

1 H BILL NO. 339  
2 INTRODUCED BY Elison R. Barth

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT PERSONS WHO  
5 WILL HAVE REACHED 12 YEARS OF AGE PRIOR TO THE OPENING DATE  
6 OF THE GENERAL HUNTING SEASON TO APPLY FOR AND OBTAIN  
7 SPECIAL PERMITS FOR THAT YEAR."

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

10 Section 1. There is a new R.C.M. section numbered  
11 26-202.9 that reads as follows:

12 26-202.9. Application by twelve-year-olds for special  
13 permits. Any persons who will have reached 12 years of age  
14 prior to the opening date of the general hunting season may  
15 apply for and obtain any special permit otherwise available  
16 to 12-year-old persons for that year, conditioned upon  
17 receiving the certificate of competency required under  
18 26-202.1(2)(a).

-End-

HB 339

Approved by Comm.  
on Fish and Game

HOUSE BILL NO. 339

INTRODUCED BY ELLISON, R. BAETH

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT PERSONS WHO WILL HAVE REACHED 12 YEARS OF AGE PRIOR TO THE OPENING DATE OF THE GENERAL HUNTING SEASON TO APPLY FOR AND OBTAIN SPECIAL PERMITS FOR THAT YEAR SEASON; AMENDING SECTION 26-202.1, R.C.M. 1947."

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

Refer to Introduced Bill

(Strike everything after the enacting clause and insert:)

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 ~~four--dollars--(\$4)~~ 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 the person instructed a certificate of competency in the safe handling of firearms.

(3) Class A-2 License--Special Bow and Arrow License. A holder of any one of the following: a Class A-3, A-4, A-5, B-2, B-5, B-6, B-7, B-8, or B-10 license, may upon payment of an additional sum of ~~six--dollars--(\$6)~~ to any agent of the fish and game commission authorized to issue fishing and hunting licenses be entitled to a Class A-2 license, which

SECOND READING

1 shall authorize the holder thereof to pursue, hunt, shoot,  
2 and kill the game animals authorized by the licenses held  
3 with bow and arrow and to possess these carcasses during  
4 special seasons, and in special areas, as may be designated  
5 by the fish and game commission.

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

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

1 line as authorized by the rules and regulations of the  
2 commission.

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

13 No hunting licenses shall be issued to any nonresident  
14 person under the age of ~~eighteen (18)~~ years unless he  
15 presents to the person authorized to issue such license a  
16 certificate of competency as provided in section  
17 26-202.1(2)(a) or a certificate verifying that he has  
18 successfully completed a course in the safe handling of  
19 firearms in any state or province.

20 (7) Class B-2 License--Nonresident Combination  
21 License. Within the limitations of this section or any  
22 commission rule, any person not a resident as defined in  
23 section 26-202.3, but who is ~~will be twelve (12)~~ years of  
24 age or older prior to the season for which the license is  
25 issued, upon the payment of ~~fifty-dollars-(\$50)~~ may apply to

1 the fish and game office, Helena, Montana for a Class B-2  
 2 license, and nonresident conservation license as prescribed  
 3 in section 26-230, which shall authorize the holder to  
 4 pursue, hunt, shoot, kill and possess game birds, and to  
 5 fish with hook and line as authorized by the rules and  
 6 regulations of the commission, and to purchase additional  
 7 and special licenses and tags as provided by law or  
 8 commission regulation.

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

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

1 shoot, and kill ~~one-(1)~~ deer in the area or areas designated  
 2 in the license, as determined by the commission, and to  
 3 possess the carcass of same.

4 (10) Class B-6 License--Nonresident Antelope License.  
 5 Any person not a resident as defined in section 26-202.3,  
 6 but who ~~is~~ will be twelve-(12) years of age or older prior  
 7 to the season for which the license is issued and a holder  
 8 of a Class B-2 nonresident combination license, upon the  
 9 payment of the sum of ~~fifty-dollars-(50)~~ shall be entitled  
 10 to a Class B-6 license which shall authorize the holder to  
 11 pursue, hunt, shoot, and kill ~~one-(1)~~ antelope in the area  
 12 designated in the license, as determined by the commission,  
 13 and to possess the carcass of same.

