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of grizzly bears except where human lives ob livestock are endangered; amending sections 26-209. 26-202.1. 26-202.2, ANL 26-307, R.C.t. 1947; AND GEPEALTMG SECTIOX 26-307.3. R.C.A. $1947 .{ }^{*}$
be te gnacted by the legislature of the state of montana:
Section 1. Gunting of grizzly bears probibited. (1) It
is unlavful for any person to pursue, hont, trap, take, shoot, kill, or attempt to trap, take, shoot, or kill any grizzly bear, except where human lives or livestock are clearly endangered.
(2) Aby person who hunts, traps, takes, shoots, or kills any grizziy bear that has clearly endangered human lives or livestock shall report bis acticn to the departnent cf fish and gane within 48 hours after the occurrence.
(3) Any person who violates the provisions of subsections (1) and (2) of this section is guilty of a misdemeanor.
Section 2. Section 26-2C1. R.C.M. 1947, is anended to read as follows:
"26-201. Definitions. For the purpose of this act, the
following shall be construed, respectively to mean:
Comission. The state fish and game comission.
Person. The plural or singular, wale or female, as the case demands. including individual, associations. partnerships, and corporations, unless the context cthervise requires.

Open season. The tige during which game birds, fish, gane and fur-bearing animals may be lavfully taken.

Closed season. The time during which gane birds, fish, gane and fur-bearing animals say not be lavfully taken.

Angling or fishing. The taking of, or atterfing to take fish by hook and single line or single rod is hand or within imediate control.

Opland gane birds. Sharptail grouse, blue grouse, prairie chicken, sage hen or sage grouse, fool hen, ruffed grouse, commonly called native pheasant or native partridger quail. Chigese Fheasant and fongolian fheasant, comenly called ring-necked pheasant, Hungarian partridge, ptarmigan, wild turkey, and chukar partridge.

Migratory gane birds. Waterfowl, including wild ducks, wild geese, brant, and swans; cranes, including little brovn, sandill and whoping cranes; rails, including coots, gallinules, sora or other rails; shore birds, including avocets. curlew, dovitcher, goduits, knots, upland flover, killaeer, sandpipers, filson smipes or jacksnipes, snipss.
stilts, plovers, willets and yellow legs.
Nongate birds. hll vild birds not lefined herein as upland game birds or nigratory game birds, shall be deemed nongane birds.

Gane animals. Deer, elk, moose, antelope, caribca, montain sheep, mountain goat, mountain lion, and black bear.

Fur-bearing animals. narten cr sable, otter, moskrat, fisher, mink, and beaver.

Predatory animals. Coyote, veasel, skank and ciret cat, and bobeat.

Game fish. All species of the family salmonidae fobars, trout, salmon, grayling, and vhitefish; all species of the genus stizostedion (sandpike or sauger and walleyed fike or yellowike perch) : all species of the genus esox forthern Fike, pickerel and muskellunge); all species of the genus aicropeterus (bass); all species of the genus polyodon (paddlefish): all species of the fawily acipenseridae (sturgeon); all species of the qenus lota (burbot or ling); and the species ictalurus punctatus (channel catfish).

Wild buffalo. Buffalo or bison ubich have not been reduced to captivity.

Hongane wildife. Any wild mamal, bisd, amphibian, reptile, Eish, mollusk, crustacean, or other wild animal not otheruise legally classified by statute or regulation of
this state."
Section 3. Section 26-202.1, B.C. B . 1947, is amended to read as follows:

M26-2G2.1. 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, npon payment of a fee of five dillars (\$5) shall receive a class hicense vich shall entitle the holder thereof to fish with hook and line or rod as anthorized by requlations of the consission.
(2) Class 1 -1 license-Resident Gane Bird License. frept as herein provided, any resident as defined by section 26-202.3, who is twelve (12) years of age or clder, may, upon payment of a fee of four dollars (\$4) receive a Class $\mathrm{A}-1$ 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 authcrized by regulations of the conmission.
(a) Ho hunting licenses shall be issued to any resifent person under the age of eighteen (18) years unless be presents to the person authorized to issue such license a certificate of conpetency as frcvided by this section.

