

1 *Kropp* *Hesse* BILL NO. 268
 2 INTRODUCED BY *Kropp* *Siefert* *Meyer* *Burnett*
 3 *Smith* *Hess*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 26-202.1, R.C.M. 1947, TO PROVIDE A DECREASE IN THE RESIDENT
 6 AND NONRESIDENT HUNTING AND GAME BIRD LICENSE FEES; TO
 7 CHANGE THE CLASS B-2 NONRESIDENT COMBINATION BIRD AND FISH
 8 LICENSE TO CLASS B-2 NONRESIDENT COMBINATION LICENSE; TO
 9 ELIMINATE CLASS B-7, B-8, AND B-10 NONRESIDENT LICENSES; TO
 10 ELIMINATE THE LIMIT ON NONRESIDENT BIG GAME COMBINATION
 11 LICENSE; TO ELIMINATE SPECIAL ELK AND DEER LICENSES; TO
 12 REMOVE THE AUTHORITY OF THE COMMISSION TO LIMIT THE NUMBER
 13 OF LICENSES SOLD IN A DISTRICT; TO ELIMINATE NONGAME
 14 CERTIFICATE; AND TO GENERALLY REVISE 26-202.1 SO AS TO
 15 GENERALLY CONFORM TO THE PRE-1975 VERSION; AND REPEALING
 16 SECTIONS 26-202.2 AND 26-202.8, R.C.M. 1947."

17
 18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

21 "26-202.1. Licenses -- fees -- classifications of
 22 licenses -- fees and powers under licenses. (1) Class A
 23 License--Resident Fishing License. Any resident as defined
 24 by section 26-202.3, upon payment of a fee of ~~five-dollars~~
 25 ~~(\$5)~~ shall receive a Class A license which shall entitle the

1 holder thereof to fish with hook and line or rod as
 2 authorized by ~~regulations of~~ the commission.

3 (2) Class A-1 license--Resident Game Bird License.

4 (a) Except as herein provided, any resident as defined
 5 by section 26-202.3, who is twelve (12) years of age or
 6 older, may, upon payment of a fee of ~~four-dollars (\$4)~~ \$2
 7 receive a Class A-1 license, which will entitle the holder
 8 to pursue, hunt, shoot and kill game birds and possess the
 9 dead bodies of game birds which are so authorized by
 10 regulations of the commission.

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

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

HB 268

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

13 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
 14 defined by section 26-202.3 who is twelve (12) years of age
 15 or older, may upon payment of the proper fee or fees be
 16 entitled to purchase one each of the following licenses:
 17 Class A-3, Deer A Tag, ~~six dollars (\$6)~~ \$3 ~~for the license~~
 18 ~~year beginning May 1, 1976, and seven dollars (\$7) for each~~
 19 ~~license year thereafter;~~ Class A-4, Deer B Tag, ~~twelve~~
 20 ~~dollars (\$12)~~ \$5; Class A-5 Elk Tag, ~~eight dollars (\$8)~~ \$3;
 21 Class A-6, Black or Brown Bear Tag, ~~six dollars (\$6)~~ \$5;
 22 which will entitle the holder to pursue, hunt, shoot, and
 23 kill the game animal or animals authorized by the license
 24 held and to possess the dead bodies of game animals of the
 25 state which are so authorized by the regulation of the

1 commission.

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

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

20 (b) No hunting licenses shall be issued to any
 21 nonresident person under the age of eighteen (18) years
 22 unless he presents to the person authorized to issue such
 23 license a certificate of competency as provided in section
 24 26-202.1(2) ~~(a)~~ (b) or a certificate verifying that he has
 25 successfully completed a course in the safe handling of

1 firearms in any state or province.

