsection (f) in its entirety.
Insert: "big game combination licenses (B-10) may be sold in any one license year."
26. Amend page 13, section 1, present subsection (20), line 17.
Following: "Class"
Strike: "B-2"
Insert: "B-10"

COMMITTEE OF THE WHOLE AMENDMENTS TO SENATE BILL NO. 236

27. Amend page 13, section 1, present subsection (20), line 18.

Following: "nonresident"

Insert: "big game"

28. Amend page 13, section 1, present subsection (20), line 18.

Following: "license"

Strike: "and valid elk tag"

AS SO AMENDED

BE CONCURRED IN

March 28, 1975

HOUSE OF REPRESENTATIVES

Committee of the Whole Amendments to SENATE BILL NO. 236,
third reading copy, as follows:

- 1. Amend page 3, section 1, line 23.
 Following: "~~7~~"
 Strike: "TEN DOLLARS (\$10)"
 Insert: "five dollars (\$5)"
- 2. Amend page 3, section 1, line 24.
 Following: "~~3~~"
 Strike: "ten dollars (\$10)"
 Insert: "five dollars (\$5)"
- 3. Amend page 5, section 1, lines 12 and 13.
 Following: "~~150~~"
 Strike: "fifty dollars (\$50)"
 Insert: "forty dollars (\$40)"
- 4. Amend page 7, section 1, lines 14 and 15.
 Following: "Tag"
 Strike: "fifty dollars (\$50)"
 Insert: "forty dollars (\$40)"
- 5. Amend page 7, section 1, line 16.
 Following: "Tag"
 Strike: "one hundred twenty-five dollars (\$125)"
 Insert: "one hundred dollars (\$100)"
- 6. Amend page 11, section 1, line 14.
 Following: "~~10,000~~"
 Strike: "SIXTEEN THOUSAND (16,000)"
 Insert: "eighteen thousand (18,000)"
- 7. Amend page 11, section 1, line 16.
 Following: "year"
 Strike lines 16 through 19 in their entirety
 Insert: "any one license year."

AS SO AMENDED

BE CONCURRED IN

SENATE BILL NO. 236

INTRODUCED BY NORMAN, FLYNN

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 26-202.1, R.C.M. 1947, TO PROVIDE A FEE INCREASE IN THE RESIDENT AND NONRESIDENT HUNTING LICENSES; TO CHANGE THE CLASS B-2 NONRESIDENT BIG GAME LICENSE TO CLASS B-2 NONRESIDENT COMBINATION BIRD AND FISH LICENSE AND MAKE IT A PREREQUISITE TO PURCHASE HUNTING TAGS; TO PROVIDE FOR CLASSIFICATION OF NONRESIDENT ~~ELK-AND~~ DEER TAGS; TO PROVIDE FOR B-10 NONRESIDENT BIG GAME COMBINATION LICENSE; TO LIMIT THE TOTAL NUMBER OF NONRESIDENT ~~ELK---TAGS~~ BIG GAME COMBINATION LICENSES SOLD IN A LICENSE YEAR; TO INCLUDE THE NONRESIDENT CONSERVATION LICENSE AS PART OF THE CLASS B-2 LICENSE AND THE RESIDENT CONSERVATION LICENSE AS PART OF THE CLASS AAA LICENSE; TO GIVE THE COMMISSION AUTHORITY TO LIMIT THE NUMBER OF LICENSES SOLD IN DESIGNATED HUNTING DISTRICTS; TO PROVIDE A FEE FOR SPECIAL ELK AND DEER DRAWINGS; TO PROVIDE FOR A SPECIAL NONGAME CERTIFICATE; AND TO PROVIDE A DELAYED EFFECTIVE DATE."

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 five dollars ~~(\$2) (\$5) TWO DOLLARS-AND-FIFTY-CENTS-(\$2.50)~~ FIVE DOLLARS (\$5) 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 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

1 competent to give instructions in the handling of firearms.
2 A person so appointed shall give such course of instruction
3 and upon the successful completion thereof shall issue to
4 the person instructed a certificate of competency in the
5 safe handling of firearms.

6 (3) Class A-2 License--Special Bow and Arrow License.
7 Any A holder of a ~~Class A-1 license~~ and any one of the
8 following: a Class A-3, A-4, A-5, B-2, B-5, ~~or B-6~~ B-6, B-7,
9 B-8, B-9--or--a--special--antelope OR B-10 license, may upon
10 payment of an additional sum of ~~three--dollars--(\$3)~~ five
11 dollars--(\$5) ~~THREE--DOLLARS--(\$3)~~ FIVE DOLLARS (\$5) to any
12 agent of the fish and game commission authorized to issue
13 fishing and hunting licenses be entitled to a Class A-2
14 license, which shall authorize the holder thereof to pursue,
15 hunt, shoot, and kill ~~deer,--antelope--and--elk~~ the game
16 animals authorized by the licenses held with bow and arrow
17 and to possess ~~the carcass~~ these carcasses ~~of deer, antelope~~
18 ~~and elk~~ during a special season ~~seasons, as so licensed~~ and
19 in special areas, as may be designated by the fish and game
20 commission.