14 (11) Class B-7 and B-8 Licenses. Any person not a  
 15 resident as defined in section 26-202.3, but who ~~is~~ will be  
 16 twelve-(12) years of age or older prior to the season for  
 17 which the license is issued, and is a holder of a B-2  
 18 nonresident combination license, may upon payment of the  
 19 proper fee or fees and subject to the limitations prescribed  
 20 by law and commission regulation be entitled to apply to the  
 21 Fish and Game Office, Helena, Montana, to purchase one each  
 22 of the following licenses: Class B-7, Deer A Tag, ~~fifty~~  
 23 ~~dollars--(50)~~; Class B-8, Deer B Tag, ~~fifty-dollars-(50)~~;  
 24 and will entitle the holder to pursue, hunt, shoot, and kill  
 25 the game animal or animals authorized by the license held

1 and to possess the dead bodies of game animals of the state  
 2 which are so authorized by the regulations of the  
 3 commission.

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

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

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

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

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

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

6 Antelope, resident ~~five-dollars-(\$5);~~

7 Grizzly Bear, resident ~~twenty-five--dollars--(\$25)~~,  
 8 nonresident ~~one-hundred-twenty-five-dollars-(\$125);~~

9 Black or brown bear, nonresident ~~fifty-dollars-(\$50).~~

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

15 In the event that the number of valid resident  
 16 applications for licenses exceeds the number of licenses  
 17 which the fish and game commission desires to issue in any  
 18 hunting district, then the number of licenses issued to  
 19 nonresident license holders in that hunting district shall  
 20 not exceed ~~ten-per-cent-(10%)~~ of the total issued.

21 ~~(b) A person who will be 12 years of age or older~~  
 22 ~~prior to the season for which the license is issued may~~  
 23 ~~apply for a special antelope license.~~

24 (14) Class C License--Trapper's License. Any resident  
 25 as defined in section 26-202.3, upon making application and

1 paying the sum of ~~ten-dollars-(\$10)~~ to the fish and game  
 2 commission, shall be entitled to a trapper's license, which  
 3 shall authorize the holder thereof to trap fur-bearing  
 4 animals, within the state of Montana at such times and in  
 5 such manner as may be lawful so to do under the laws of the  
 6 state and the regulations of the fish and game commission,  
 7 and at such places as may be designated in said license.

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

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

25 (b) Any veteran who is a patient residing at a

1 hospital operated by the veterans administration, within or  
 2 outside the state, and residents of all institutions under  
 3 the jurisdiction of the state board of institutions, except  
 4 the Montana state prison at Deer Lodge, will be entitled to  
 5 fish without a license. Such residents shall carry a permit  
 6 on a form prescribed by the commission and signed by the  
 7 superintendent of the institution in lieu of a license.

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

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

15 Such disabled persons shall carry a permit on a form  
 16 prescribed by the commission.

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

21 (e) Residents, as defined by section 26-202.3, under  
 22 the age of ~~fifteen-(15)~~ years may purchase Class A-1, A-3,  
 23 and A-5 licenses at ~~two-dollars-(\$2)~~ per license.

24 (f) The commission, by rule or regulation, may  
 25 prescribe the number of Class B-5 and B-6, A-7, B-8, or B-10

1 licenses to be issued in each of the hunting districts  
 2 designated by it. Any license sold may be restricted to a  
 3 specific hunting area and may specify the species, age, and  
 4 sex to be taken in order to insure the proper management and  
 5 propagation of game animals in these areas, provided,  
 6 however, that no number limit shall be placed on B-7, B-8  
 7 and B-10 license by area except in major hunter  
 8 concentration areas as determined by the commission. Not  
 9 more than ~~seventeen thousand~~ {17,000} nonresident big game  
 10 combination licenses (B-10) may be sold in any one license  
 11 year.

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

23 (h) Special elk permits. In the event the number of  
 24 valid applications for special elk permits for a hunting  
 25 district exceeds the quota set by the commission for the

1 district, these permits shall be awarded by a drawing.  
 2 Persons making valid application who did not receive a  
 3 special elk permit during the season immediately preceding  
 4 the drawing shall receive first preference in this drawing  
 5 for first, second, and third choice hunting districts. The  
 6 commission may promulgate the rules necessary to implement  
 7 this subsection.

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

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

25 (19) Class D-1 License--Nonresident Mountain Lion

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

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

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

-End-



1 HOUSE BILL NO. 339

2 INTRODUCED BY ELLISON, R. BAETH

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT PERSONS WHO  
5 WILL HAVE REACHED 12 YEARS OF AGE PRIOR TO THE OPENING DATE  
6 OF THE GENERAL HUNTING SEASON TO APPLY FOR AND OBTAIN  
7 SPECIAL PERMITS FOR THAT YEAR SEASON; AMENDING SECTION  
8 26-202.1, R.C.M. 1947."