2 (7) Class B-2 License—Nonresident Combination
3 License. ~~Within the limitations of this section or any~~
4 ~~commission rule, any~~ A person not a resident as defined in
5 section 26-202.3, but who is twelve (12) years of age or
6 older, upon the payment of ~~fifty dollars (\$50)~~ \$150 may
7 apply to ~~the fish and game office, Helena, Montana for any~~
8 agent of the fish and game commission authorized to issue
9 fishing and hunting licenses and shall be entitled to a
10 Class B-2 license, ~~and nonresident conservation license as~~
11 ~~prescribed in section 26-230,~~ which shall authorize the
12 holder to pursue, hunt, shoot, and kill game animals in the
13 area or areas designated in the license, and to possess the
14 carcasses [and to pursue, hunt, shoot, kill, and possess
15 game birds, and to fish with hook and line as authorized by
16 the rules and regulations of the commission,] ~~and to~~
17 ~~purchase additional and special licenses and tags as~~
18 ~~provided by law or commission regulation.~~

19 (8) Class B-3 License—Temporary Nonresident or
20 Tourist Fishing License. Any person not a resident as
21 defined in section 26-202.3, upon payment of the sum of ten
22 dollars (\$10) to any agent of the fish and game commission
23 authorized to issue fishing and hunting licenses, shall be
24 entitled to a temporary nonresident fishing license, which
25 shall authorize the holder to fish with hook and line as

1 authorized by the rules and regulations of the fish and game
2 commission for a period of six (6) days inclusive of the
3 dates indicated on the license.

4 (9) Class B-5 License—Nonresident Deer License. Any
5 person not a resident as defined in section 26-202.3, but
6 who is twelve (12) years of age or older and a holder of a
7 nonresident conservation license, upon the payment of the
8 sum of ~~fifty dollars (\$50)~~ \$35 shall be entitled to a Class
9 B-5 license which shall authorize the holder to pursue,
10 hunt, shoot, and kill one (1) deer in the area or areas
11 designated in the license, as determined by the commission,
12 and to possess the carcass of same.

13 (10) Class B-6 License—Nonresident Antelope License.
14 Any person not a resident as defined in section 26-202.3,
15 but who is twelve (12) years of age or older and a holder of
16 a ~~Class B-2 nonresident combination conservation~~ license,
17 upon the payment of the sum of ~~fifty dollars (\$50)~~ \$35 shall
18 be entitled to a Class B-6 license which shall authorize the
19 holder to pursue, hunt, shoot, and kill one (1) antelope in
20 the area designated in the license, as determined by the
21 commission, and to possess the carcass of same.

22 ~~(11) Class B-7 and B-8 Licenses. Any person not a~~
23 ~~resident as defined in section 26-202.3, but who is twelve~~
24 ~~(12) years of age or older, and is a holder of a B-2~~
25 ~~nonresident combination license, may upon payment of the~~

1 ~~proper fee or fees and subject to the limitations prescribed~~
 2 ~~by law and commission regulation be entitled to apply to the~~
 3 ~~Fish and Game Office, Helena, Montana, to purchase one each~~
 4 ~~of the following licenses: Class B-7, Deer A Tag, fifty~~
 5 ~~dollars (\$50); Class B-8, Deer B Tag, fifty dollars (\$50);~~
 6 ~~and will entitle the holder to pursue, hunt, shoot, and kill~~
 7 ~~the game animal or animals authorized by the license held~~
 8 ~~and to possess the dead bodies of game animals of the state~~
 9 ~~which are so authorized by the regulations of the~~
 10 ~~commission.~~

11 ~~(12) B-10 nonresident big game combination license.~~
 12 ~~Any person not a resident as defined in section 26-202.3,~~
 13 ~~R.C.M., 1947, but who is twelve (12) years of age or older~~
 14 ~~may, upon payment of the proper fee or fees and subject to~~
 15 ~~the limitations prescribed by law and commission regulation,~~
 16 ~~be entitled to apply to the fish and game office, Helena,~~
 17 ~~Montana, to purchase a B-10 nonresident big game combination~~
 18 ~~license for two hundred twenty five dollars (\$225) which~~
 19 ~~shall entitle the holder to all the privileges of a B-2~~
 20 ~~nonresident combination license, a deer A tag, and elk tag~~
 21 ~~and a black bear license. This license includes the~~
 22 ~~nonresident conservation license as prescribed in section~~
 23 ~~26-230, R.C.M., 1947.~~