21 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
22 defined by section 26-202.3 who is twelve (12) years of age
23 or older, may upon payment of the proper fee or fees be
24 entitled to purchase one each of the following licenses:
25 Class A-3, Deer A Tag, ~~three--dollars--(\$3)~~ seven--dollars--(\$7)

1 ~~FOUR--DOLLARS--(\$4)~~ SEVEN DOLLARS (\$7); Class A-4, Deer B Tag,
2 ~~five--dollars--(\$5)~~ seven--dollars--(\$7) ~~TEN--DOLLARS--(\$10)~~ SEVEN
3 DOLLARS--(\$7) FIVE DOLLARS (\$5); Class A-5 Elk Tag, ~~three~~
4 ~~dollars--(\$3)~~ ten--dollars--(\$10) ~~EIGHT--DOLLARS--(\$8)~~ FIVE
5 DOLLARS (\$5); Class A-6, Black or Brown Bear Tag, ~~five~~
6 ~~dollars--(\$5)~~ six dollars (\$6); which will entitle the holder
7 to pursue, hunt, shoot, and kill the game animal or animals
8 authorized by the license held and to possess the dead
9 bodies of game animals of the state which are so authorized
10 by the regulation of the commission.

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

19 (6) Class B-1 License--Nonresident Game Bird License.
20 Except as herein provided, any person not a resident as
21 defined in section 26-202.3, but who is twelve (12) years of
22 age or older, upon payment of the sum of ~~twenty-five--dollars~~
23 ~~(\$25)~~ thirty dollars (\$30) to any agent of the fish and game
24 commission authorized to issue fishing and hunting licenses
25 shall be entitled to a Class B-1 license, which shall

1 entitle the holder thereof to pursue, hunt, shoot, kill and
2 possess game birds as authorized by the rules and
3 regulations of the commission.

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

11 (7) Class B-2 License--Nonresident Big---Game
12 COMBINATION License. Within the limitations of this section
13 or any commission rule, Any any person not a resident as
14 defined in section 26-202.3, but who is twelve (12) years of
15 age or older, upon the payment of the--sum--of--one--hundred
16 twenty-five--dollars-(\$125)-for-the-license-year-from-May-17
17 1967-to-April-30, 1968-and-thereafter-for-subsequent-license
18 years-upon-payment-of-the-sum-of-one-hundred--fifty--dollars
19 (\$150) fifty-dollars-(\$50) FORTY DOLLARS (\$40) to-any-agent
20 of-the-fish-and-game-commission-authorized-to-issue--fishing
21 and--hunting-licenses, shall-be-entitled-to may apply to the
22 fish and game office, Helena, Montana for a Class B-2
23 license, and nonresident conservation license as prescribed
24 in section 26-230, which shall authorize the holder to
25 pursue, hunt, shoot, and kill game-animals-in-the-area-or

1 areas-designated--in--the--license,--as--determined--by--the
2 commission,--and--to--possess--the--carcasses--of--same,--and--to
3 pursue, hunt, shoot, kill and possess--game--birds,--and--to
4 fish--with-hook-and-line-as-may-hereinafter-be-authorized-by
5 the-rules-and-regulations-of-the--commission; and possess
6 game birds, and to fish with hook and line as authorized by
7 the rules and regulations of the commission, and to purchase
8 additional and special licenses and tags as provided by law
9 or commission regulation.

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

20 (9) Class B-5 License--Nonresident Deer License. Any
21 person not a resident as defined in section 26-202.3, but
22 who is twelve (12) years of age or older and a holder of a
23 nonresident conservation license, upon the payment of the
24 sum of thirty-five-dollars-(\$35) fifty dollars (\$50) shall
25 be entitled to a Class B-5 license which shall authorize the

holder to pursue, hunt, shoot, and kill one (1) deer in the area or areas designated in the license, as determined by the commission, and to possess the carcass of same.

(10) Class B-6 License--Nonresident Antelope License. Any person not a resident as defined in section 26-202.3, but who is twelve (12) years of age or older and a holder of a ~~nonresident-conservation~~ CLASS B-2 NONRESIDENT COMBINATION license, upon the payment of the sum of ~~thirty-five--dollars~~ ~~{35}~~ fifty dollars (\$50) shall be entitled to a Class B-6 license which shall authorize the holder to pursue, hunt, shoot, and kill one (1) antelope in the area designated in the license, as determined by the commission, and to possess the carcass of same.