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

11 Refer to Introduced Bill

12 (Strike everything after the enacting clause and insert:)

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

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

22 (2) Class A-1 license--Resident Game Bird License.  
23 Except as herein provided, any resident as defined by  
24 section 26-202.3, who is ~~twelve-(12)~~ years of age or older,  
25 may, upon payment of a fee of ~~four--dollars-(4)~~ receive a

1 Class A-1 license, which will entitle the holder to pursue,  
2 hunt, shoot and kill game birds and possess the dead bodies  
3 of game birds which are so authorized by regulations of the  
4 commission.

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

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

20 (3) Class A-2 License--Special Bow and Arrow License.  
21 A holder of any one of the following: a Class A-3, A-4, A-5,  
22 B-2, B-5, B-6, B-7, B-8, or B-10 license, may upon payment  
23 of an additional sum of ~~six--dollars-(6)~~ to any agent of the  
24 fish and game commission authorized to issue fishing and  
25 hunting licenses be entitled to a Class A-2 license, which

THIRD READING

1 shall authorize the holder thereof to pursue, hunt, shoot,  
2 and kill the game animals authorized by the licenses held  
3 with bow and arrow and to possess these carcasses during  
4 special seasons, and in special areas, as may be designated  
5 by the fish and game commission.

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

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

1 line as authorized by the rules and regulations of the  
2 commission.

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

13 No hunting licenses shall be issued to any nonresident  
14 person under the age of ~~eighteen (18)~~ years unless he  
15 presents to the person authorized to issue such license a  
16 certificate of competency as provided in section  
17 26-202.1(2)(a) or a certificate verifying that he has  
18 successfully completed a course in the safe handling of  
19 firearms in any state or province.

20 (7) Class B-2 License--Nonresident Combination  
21 License. Within the limitations of this section or any  
22 commission rule, any person not a resident as defined in  
23 section 26-202.3, but who is will be twelve (12) years of  
24 age or older prior to the season for which the license is  
25 issued, upon the payment of ~~fifty dollars (\$50)~~ may apply to

1 the fish and game office, Helena, Montana for a Class B-2  
 2 license, and nonresident conservation license as prescribed  
 3 in section 26-230, which shall authorize the holder to  
 4 pursue, hunt, shoot, kill and possess game birds, and to  
 5 fish with hook and line as authorized by the rules and  
 6 regulations of the commission, and to purchase additional  
 7 and special licenses and tags as provided by law or  
 8 commission regulation.

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

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

1 shoot, and kill ~~one--(1)~~ deer in the area or areas designated  
 2 in the license, as determined by the commission, and to  
 3 possess the carcass of same.

4 (10) Class B-6 License--Nonresident Antelope License.  
 5 Any person not a resident as defined in section 26-202.3,  
 6 but who ~~is~~ will be twelve--(12) years of age or older prior  
 7 to the season for which the license is issued and a holder  
 8 of a Class B-2 nonresident combination license, upon the  
 9 payment of the sum of ~~fifty-dollars--(\$50)~~ shall be entitled  
 10 to a Class B-6 license which shall authorize the holder to  
 11 pursue, hunt, shoot, and kill ~~one--(1)~~ antelope in the area  
 12 designated in the license, as determined by the commission,  
 13 and to possess the carcass of same.

14 (11) Class B-7 and B-8 Licenses. Any person not a  
 15 resident as defined in section 26-202.3, but who ~~is~~ will be  
 16 twelve--(12) years of age or older prior to the season for  
 17 which the license is issued, and is a holder of a B-2  
 18 nonresident combination license, may upon payment of the  
 19 proper fee or fees and subject to the limitations prescribed  
 20 by law and commission regulation be entitled to apply to the  
 21 Fish and Game Office, Helena, Montana, to purchase one each  
 22 of the following licenses: Class B-7, Deer A Tag, ~~fifty~~  
 23 ~~dollars--(\$50)~~; Class B-8, Deer B Tag, ~~fifty-dollars--(\$50)~~;  
 24 and will entitle the holder to pursue, hunt, shoot, and kill  
 25 the game animal or animals authorized by the license held

1 and to possess the dead bodies of game animals of the state  
 2 which are so authorized by the regulations of the  
 3 commission;

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

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

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

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

2 Mountain Goat, resident ~~fifteen dollars~~ ~~(\$15)~~,

3 nonresident ~~seventy-five dollars~~ ~~(\$75)~~;