24 ~~(13) (11) Special licenses. Any applicant who is twelve~~
 25 ~~(12) years of age or older and is a resident as defined by~~

1 section 26-202.3, or any applicant who is the holder of a
 2 Class B-2 nonresident combination license may apply for a
 3 special license, which in the judgment of the fish and game
 4 commission, is to be issued and shall pay the following fees
 5 therefor:

6 Moose, resident ~~twenty five dollars (\$25)~~, nonresident
 7 ~~one hundred twenty five dollars (\$125)~~ \$50;

8 Mountain Goat, resident ~~fifteen dollars (\$15)~~,
 9 nonresident ~~seventy five dollars (\$75)~~ \$30;

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

12 Antelope, resident ~~five dollars (\$5)~~ \$3, nonresident
 13 \$10;

14 Grizzly Bear, resident ~~twenty five dollars (\$25)~~ \$5,
 15 nonresident ~~one hundred twenty five dollars (\$125)~~ \$35;

16 Black or brown bear, nonresident ~~fifty dollars (\$50)~~
 17 \$35.

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

23 In the event that the number of valid ~~resident~~
 24 applications for special licenses exceeds the number of
 25 special licenses which the fish and game commission desires

LC 0536/01

1 to issue in any hunting district, then the number of special
 2 licenses issued to Class B-2 nonresident combination license
 3 holders in that hunting district shall not exceed ~~ten per~~
 4 ~~cent~~ (10%) of the total issued.

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

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

1 ~~(16)~~ (14) Exception. (a) A resident under the definition
 2 of section 26-202.3, who is sixty-two (62) years or older
 3 shall be entitled to fish and hunt game birds with a
 4 conservation license issued by the state fish and game
 5 commission for a fee of ~~one dollar~~ (\$1). The form of such
 6 license shall be prescribed by the fish and game commission.

7 (b) Any veteran who is a patient residing at a
 8 hospital operated by the veterans administration, within or
 9 outside the state, and residents of all institutions under
 10 the jurisdiction of the state board of institutions, except
 11 the Montana state prison at Deer Lodge, will be entitled to
 12 fish without a license. Such residents shall carry a permit
 13 on a form prescribed by the commission and signed by the
 14 superintendent of the institution in lieu of a license.

15 (c) Disabled persons are entitled to fish without a
 16 license, if they are residents of Montana not residing in an
 17 institution and are certified as disabled by a licensed
 18 medical doctor, licensed to practice medicine in Montana.

19 Disability is defined as a physical or mental condition
 20 that prevents a person from doing any substantial gainful
 21 work that is expected to last for the rest of their life.

22 Such disabled persons shall carry a permit on a form
 23 prescribed by the commission.

24 (d) If a person is convicted of a violation of the
 25 fish and game laws or regulations of Montana, the privilege

1 conferred by this subsection shall be revoked for not less
2 than six (6) months.

3 (e) Residents, as defined by section 26-202.3, under
4 the age of fifteen (15) years may purchase Class A-1, A-3,
5 ~~A-4,~~ and A-5 licenses ~~at two dollars (\$2) per license at~~
6 ~~one-half of the fees prescribed in this section.~~

7 (f) The commission, by rule or regulation, may
8 prescribe the number of Class B-5 and ~~B-6, B-7, B-8, or B-10~~
9 licenses to be issued in each of the hunting districts
10 designated by it. ~~Any license sold may be restricted to a~~
11 ~~specific hunting area and may specify the species, age, and~~
12 ~~sex to be taken in order to insure the proper management and~~
13 ~~propagation of game animals in these areas, provided,~~
14 ~~however, that no number limit shall be placed on B-7, B-8~~
15 ~~and B-10 license by area except in major hunter~~
16 ~~concentration areas as determined by the commission. Not~~
17 ~~more than seventeen thousand (17,000) nonresident big game~~
18 ~~combination licenses (B-10) may be sold in any one license~~
19 ~~year.~~

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 (h) Special elk permits. In the event the number of
7 valid applications for special elk permits for a hunting
8 district exceeds the quota set by the commission for the
9 district, these permits shall be awarded by a drawing.
10 Persons making valid application who did not receive a
11 special elk permit during the season immediately preceding
12 the drawing shall receive first preference in this drawing
13 for first, second, and third choice hunting districts. The
14 commission may promulgate the rules necessary to implement
15 this subsection.