(11) Class B-7, AND 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}~~ FORTY DOLLARS (\$40); Class B-8, Deer B Tag, ~~fifty~~ ~~dollars~~ (\$50); ~~Class--B-9,--Elk--Tag,--one--hundred~~ ~~twenty-five--dollars--{125}~~, CLASS B-9, ELK TAG, ~~ONE HUNDRED~~ ~~TWENTY-FIVE-DOLLARS--{125}~~ ONE HUNDRED DOLLARS (\$100); 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.

(12) B-10 NONRESIDENT BIG GAME COMBINATION LICENSE. ANY PERSON NOT A RESIDENT AS DEFINED IN SECTION 26-202.3, BUT WHO IS TWELVE (12) YEARS OF AGE OR OLDER 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 A B-10 NONRESIDENT BIG GAME COMBINATION LICENSE FOR TWO HUNDRED THIRTY-FIVE DOLLARS (\$235) WHICH SHALL ENTITLE THE HOLDER TO ALL THE PRIVILEGES OF A B-2 NONRESIDENT COMBINATION LICENSE, A DEER A TAG, AND FLK TAG AND A BLACK BEAR LICENSE. THIS LICENSE INCLUDES THE NONRESIDENT CONSERVATION LICENSE AS PRESCRIBED IN SECTION 26-230.

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

Moose, resident twenty-five dollars (\$25), nonresident

1 ~~forty-five dollars~~ one hundred twenty-five dollars (\$125);

2 Mountain Goat, resident fifteen dollars (\$15),
3 nonresident ~~thirty dollars~~ seventy-five dollars (\$75);

4 Mountain Sheep, resident twenty-five dollars (\$25),
5 nonresident ~~forty-five dollars~~ one hundred twenty-five
6 dollars (\$125);

7 Antelope, resident ~~three dollars~~ five dollars
8 (\$5); nonresident ~~ten dollars~~ twenty-five dollars
9 (\$25);

10 Grizzly Bear, resident ~~five dollars~~ twenty-five
11 dollars (\$25), nonresident one hundred twenty-five dollars
12 (\$125) grizzly, black or brown bear, thirty-five dollars
13 (\$35);

14 Black or brown bear, nonresident thirty-five dollars
15 (\$35) FIFTY DOLLARS (\$50).

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

21 In the event that the number of valid RESIDENT
22 applications for ~~special~~ licenses exceeds the number of
23 ~~special~~ licenses which the fish and game commission desires
24 to issue in any hunting district, then the number of ~~special~~
25 licenses issued to ~~the holders of Class B-2 nonresident big~~

1 ~~game licenses~~ nonresident license holders in that hunting
2 district shall not exceed ten per cent (10%) of the total
3 issued.

4 ~~(12)(13)~~ (14) Class C License--Trapper's License. Any
5 resident as defined in section 26-202.3, upon making
6 application and paying the sum of ten dollars (\$10) to the
7 fish and game commission, shall be entitled to a trapper's
8 license, which shall authorize the holder thereof to trap
9 fur-bearing animals, within the state of Montana at such
10 times and in such manner as may be lawful so to do under the
11 laws of the state and the regulations of the fish and game
12 commission, and at such places as may be designated in said
13 license.

14 ~~(13)(14)~~ (15) Class C-1 License--Landowner's Trapping
15 License. Any owner or tenant, or member of the immediate
16 family of said owner or tenant, upon making application to
17 the fish and game commission, and upon payment of the sum of
18 one dollar (\$1) shall be entitled to a landowner's trapping
19 license which shall entitle the holder thereof to trap any
20 fur-bearing animal, except beaver, on land owned or leased
21 by him, or his immediate family, at such times and in such
22 manner as may be lawful so to do under the laws of the state
23 and the regulations of the fish and game commission and at
24 such places as may be designated in said licenses.

25 ~~(14)(15)~~ (16) Exception. (a) A resident under the

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

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

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

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

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

1 prescribed in this section.