The department of fish and gate shall provide for a course of instruction in the safe handing of firearss and for the purpose may cooperate with aby refutable association
or organization haping as one of its objectives the prosotion of safety in the handing of fireares. the department may designate any person found by it to be comptent to give instructions in the banding of firearas. A person so appointed shall give such course of instraction and upen the successful completion thereof shall issue to the person instructed a certificate of competency in the safe handling of firearms.
(3) Class A-2 License--Special Bov and arrow License. A holder of any one of the follcuing: a Class $A-3$. A-4, A-5. $\mathrm{B}-2, \mathrm{~B}-5, \mathrm{E}-6, \mathrm{~B}-7, \mathrm{~B}-\mathrm{B}$, or B-10 license, may upon payent of an additional sum of six dollars (36) to any agent of the fish and qane comaission authorized to issue fishing and hunting licenses be entitled to a class s-2 license, wich shall authorize the holder thereof to porsue, hunt. shoot. and kill the gane animals authorized by the licenses beld with bow and arrow and to possess these carcasses during special seasons, and in special areas, as way be designated by the fish and game coteission.
(4) Class $A-3$, A-4, A-5, A-6 Licenses. Any resident as defineत by section 26-202. 3 who is tuelve (12) years of aqe or older, may upon payment of the proper fee or fees be entitled to purchase one each of the following licenses: Class a-3, Deer a Tag, six acllars (\$6) for the license year beginning May 1,1976 , and seven dellars (\$7) for each
license year thereafter; Class $A-4$, Deer $B$ Tag, twelve dollars (\$12): Class A-5 Plk Taq, eight dollars (\$8); Class A-6, black or Brown bear Tag, six dcllats ( 56 ); which 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 gane animals of the state which are so authorized by the regulation of the cownissicn.
(5) Class B License-Bonresident fishing License. Mny person not a resident as defined in section 26-202.3, upon payment of the sum of twenty dollars (\$20) to any agent of the fish and gawe conmission authorized to issue fishing and hunting licenses, shall be entitled to a class $B$ license, which shall entitle the holder thereof to fish with hock and line as authorized by the rules andregulations of the comaission.
(6) Class B-1 License一Nonresident Game Eird License. Except as herein provided, any person not a resident as defined in section $26-202$.3, but who is twelve (12) years of age or older, upon payinent of the sun of thirty dellars (\$30) to any agent of the fish and qane conaission authorized to issue fishing and huting licenses shall be entitled to a Class $B-1$ license, which shall entitle the holder therecf to pursue, hunt, shoot, kill and possess game birds as authorized by the roles and regulations of the comission.

No hunting licenses shall be issued to any nonresident person under the age of eighteen (18) years unless be presents to the perscn authorized to issue such license a certificate cf competency as provided in section 25-202.1(2) (a) or a certificate verifying that be has successfully conpleted a course in the safe handing of fireares in ary state or frovince.
(7) Class B-2 License-Noncesident Conbination License. Witbin the linitations of this section or ay convission rule, any person not resident as defined in section 26-202.3, but who is twelve (12) lears of age or older, upon the payment of fifty dollars (\$50) may apply to the fish and gane office, Helena, Montana for a Class E-2 license, and nonresident conservation license as prescribed in section 26-230, vhich shall authorize the hclder to pursue, bunt, shoot, kill and possess qane birds, and to fish vith book and line as authorized by the rules and regulations of the conmission, and to purchase additional and special liceuses and tags as provided by law or consission requlation.
(8) Class B-3 License-Temporary Vouresident or Tourist fishing License. Any person not a residert as defined in section $26-202.3$, upon payfent of the sum of ten dollars (\$10) to any agent of the fish and gase comaission authorized to issue fishing and hunting licenses, shall be
potitled to a temporary nonresident fishing license, which shall authorize the holder to fish with hook and line as authorized by the rules and regulaticns of the fish and game conaission for period of six (6) days inclusive of the dates indicated on the license.
(9) Class B-5 License-Nonresident Deer 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 bolder of a nonresident conservation license, upon the payment of the suø of fifty dollars ( $\$ 50$ ) shall be entitled to a Class $\mathrm{B}-5$ license which shall a athorize the bolder to pursue, hunt, shoot, and kill one (1) deer in the area or areas designated in the license, as deterained by the comaission, and to possess the carcass of same.
(10) Class B-6 License-Monresident Antelope License. Any perscn not a resident as defined in section 26-202.3, but who is tvelve (12) years of age or older and a bolder of a Class $\mathrm{E}-2$ nonresideat conbination licease, opon the payment of the sum of fifty dollars (50) shall be entitled to a class B-6 license wich shall authorize the halbeI to pursue, bunt. shoot, and kill one (1) antelope in the area designated in the license, as determined by the conmission, and to possess the carcass of sane.
(11) Class 3-7 and 0-8 Licenses. Any persen not a resident as defined in section 26-202.3. but who is tuelve