4 Mountain Sheep, resident ~~twenty-five dollars~~ ~~(\$25)~~,

5 nonresident ~~one hundred twenty-five dollars~~ ~~(\$125)~~;

6 Antelope, resident ~~five dollars~~ ~~(\$5)~~;

7 Grizzly Bear, resident ~~twenty-five dollars~~ ~~(\$25)~~,

8 nonresident ~~one hundred twenty-five dollars~~ ~~(\$125)~~;

9 Black or brown bear, nonresident ~~fifty dollars~~ ~~(\$50)~~.

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

15 In the event that the number of valid resident  
 16 applications for licenses exceeds the number of licenses  
 17 which the fish and game commission desires to issue in any  
 18 hunting district, then the number of licenses issued to  
 19 nonresident license holders in that hunting district shall  
 20 not exceed ~~ten per cent~~ ~~(10%)~~ of the total issued.

21 (b) A person who will be 12 years of age or older  
 22 prior to the season for which the license is issued may  
 23 apply for a special antelope license.

24 (14) Class C License--Trapper's License. Any resident  
 25 as defined in section 26-202.3, upon making application and

1 paying the sum of ~~ten dollars~~ ~~(\$10)~~ to the fish and game  
2 commission, shall be entitled to a trapper's license, which  
3 shall authorize the holder thereof to trap fur-bearing  
4 animals, within the state of Montana at such times and in  
5 such manner as may be lawful so to do under the laws of the  
6 state and the regulations of the fish and game commission,  
7 and at such places as may be designated in said license.

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

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

25 (b) Any veteran who is a patient residing at a

1 hospital operated by the veterans administration, within or  
2 outside the state, and residents of all institutions under  
3 the jurisdiction of the state board of institutions, except  
4 the Montana state prison at Deer Lodge, will be entitled to  
5 fish without a license. Such residents shall carry a permit  
6 on a form prescribed by the commission and signed by the  
7 superintendent of the institution in lieu of a license.

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

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

15 Such disabled persons shall carry a permit on a form  
16 prescribed by the commission.

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

21 (e) Residents, as defined by section 26-202.3, under  
22 the age of ~~fifteen~~ ~~(15)~~ years may purchase Class A-1, A-3,  
23 and A-5 licenses at ~~two~~ ~~dollars~~ ~~(\$2)~~ per license.

24 (f) The commission, by rule or regulation, may  
25 prescribe the number of Class B-5 and B-6, B-7, B-8, or B-10

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

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

23 (h) Special elk permits. In the event the number of  
 24 valid applications for special elk permits for a hunting  
 25 district exceeds the quota set by the commission for the

1 district, these permits shall be awarded by a drawing.  
 2 Persons making valid application who did not receive a  
 3 special elk permit during the season immediately preceding  
 4 the drawing shall receive first preference in this drawing  
 5 for first, second, and third choice hunting districts. The  
 6 commission may promulgate the rules necessary to implement  
 7 this subsection.

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

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

25 (19) Class D-1 License—Nonresident Mountain Lion

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

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

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

-End-

March 10, 1977

STANDING COMMITTEE REPORT  
Senate Committee on Fish and Game

That House Bill No. 339 be amended as follows:

1. Amend title, line 5.  
Following: "TO"  
Strike: "THE OPENING DATE"  
Insert: "SEPTEMBER 15"
2. Amend page 3, section 1, line 8.  
Following: "to"  
Insert: "September 15 of"
3. Amend page 4, section 1, line 24.  
Following: "to"  
Insert: "September 15 of"
4. Amend page 6, section 1, line 7.  
Following: "to"  
Insert: "September 15 of"
5. Amend page 6, section 1, line 16.  
Following: "to"  
Insert: "September 15 of"
6. Amend page 7, section 1, line 7.  
Following: "to"  
Insert: "September 15 of"
7. Amend page 8, section 1, line 22.  
Following: "to"  
Insert: "September 15 of"
8. Amend page 12, section 1, line 17.  
Following: "to"  
Insert: "September 15 of"



1 HOUSE BILL NO. 339  
 2 INTRODUCED BY ELLISON, R. BAETH  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT PERSONS WHO  
 5 WILL HAVE REACHED 12 YEARS OF AGE PRIOR TO ~~THE-OPENING-DATE~~  
 6 SEPTEMBER 15 OF THE GENERAL HUNTING SEASON TO APPLY FOR AND  
 7 OBTAIN SPECIAL PERMITS FOR THAT YEAR SEASON; AMENDING  
 8 SECTION 26-202.1, R.C.M. 1947."