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

23 ~~(10)(16)~~ Class AAA License--Sportsman's License. Any
24 resident, as defined by section 26-202.3, who is twelve (12)
25 years of age or older, upon payment of the sum of

1 ~~thirty-five-dollars--(\$35)~~ \$20 shall be entitled to a
 2 sportsman's license which shall permit the holder to
 3 exercise all rights granted to holders of Class A, A-1, A-3,
 4 A-5, and A-5 and--resident--conservation licenses as
 5 prescribed in section 26-238. The commission shall furnish
 6 each holder of a sportsman's license an appropriate decal.

7 ~~(19)~~(17) Class D-1 License--Nonresident Mountain Lion
 8 License. Any person not a resident as defined in section
 9 26-202.3, but who is twelve (12) years of age or older and a
 10 ~~holder of a nonresident Class B-2 combination license,~~ upon
 11 payment of the sum of ~~twenty-five-dollars--(\$25)~~ to any agent
 12 of the fish and game commission authorized to issue fishing
 13 and hunting licenses shall be entitled to a Class D-1
 14 license, which shall entitle the holder thereof to pursue,
 15 hunt, shoot, kill and possess mountain lion as authorized by
 16 the rules and regulations of the commission.

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

1 ~~(21) Special elk or deer licenses. (a) Any person who~~
 2 ~~is the holder of a valid resident elk license or a Class~~
 3 ~~B-10 nonresident big game combination license may apply for~~
 4 ~~a special elk license upon payment of a fee of one dollar~~
 5 ~~(\$1).~~

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

10 ~~(c) The commission shall have the authority to~~
 11 ~~promulgate such rules and regulations as are necessary to~~
 12 ~~implement this subsection."~~

13 Section 2. Repealer. Sections 26-202.7 and 26-202.8,
 14 R.C.M. 1947, are repealed.

-End-

STATE OF MONTANA

REQUEST NO. 116-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 19, 19 77, there is hereby submitted a Fiscal Note for House Bill 268 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:

House Bill 268 is an act to decrease 23 various resident and nonresident hunting and game bird license fees and to increase the nonresident combination fishing and game bird license fee.

ASSUMPTIONS:

1. The act would be effective July 1, 1977.
2. License sales would remain relatively constant.

REVENUE IMPACT:

| | <u>FY 78</u> | <u>FY 79</u> |
|--|--------------------|--------------------|
| License revenue collected under current law | \$7,350,000 | \$7,400,000 |
| License revenue collected under proposed law | <u>5,770,000</u> | <u>5,850,000</u> |
| Decrease in license revenue collections | <u>\$1,580,000</u> | <u>\$1,550,000</u> |

LONG-RANGE EFFECT:

The Department of Fish and Game would have to scale back operations to the income level provided.

Richard L. Tracy for
 BUDGET DIRECTOR
 Office of Budget and Program Planning
 Date: 1-26-77

Approved by Comm.
on Fish and Game

1 *Knapp* *House* BILL NO. *268*
 2 INTRODUCED BY *Knapp* *Smith* *Meyer* *Burnett*
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 6 AND NONRESIDENT HUNTING AND GAME BIRD LICENSE FEES; TO
 7 CHANGE THE CLASS B-2 NONRESIDENT COMBINATION BIRD AND FISH
 8 LICENSE TO CLASS B-2 NONRESIDENT COMBINATION LICENSE; TO
 9 ELIMINATE CLASS B-7, B-8, AND B-10 NONRESIDENT LICENSES; TO
 10 ELIMINATE THE LIMIT ON NONRESIDENT BIG GAME COMBINATION
 11 LICENSE; TO ELIMINATE SPECIAL ELK AND DEER LICENSES; TO
 12 REMOVE THE AUTHORITY OF THE COMMISSION TO LIMIT THE NUMBER
 13 OF LICENSES SOLD IN A DISTRICT; TO ELIMINATE NONGAME
 14 CERTIFICATE; AND TO GENERALLY REVISE 26-202.1 SO AS TO
 15 GENERALLY CONFORM TO THE PRE-1975 VERSION; AND REPEALING
 16 SECTIONS 26-202.2 AND 26-202.8, R.C.M. 1947."