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(12) years of age or clder, and is a holder of a e-2
nonresident combination license, may upon payment of the proper fee or fees and subject to the limitations prescribed by law and comission requlation be entitled to apply to the Fish and Gane office, Helena, Hontana, to purchase one each of the following licenses: Class 日-7, Deer A Tag, fifty dollars ( 550 ); Class B-8, Deer B Taq. fifty dollais (550); and will entitle the holder to pursue, bunt, shoot, and kill the game animal or animals authorized by the license beld and to possess the dead bodies of gane animals of the state which are so authorized by the regulations of the consission.
(12) B-10 nonresident big game conbination license. Any person not a resident as defined in section 26-202.3. R.C.K. 1947, but who is twelve (12) years of age or older way. upon payment of the proper fee or fees and subject to the linitations prescribed by law and comission regulaticn, be entitled to apply to the fish and game office, Helena, Montana, to purchase a B- 10 nonresident big game conbination license for two hondred tventy-five dollars (\$225) which shall entitle the holder to all the privileges of a \(B-2\) nonresident 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, R.C.M. 1947.
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(13) Special licenses. Ant 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 belder of a Class B-2 nonresident combination license may apply for a special iicerse, which in the judgment of the fish and game comission, is to be issued and shall pay the folloving fees therefor:

Hoose, resident twenty-five dollars (\$25), Donresident one hurdred twenty-five dollars (\$125);

Hountain Goat, resident fifteen dollars (515), nonresident seventy-five dollars (\$75);

Monatain sheep, resident tuenty-five dollars (\$25). nonresident one hundred twenty-five dicllars (\$125);

Antelope, resident five dollars (55);



Elack or brown bear, nonresident fifty dollars (\$50).






In the event that the number of valid resideat applications for licenses exceeds the number of licenses which the fish and gane comaissicn desires to issue in any
hunting district, then the number of licenses issued to nonresident license holders in that hunting district shall not exceed ten per cent (10x) of the total issued.
(14) Class $C$ License-Trapper's License, any resident as defined in section 26-202.3, ufon saking application and paying the sua of ten dollars (510) to the fish and gane comission, shall be entitled to a trapper's license, uhich shall authorize the holder thereof to trap fur-bearing animals, within the state of Bontana at such tiaes and in such manner as may be lawful so to do under the lavs of the state and the regulations of the fish and gane consissicn, and at such places as may be designated in said license.
(15) Class C-1 License-Landouner's Trapping License. Any onner or tenant, or meber of the imediate family of said cwner or tenant, upon waking application to the fish and gane conmission, and upon payment of the sur of one dollar (\$1) shall be entitled to a landoner's trapping license which shall entitle the holder thereof to trap any fur-bearing animal on land owned or leased by him, or his imediate fanily, at such times and in such maner as may te lauful so to do under the laws of the state and the regulations of the fish and gane comissicn and at such places as may be designated in said licenses.
(16) Exception. (a) A resident under the definition of section 2 e-202.3, who is sixty-tuo (62) years cr older shall
be entitled to fish and hunt gave birds with a conservation license issued by the state fist and game comsissicn for a fee of one dollar (\$1). The form of such license shall be prescribed by the fish and gave comassicn.
(b) Any veteran who is a patient residing at a hospital operated by the veterans aduinistration, within or outside the state, and residents of all instituticns under the furisdiction of the state board of institutions, except the Montana state prison at Deer Lodge, will be entitled to fish without a license. Such residents shall carry a persit on a for prescribed by the consission and signed ty the superintendent of the institution in lien of license.
(c) Disabled persons are entitled to fish vithcat a license, if they are residents of montana not residing in an institotion and are certified as disabled by a licensed medical doctor, licensed to practice medicine in montana.