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

11 Refer to Introduced Bill

12 (Strike everything after the enacting clause and insert:)

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

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

22 (2) Class A-1 license--Resident Game Bird License.  
 23 Except as herein provided, any resident as defined by  
 24 section 26-202.3, who is ~~twelve-(12)~~ years of age or older,  
 25 may, upon payment of a fee of ~~four--dollars-(4)~~ receive a

1 Class A-1 license, which will entitle the holder to pursue,  
 2 hunt, shoot and kill game birds and possess the dead bodies  
 3 of game birds which are so authorized by regulations of the  
 4 commission.

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

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

20 (3) Class A-2 License--Special Bow and Arrow License.  
 21 A holder of any one of the following: a Class A-3, A-4, A-5,  
 22 B-2, B-5, B-6, B-7, B-8, or B-10 license, may upon payment  
 23 of an additional sum of ~~six--dollars-(6)~~ to any agent of the  
 24 fish and game commission authorized to issue fishing and  
 25 hunting licenses be entitled to a Class A-2 license, which

1 shall authorize the holder thereof to pursue, hunt, shoot,  
2 and kill the game animals authorized by the licenses held  
3 with bow and arrow and to possess these carcasses during  
4 special seasons, and in special areas, as may be designated  
5 by the fish and game commission.

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

21 (5) Class B License--Nonresident Fishing License. Any  
22 person not a resident as defined in section 26-202.3, upon  
23 payment of the sum of ~~twenty-dollars-20~~ to any agent of  
24 the fish and game commission authorized to issue fishing and  
25 hunting licenses, shall be entitled to a Class B license,

1 which shall entitle the holder thereof to fish with hook and  
2 line as authorized by the rules and regulations of the  
3 commission.

4 (6) Class B-1 License--Nonresident Game Bird License.  
5 Except as herein provided, any person not a resident as  
6 defined in section 26-202.3, but who is ~~twelve-12~~ years of  
7 age or older, upon payment of the sum of ~~thirty-dollars~~  
8 ~~30~~ to any agent of the fish and game commission  
9 authorized to issue fishing and hunting licenses shall be  
10 entitled to a Class B-1 license, which shall entitle the  
11 holder thereof to pursue, hunt, shoot, kill and possess game  
12 birds as authorized by the rules and regulations of the  
13 commission.

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

21 (7) Class B-2 License--Nonresident Combination  
22 License. Within the limitations of this section or any  
23 commission rule, any person not a resident as defined in  
24 section 26-202.3, but who ~~is~~ will be twelve-12 years of  
25 age or older prior to SEPTEMBER 15 OF the season for which

1 ~~the license is issued,~~ upon the payment of ~~fifty-dollars~~  
 2 ~~{50}~~ may apply to the fish and game office, Helena, Montana  
 3 for a Class B-2 license, and nonresident conservation  
 4 license as prescribed in section 26-230, which shall  
 5 authorize the holder to pursue, hunt, shoot, kill and  
 6 possess game birds, and to fish with hook and line as  
 7 authorized by the rules and regulations of the commission,  
 8 and to purchase additional and special licenses and tags as  
 9 provided by law 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~~ will be ~~twelve-{12}~~ years of age or older prior to  
 23 the season for which the license is issued and a holder of a  
 24 nonresident conservation license, upon the payment of the  
 25 sum of ~~fifty-dollars-{50}~~ shall be entitled to a Class B-5

1 license which shall authorize the holder to pursue, hunt,  
 2 shoot, and kill ~~one-{1}~~ deer in the area or areas designated  
 3 in the license, as determined by the commission, and to  
 4 possess the carcass of same.

5 (10) Class B-6 License--Nonresident Antelope License.  
 6 Any person not a resident as defined in section 26-202.3,  
 7 but who ~~is~~ will be ~~twelve-{12}~~ years of age or older prior  
 8 to SEPTEMBER 15 OF the season for which the license is  
 9 issued and a holder of a Class B-2 nonresident combination  
 10 license, upon the payment of the sum of ~~fifty-dollars-{50}~~  
 11 shall be entitled to a Class B-6 license which shall  
 12 authorize the holder to pursue, hunt, shoot, and kill ~~one~~  
 13 ~~{1}~~ antelope in the area designated in the license, as  
 14 determined by the commission, and to possess the carcass of  
 15 same.