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 22 licenses -- fees and powers under licenses. (1) Class A
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 24 by section 26-202.3, upon payment of a fee of ~~five-dollars~~
 25 ~~(\$5)~~ shall receive a Class A license which shall entitle the

1 holder thereof to fish with hook and line or rod as
 2 authorized by ~~regulations of~~ the commission.

3 (2) Class A-1 license--Resident Game Bird License.
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 5 by section 26-202.3, who is twelve (12) years of age or
 6 older, may, upon payment of a fee of ~~four-dollars (\$4)~~ \$2
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 8 to pursue, hunt, shoot and kill game birds and possess the
 9 dead bodies of game birds which are so authorized by
 10 regulations of the commission.

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

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

SECOND READING

HB 268

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

13 (4) Class A-3, A-4, A-5, A-6 Licenses. Any resident as
 14 defined by section 26-202.3 who is twelve (12) years of age
 15 or older, may upon payment of the proper fee or fees be
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 17 Class A-3, Deer A Tag, ~~six dollars (\$6)~~ \$3 ~~for the license~~
 18 ~~year beginning May 1, 1976, and seven dollars (\$7) for each~~
 19 ~~license year thereafter~~; Class A-4, Deer B Tag, ~~twelve~~
 20 ~~dollars (\$12)~~ \$5; Class A-5 Elk Tag, ~~eight dollars (\$8)~~ \$3;
 21 Class A-6, Black or Brown Bear Tag, ~~six dollars (\$6)~~ \$5;
 22 which will entitle the holder to pursue, hunt, shoot, and
 23 kill the game animal or animals authorized by the license
 24 held and to possess the dead bodies of game animals of the
 25 state which are so authorized by the regulation of the

1 commission.

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

10 (6) Class B-1 License--Nonresident Game Bird License.
 11 (a) Except as herein provided, any person not a resident as
 12 defined in section 26-202.3, but who is twelve (12) years of
 13 age or older, upon payment of the sum of ~~thirty dollars~~
 14 ~~(\$30)~~ \$25 to any agent of the fish and game commission
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 17 holder thereof to pursue, hunt, shoot, kill and possess game
 18 birds as authorized by the rules and regulations of the
 19 commission.

20 (b) No hunting licenses shall be issued to any
 21 nonresident person under the age of eighteen (18) years
 22 unless he presents to the person authorized to issue such
 23 license a certificate of competency as provided in section
 24 26-202.1(2) ~~(a)~~ (b) or a certificate verifying that he has
 25 successfully completed a course in the safe handling of

1 firears in any state or province.

2 (7) Class B-2 License--Nonresident Combination
3 License. ~~Within the limitations of this section or any~~
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5 section 26-202.3, but who is twelve (12) years of age or
6 older, upon the payment of ~~fifty dollars (\$50)~~ \$150 may
7 apply to ~~the fish and game office, Helena, Montana~~ for any
8 agent of the fish and game commission authorized to issue
9 fishing and hunting licenses and shall be entitled to a
10 Class B-2 license, and nonresident conservation license as
11 prescribed in section 26-230, which shall authorize the
12 holder to pursue, hunt, shoot, and kill game animals in the
13 area or areas designated in the license, and to possess the
14 carcasses [and to pursue, hunt, shoot, kill, and possess
15 game birds, and to fish with hook and line as authorized by
16 the rules and regulations of the commission,] and to
17 purchase additional and special licenses and tags as
18 provided by law or commission regulation.

19 (8) Class B-3 License--Temporary Nonresident or
20 Tourist Fishing License. Any person not a resident as
21 defined in section 26-202.3, upon payment of the sum of ten
22 dollars (\$10) to any agent of the fish and game commission
23 authorized to issue fishing and hunting licenses, shall be
24 entitled to a temporary nonresident fishing license, which
25 shall authorize the holder to fish with hook and line as

1 authorized by the rules and regulations of the fish and game
2 commission for a period of six (6) days inclusive of the
3 dates indicated on the license.