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

Such disabled persons shall carry a perait on ara prescribed by the comeission.
(d) If a person is convicted of a violation of the fish and game laws or regulaticns cf montana, the privilege conferred by this subsection shall te reroked for nct less than six (6) months.
(e) gesidents, as defined by section 26-202.3, under tbe age of fifteen (15) years may parchase Class $A-1$, $A-3$. and A-5 licenses at tuo dollars (\$2) per license.
(f) The cousission, by rule or regulation, nay prescribe the nuber of class $B-5$ and $B-6, E-7$, $B-8$, or $B-10$ licenses to be issued in each of the hurting districts designated by it. Any license sold may be restricted to a specific hunting area and may specify the species, aqe, and sex to be taken in order to insure the proper management and propagation of gate arimals in these areas, provided, hovever, that no number limit shall be placed on $B-7$, $\mathrm{E}-8$ and b-10 licebse by area except in major bunter concentration areas as determined by the coneission. Hot more than serenteen thousand (17,000) nonresident kig game conbination licenses ( $B-10$ ) may be sold in any one license year.
(a) Special antelcpe licenses. In the event the nuter of valid applications for special antelope licenses for a tunting district exceeds the quota set by the connissicn for the district, such licenses shall be avarded by a drawing. Persons making valid application who did not receire an antelope license during the season inaediately preceding the drawing shall be given first preference in such draving for Eirst, second and third choice bunting districts. The connission shall have the authority to pronlgate such rules
and regulations as are necessary to inflement this subsection.
(b) Special elk persits. In the event the oumber of valia applications for special elk permits for a hunting district exceeds the quota set by the connission for the Gistrict, these perits shall be awarded by a drawing. persons axing valid application wo did not receive a special elk perfit during the season ienediately preceding the draving shall receive first preference in this drawing for first, second, and third choice hunting districts. The coneission may pronalgate the rales necessary to implenent this subsection.
(17) only one (1) license of any one (1) class. except Class B-3 and B-4 licenses, shall be issued to any one (1) person, provided, hovever, that the connission may prescribe rules and regulations for the issuance or sale of a reflacement license of the same class in the event the original license is lost, stclen of destroyed upon payent of the sum of one dollaf (\$1).
(18) Class Aat License-Sportsman's License. Any resident, as defincd by section $26-202$. 3 , who is twelve (12) years of age or older, upon paprent of the sua of thirty-five dellars (\$35) shall be entitled to a sportsman's license ubich shall permit the holder to exercise all rights granted to holders of Class $A, A-9, A-3, A-5, A-6$ and
resident conservation licenses as prescribed in section 26-230. The conaission shall furaish each holder of a sportsnan's license an appropriate decal.
(19) Class $D-1$ License-Wonresident Hoantain Lion license. Any person not a resident as defined in section 26-202.3. but who is twelpe (12) years of age or older and a holder of a nonresident class b-2 conbination license, upon payment of the sum of twenty-five dollars (\$25) to any agent of the fish and gane comission authorized to issue fishing and hunting licenses shall be entitled to a Class $\mathrm{D}-1$ 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 conmission.
(20) Class D-2 License-Resident Honntain Lion License. Any person who is a resident as defined in section 26-202.3. and whe is twelve $\{12$ years of age or older, upon payment of the sul of fire dollars (\$5) to any agent of the fish and qame comaission authorized to issue fishing ata huting licenses shall be entitled to a class $D-2$ license, which shall entitlf the holler thereof to pursue, bunt, shoot, kill and possess montain lion as duthorized ty the rules and regulaticns of the commission.
(21) Special elk or deer licenses. (a) Any person who is the holder of a valid resident elk license cr a class B-10 nontesident big gane combination license may apply for
a special elk license ufon payment of a fee of one doblar (\$1).
(b) Any person who is the holder of a valid resident deer licease or any nonresident who holds a class b-2 dicense and a valid deer tag mapply for a special deer license opon paypent of a fee of one dollar (\$1).
(c) The conaission shall have the authority to promulqate such rules and regulations as are necessary to iapleqent this subsection."