16 (11) Class B-7 and B-8 Licenses. Any person not a  
 17 resident as defined in section 26-202.3, but who ~~is~~ will be  
 18 ~~twelve-{12}~~ years of age or older prior to SEPTEMBER 15 OF  
 19 the season for which the license is issued, and is a holder  
 20 of a B-2 nonresident combination license, may upon payment  
 21 of the proper fee or fees and subject to the limitations  
 22 prescribed by law and commission regulation be entitled to  
 23 apply to the Fish and Game Office, Helena, Montana, to  
 24 purchase one each of the following licenses: Class B-7,  
 25 Deer A Tag, ~~fifty-dollars-{50}~~; Class B-8, Deer B Tag,

1  ~~fifty-dollars-(\$50);~~ and will entitle the holder to pursue,  
 2 hunt, shoot, and kill the game animal or animals authorized  
 3 by the license held and to possess the dead bodies of game  
 4 animals of the state which are so authorized by the  
 5 regulations of the commission.

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

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

1 therefor:

2 Moose, resident  ~~twenty-five-dollars-(\$25), nonresident~~  
 3  ~~one-hundred-twenty-five-dollars-(\$125);~~

4 Mountain Goat, resident  ~~fifteen--dollars--(\$15),~~  
 5 nonresident  ~~seventy-five-dollars-(\$75);~~

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

8 Antelope, resident  ~~five-dollars-(\$5);~~

9 Grizzly Bear, resident  ~~twenty-five--dollars--(\$25),~~  
 10 nonresident  ~~one-hundred-twenty-five-dollars-(\$125);~~

11 Black or brown bear, nonresident  ~~fifty-dollars-(\$50).~~

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

17 In the event that the number of valid resident  
 18 applications for licenses exceeds the number of licenses  
 19 which the fish and game commission desires to issue in any  
 20 hunting district, then the number of licenses issued to  
 21 nonresident license holders in that hunting district shall  
 22 not exceed  ~~ten-per-cent-(10%)~~  of the total issued.

23 (b) A person who will be 12 years of age or older  
 24 prior to SEPTEMBER 15 OF the season for which the license is  
 25 issued may apply for a special antelope license.

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

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

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

1 prescribed by the fish and game commission.

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

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

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

17 Such disabled persons shall carry a permit on a form  
 18 prescribed by the commission.

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 and A-5 licenses at ~~two dollars~~ ~~(\$2)~~ per license.

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

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

25 (h) Special elk permits. In the event the number of

1 valid applications for special elk permits for a hunting  
 2 district exceeds the quota set by the commission for the  
 3 district, these permits shall be awarded by a drawing.  
 4 Persons making valid application who did not receive a  
 5 special elk permit during the season immediately preceding  
 6 the drawing shall receive first preference in this drawing  
 7 for first, second, and third choice hunting districts. The  
 8 commission may promulgate the rules necessary to implement  
 9 this subsection.

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

17 (18) Class AAA License--Sportsman's License. Any  
 18 resident, as defined by section 26-202.3, who ~~is~~ will be  
 19 ~~twelve~~ {12} years of age or older prior to SEPTEMBER 15 OF  
 20 the season for which the license is issued, upon payment of  
 21 the sum of ~~thirty-five-dollars~~ {35} shall be entitled to a  
 22 sportsman's license which shall permit the holder to  
 23 exercise all rights granted to holders of Class A, A-1, A-3,  
 24 A-5, A-6 and resident conservation licenses as prescribed in  
 25 section 26-230. The commission shall furnish each holder

1 of a sportsman's license an appropriate decal.

2 (19) Class D-1 License--Nonresident Mountain Lion  
3 License. Any person not a resident as defined in section  
4 26-202.3, but who is ~~twelve~~(12) years of age or older and a  
5 holder of a nonresident Class B-2 combination license, upon  
6 payment of the sum of ~~twenty-five dollars~~(\$25) to any agent  
7 of the fish and game commission authorized to issue fishing  
8 and hunting licenses shall be entitled to a Class D-1  
9 license, which shall entitle the holder thereof to pursue,  
10 hunt, shoot, kill and possess mountain lion as authorized by  
11 the rules and regulations of the commission.

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

21 (21) Special elk or deer licenses. (a) Any person who  
22 is the holder of a valid resident elk license or a Class  
23 B-10 nonresident big game combination license may apply for  
24 a special elk license upon payment of a fee of ~~one dollar~~  
25 ~~(\$1)~~.

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

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

-End-