2 (f) The commission, by rule or regulation, may
3 prescribe the number of Class B-5 and B-6, B-7, B-8, or B-9
4 B-10 licenses to be issued in each of the hunting districts
5 designated by it. Any license sold may be restricted to a
6 specific hunting area and may specify the species, age, and
7 sex to be taken in order to insure the proper management and
8 propagation of game animals in these areas, PROVIDED,
9 HOWEVER, THAT NO NUMBER LIMIT SHALL BE PLACED ON B-7, B-8
10 AND B-9 B-10 LICENSE BY AREA EXCEPT IN MAJOR HUNTER
11 CONCENTRATION AREAS AS DETERMINED BY THE COMMISSION. Not
12 more than eighteen--thousand--(18,000) SIXTEEN--THOUSAND
13 (16,000) EIGHTEEN THOUSAND (18,000) nonresident elk--licenses
14 (B-9) may be sold in any one license year--THE--HUNTING
15 LICENSE--YEAR--BEGINNING--MAY--17--1976,--AND--NO--MORE--THAN--TWELVE
16 THOUSAND--(12,000)--NONRESIDENT--ELK--LICENSES--(B-9)--MAY--BE
17 SOLD--IN--THE--LICENSE--YEAR--BEGINNING--MAY--17--1977, BIG-GAME
18 COMBINATION--LICENSES--(B-10)--MAY--BE--SOLD--IN--ANY--ONE--LICENSE
19 YEAR; ELK LICENSES (B-9) MAY BE SOLD IN ANY ONE LICENSE
20 YEAR.

21 (g) Special antelope licenses. In the event the number
22 of valid applications for special antelope licenses for a
23 hunting district exceeds the quota set by the commission for
24 the district, such licenses shall be awarded by a drawing.
25 Persons making valid application who did not receive an

1 antelope license during the season immediately preceding the
 2 drawing shall be given first preference in such drawing for
 3 first, second and third choice hunting districts. The
 4 commission shall have the authority to promulgate such rules
 5 and regulations as are necessary to implement this
 6 subsection.

7 ~~(15)~~~~(16)~~ (17) Only one (1) license of any one (1) class,
 8 except Class B-3 and B-4 licenses, shall be issued to any
 9 one (1) person, provided, however, that the commission may
 10 prescribe rules and regulations for the issuance or sale of
 11 a replacement license of the same class in the event the
 12 original license is lost, stolen or destroyed upon payment
 13 of the sum of one dollar (\$1).

14 ~~(16)~~~~(17)~~ (18) Class AAA License--Sportsman's License.
 15 Any resident, as defined by section 26-202.3, who is twelve
 16 (12) years of age or older, upon payment of the sum of
 17 ~~twenty-dollars-~~~~(20)~~ thirty-five dollars (\$35) shall be
 18 entitled to a sportsman's license which shall permit the
 19 holder to exercise all rights granted to holders of Class A,
 20 A-1, A-3, A-5, and A-6 ~~licenses~~ and resident conservation
 21 licenses as prescribed in section 26-230. The commission
 22 shall furnish each holder of a sportsman's license an
 23 appropriate decal.

24 ~~(17)~~~~(18)~~ (19) Class D-1 License--Nonresident Mountain
 25 Lion License. Any person not a resident as defined in

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

10 ~~(18)~~~~(19)~~ (20) Class D-2 License--Resident Mountain Lion
 11 License. Any person who is a resident as defined in section
 12 26-202.3, and who is twelve (12) years of age or older, upon
 13 payment of the sum of five dollars (\$5) to any agent of the
 14 fish and game commission authorized to issue fishing and
 15 hunting licenses shall be entitled to a Class D-2 license,
 16 which shall entitle the holder thereof to pursue, hunt,
 17 shoot, kill and possess mountain lion as authorized by the
 18 rules and regulations of the commission.

19 ~~(20)~~ (21) Special elk or deer licenses. (a) Any person
 20 who is the holder of a valid resident elk license or a Class
 21 ~~B-2 B-10 nonresident BIG GAME combination license and valid~~
 22 elk-tag may apply for a special elk license upon payment of
 23 a fee of one dollar (\$1).

24 (b) Any person who is the holder of a valid resident
 25 deer license or any nonresident who holds a Class B-2

1 license and a valid deer tag may apply for a special deer
 2 license upon payment of a fee of one dollar (\$1).

3 (c) The commission shall have the authority to
 4 promulgate such rules and regulations as are necessary to
 5 implement this subsection."

6 SECTION 2. THERE IS A NEW R.C.M. SECTION THAT READS AS
 7 FOLLOWS:

8 (1) The commission may: (a) provide for the refund
 9 of resident elk tag license fees to persons applying for
 10 special elk permits in hunting districts where there is no
 11 general elk hunting, and may set time limits and describe
 12 area restrictions;

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

17 (2) The commission may adopt rules necessary to
 18 implement this section.

19 Section 3. Nongame certificate. (1) In order to
 20 promote the preservation and management of nongame wildlife
 21 within the state, the commission may issue a nongame
 22 certificate or window decal indicating that the holders of
 23 the certificates are supporting the natural resource
 24 interests of the state of Montana.

25 (2) The form of the certificates or window decals

1 shall be determined by the commission and the inscription
 2 upon it shall indicate that no hunting, fishing or trapping
 3 privilege is thereby conferred.

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

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

11 Section 4. This act shall be effective May 1, 1976.

-End-