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

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

22 ~~(11) Class B-7 and B-8 Licenses. Any person not a~~
23 ~~resident as defined in section 26-202.3, but who is twelve~~
24 ~~(12) years of age or older, and is a holder of a B-2~~
25 ~~nonresident combination license, may upon payment of the~~

1 ~~proper fee or fees and subject to the limitations prescribed~~
 2 ~~by law and commission regulation be entitled to apply to the~~
 3 ~~Fish and Game Office, Helena, Montana, to purchase one each~~
 4 ~~of the following licenses: Class E 7, Deer A Tag, fifty~~
 5 ~~dollars (\$50); Class B 8, Deer B Tag, fifty dollars (\$50);~~
 6 ~~and will entitle the holder to pursue, hunt, shoot, and kill~~
 7 ~~the game animal or animals authorized by the license held~~
 8 ~~and to possess the dead bodies of game animals of the state~~
 9 ~~which are so authorized by the regulations of the~~
 10 ~~commission.~~

11 ~~(12) B 10 nonresident big game combination license.~~
 12 ~~Any person not a resident as defined in section 26-202.3,~~
 13 ~~R.C.M. 1947, but who is twelve (12) years of age or older~~
 14 ~~may, upon payment of the proper fee or fees and subject to~~
 15 ~~the limitations prescribed by law and commission regulation,~~
 16 ~~be entitled to apply to the fish and game office, Helena,~~
 17 ~~Montana, to purchase a B 10 nonresident big game combination~~
 18 ~~license for two hundred twenty five dollars (\$225) which~~
 19 ~~shall entitle the holder to all the privileges of a B 2~~
 20 ~~nonresident combination license, a deer A tag, and elk tag~~
 21 ~~and a black bear license. This license includes the~~
 22 ~~nonresident conservation license as prescribed in section~~
 23 ~~26-230, R.C.M. 1947.~~

24 ~~(13) (11) Special licenses. Any applicant who is twelve~~
 25 ~~(12) years of age or older and is a resident as defined by~~

1 section 26-202.3, or any applicant who is the holder of a
 2 Class B-2 nonresident combination license may apply for a
 3 special license, which in the judgment of the fish and game
 4 commission, is to be issued and shall pay the following fees
 5 therefor:

6 Moose, resident ~~twenty five dollars (\$25),~~ nonresident
 7 ~~one hundred twenty five dollars (\$125) \$50;~~

8 Mountain Goat, resident ~~fifteen dollars (\$15),~~
 9 ~~nonresident seventy five dollars (\$75) \$30;~~

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

12 Antelope, resident ~~five dollars (\$5);~~ \$3, nonresident
 13 \$10;

14 Grizzly Bear, resident ~~twenty five dollars (\$25) \$5,~~
 15 ~~nonresident one hundred twenty five dollars (\$125) \$35;~~

16 Black or brown bear, nonresident ~~fifty dollars (\$50)~~
 17 \$35.

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

23 In the event that the number of valid ~~resident~~
 24 applications for special licenses exceeds the number of
 25 special licenses which the fish and game commission desires

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1 to issue in any hunting district, then the number of special
 2 licenses issued to Class B-2 nonresident combination license
 3 holders in that hunting district shall not exceed ~~ten per~~
 4 ~~cent~~ (10%) of the total issued.

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

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

1 ~~(16)~~ (14) Exception. (a) A resident under the definition
 2 of section 26-202.3, who is sixty-two (62) years or older
 3 shall be entitled to fish and hunt game birds with a
 4 conservation license issued by the state fish and game
 5 commission for a fee of ~~one dollar~~ (\$1). The form of such
 6 license shall be prescribed by the fish and game commission.

7 (b) Any veteran who is a patient residing at a
 8 hospital operated by the veterans administration, within or
 9 outside the state, and residents of all institutions under
 10 the jurisdiction of the state board of institutions, except
 11 the Montana state prison at Deer Lodge, will be entitled to
 12 fish without a license. Such residents shall carry a permit
 13 on a form prescribed by the commission and signed by the
 14 superintendent of the institution in lieu of a license.