Section 4. Section 26-202.2, R.C.B. 1947, is anended to read as follous:
"26-202.2. Special licenses-tagging of carcasses of game animals. (1) Special licenses authorized to be issued under the general povers of the department of fish and qame nay be issued only to persons holding valid big qape licenses for the current year, which bave been obtained $k y$ the applicant prior to the time of filing of application for a special license.
(2) Any person tho has obtained a giagly-beafy moose, mountain goat, or mountain sheep license shall not be eligible to apply for another such license for the next succeeding seven (7) years, if such person has killed or taken an animal of the species for which such special license was issued. Any person who has obtained a griadyy moose, montain goat or mountain sheep license but did
not fill or take an animal of the species for which such special license was issued, shall be eligible to apfly for another such license in any succeeding gear if he returns his unused special license to the department of fisb and qame before or at the tine application is ade. It is further provided that any ferson who has received a sfecial license for elk shall not be eligible to receive a second special license for this species of game animal during any license year. Honever, in the event the number of applications received is not equal to the nuaber of gane species desired to be killed ty the departnent reapfication way be ade by those valid license bolders of the current pear who may fall within these limitations. It is further provided that any person who haskilled or taken a gane anisal, except a deer during the corrent license year, shall not be persitted to receire a special license ander this act to hunt or kill a second game animal of the same species.
(3) Tagqing of carcasses of gane anisals. Every licease issued by the departaent authorizing the holder thereof tc pursue, shoot, kill, capture, take or possess gare animals, whether issued to a resident or a noncesident shali provide such tags, coupons, or narkers, as the departent shall prescribe, and when any person should take or kill any game animal under such license, such person shall inmediately thereafter cut cut, frem the tag, coufon
or other arker, the date the animal was killed or taken and attach the tag, coupen or other marker tc said animal, completely filled out with the nane of the license bolder, his address, and any cther information requested on sucb tag, coupon or other marker, and such tag, coupen or other narker shall be kept attached to said carcass so letg as an considerable portion of the carcass remains unconsumed, and when the proper tag, coupon or other marker is attached to said game animal so killed, the sane may be possessea, used, stored and transforted. Any person who shonld kill any gane animal by authority of any license issued for the killing of such gare animal, and shall fail or peglect to cut out day and month of kill or provide such other informaticn as is required and attach his tag, coopon or cther marker sc propided with the license issued, to the carcass of said game animal or portion thereof, or any person who shall fail to keef said tag. coupon or other warker attached to said gaee anisal or portion thereof wile the save is possessed by him shall be guilty of a misdemeanor and upen conviction thereof shall be punished as provided for by lav in section 26-324."

Section 5. Section 26-307, A.C.M. 1947, is amended to read as follows:
"26-307. Waste of fish or game - hunting or fishing during closed season - killing more than one game animal -
exceptions. (1) It shall be onlawfol and a isdereanor for any ferscn responsible for the death of any game animai of this state, excepting gfinty black and brown bear and monnain lion, to detach or remove fron the carcass only the tead, bide, antlers, tusks or teeth, or any or all of aforesaid parts, or to waste any part of any gaee animal, gase bird, or gane fish suitable for food. or to abandon the carcass of any gane animal in the field, except tlack and broun bear and montain lion, which need have removed and taken from the carcass only the bead or the hide of such





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122 When_arizzly bear_is_killed_under the_conditions described_in [section_1 of this actle the conissicn may desand the carcass of that bear for scientific purgoses, $A l y$ parts_of_grizzly_bear_desanded_by_the cogeission_for scientific purfoses_anst be_delivered_to_anemplozee_cf the

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coggission_as_scon_as_possible.
\(+2+131\) It shall be unlavful and a isdereanor for any person to kill more than one gase animal of any one sprcies, in any one license fear, unless the killing of mere than cne game animal of such species bas been anthorized by regulations of the fish and game coanission.
+4+142 It shall be unlarful and a misdemeanor for any person during the closed season on any species of gawe animal, gane bird or fish to take, hunt, shoot, kill or capture any such gape animal or such gave bird or to fish for or catch any such fish."
Section 6. Fepealer. Sectica 26-307.3, H.C.A. 1947. is repealed.
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