15 (c) Disabled persons are entitled to fish without a
 16 license, if they are residents of Montana not residing in an
 17 institution and are certified as disabled by a licensed
 18 medical doctor, licensed to practice medicine in Montana.

19 Disability is defined as a physical or mental condition
 20 that prevents a person from doing any substantial gainful
 21 work that is expected to last for the rest of their life.

22 Such disabled persons shall carry a permit on a form
 23 prescribed by the commission.

24 (d) If a person is convicted of a violation of the
 25 fish and game laws or regulations of Montana, the privilege

1 conferred by this subsection shall be revoked for not less
2 than six (6) months.

3 (e) Residents, as defined by section 26-202.3, under
4 the age of fifteen (15) years may purchase Class A-1, A-3,
5 ~~A-4,~~ and A-5 licenses ~~at two dollars (\$2) per license at~~
6 one-half of the fees prescribed in this section.

7 (f) The commission, by rule or regulation, may
8 prescribe the number of Class B-5 and ~~B-6, B-7, B-8, or B-10~~
9 licenses to be issued in each of the hunting districts
10 designated by it. ~~Any license sold may be restricted to a~~
11 ~~specific hunting area and may specify the species, age, and~~
12 ~~sex to be taken in order to insure the proper management and~~
13 ~~propagation of game animals in these areas, provided,~~
14 ~~however, that no number limit shall be placed on B-7, B-8~~
15 ~~and B-10 license by area except in major hunter~~
16 ~~concentration areas as determined by the commission. Not~~
17 ~~more than seventeen thousand (17,000) nonresident big game~~
18 ~~combination licenses (B-10) may be sold in any one license~~
19 ~~year.~~

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 (h) Special elk permits. In the event the number of
7 valid applications for special elk permits for a hunting
8 district exceeds the quota set by the commission for the
9 district, these permits shall be awarded by a drawing.
10 Persons making valid application who did not receive a
11 special elk permit during the season immediately preceding
12 the drawing shall receive first preference in this drawing
13 for first, second, and third choice hunting districts. The
14 commission may promulgate the rules necessary to implement
15 this subsection.

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

23 ~~(j)(16)~~ Class AAA License--Sportsman's License. Any
24 resident, as defined by section 26-202.3, who is twelve (12)
25 years of age or older, upon payment of the sum of

1 ~~thirty-five-dollars--(\$35)~~ §20 shall be entitled to a
 2 sportsman's license which shall permit the holder to
 3 exercise all rights granted to holders of Class A, A-1, A-3,
 4 A-5, and A-6 and--resident--conservation licenses as
 5 prescribed in section 26-230. The commission shall furnish
 6 each holder of a sportsman's license an appropriate decal.

7 ~~(19)~~ (17) Class D-1 License--Nonresident Mountain Lion
 8 License. Any person not a resident as defined in section
 9 26-202.3, but who is twelve (12) years of age or older and a
 10 holder of a nonresident Class B-2 combination license, upon
 11 payment of the sum of ~~twenty-five-dollars--(\$25)~~ to any agent
 12 of the fish and game commission authorized to issue fishing
 13 and hunting licenses shall be entitled to a Class D-1
 14 license, which shall entitle the holder thereof to pursue,
 15 hunt, shoot, kill and possess mountain lion as authorized by
 16 the rules and regulations of the commission.

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

1 ~~(21) Special elk or deer licenses. (a) Any person who~~
 2 ~~is the holder of a valid resident elk license or a Class~~
 3 ~~B-10 nonresident big game combination license may apply for~~
 4 ~~a special elk license upon payment of a fee of one dollar~~
 5 ~~(\$1).~~

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

10 ~~(c) The commission shall have the authority to~~
 11 ~~promulgate such rules and regulations as are necessary to~~
 12 ~~implement this subsection."~~

13 Section 2. Repealer. Sections 26-202.7 and 26-202.8,
 14 R.C.M. 1947, are repealed.

-End-