# HOUSE BILL NO. 30

## INTRODUCED BY YARDLEY

## BY REQUEST OF THE DEPARTMENT OF FISH AND GAME

## IN THE HOUSE

January 4, 1979  Introduced and referred to Committee on Fish and Game.  January 6, 1979  On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to Pre-Filed bill.  January 25, 1979  Committee recommend bill do pass as amended. Report adopted.  January 26, 1979  Printed and placed on members' desks.  January 27, 1979  Second Reading, do pass as amended.  January 29, 1979  Correctly engrossed.  January 30, 1979  Third Reading, passed.  Transmitted to Second House.
suspended and sponsor's signature allowed to be added to Pre-Filed bill.  January 25, 1979  Committee recommend bill do pass as amended. Report adopted.  January 26, 1979  Printed and placed on members' desks.  January 27, 1979  Second Reading, do pass as amended.  January 29, 1979  Correctly engrossed.  January 30, 1979  Third Reading, passed.
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January 30, 1979 Third Reading, passed.
IN THE SENATE
January 31, 1979  Introduced and referred to Committee on Fish and Game.
February 7, 1979 Committee recommend bill be concurred in. Report adopted.
February 9, 1979 Second Reading, concurred in.
February 12, 1979 Third Reading, concurred in.

## IN THE HOUSE

February 13, 1979

Returned from Second House. Concurred in.

Sent to enrolling. Reported correctly enrolled.

46th Legislature

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LC 0218/01

LC 0218/01

1	HOUSE BILL NO. 30
2	INTRODUCED BY
3	BY REQUEST OF THE DEPARTMENT OF FISH AND GAME
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A
6	COMMERCIAL MHITEFISH ANGLING LICENSE AND TO MAKE NECESSARY
7	PROVISION THEREFOR; AMENDING SECTION 87-4-601, MCA; AND
8	PROVIDING AN EFFECTIVE DATE."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 87-4-601, MCA, is amended to read:
12	#87-4-601. Sale of fish or spawn unlawful
13	exceptions. (1) No Except as provided in subsection (2). no
14	person may, for speculative purposes, for market, or for
15	sale, in any way, catch any of the fish which in this title
16	are classified as game fish or remove or cause to be removed
17	the eggs or spawn of any such fish. No person may sell or
18	offer for sale any of the game fish of this state as defined
19	in this title or the eggs or spawn therefrom.
20	(2) Thissectiondoes   The restrictions of subsection
21	(1) do not apply to:
22	(a) the catching of fish cought in private ponds by
23	the owners thereof:
24	(b) orto the taking of fish by the state authorities

for the purpose of obtaining eggs for propagation in state

the department to take eggs for such purposes: or 2 3 (c) the catching selling or offering for sale of whitefish or whitefish eggs or spawn by the holder of a valid commercial whitefish fishing license." NEW SECTION. Section 2. Class AW-commercial whitefish fishing license. Any resident, as defined by 87-2-102, upon payment of a fee of \$15 shall receive a class AM-commercial whitefish fishing license which shall entitle the holder to 10 fish with hook and line or rod as authorized by rules of the 11 department. NEW SECTION. Section 3. Records 12 and report 13 commercial whitefish license holders. A holder of 14 commercial whitefish fishing license shall keep a monthly record and make an annual report to the department of the 15 16 number of whitefish taken, number of whitefish sold, and the 17 date of each sale. The wonthly record may be inspected by 18 authorized department employees at any reasonable time. The 19 annual report shall be submitted to the appropriate 20 department regional office within 15 days of the end of the 21 license year.

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fish hatcheries or by any person who receives a permit from

Title 87, chapter 2 apply to section 2 of this act.

this act is intended to be codified as an integral part of

Title 87, chapter 2, part 3, and the provisions contained in

Section 4. Codification instructions. (1) Section 2 of

1 (2) Section 3 of this act is intended to be codified
2 as an integral part of Title 87, chapter 4, part 6, and the
3 provisions of Title 67, chapter 4, part 6, apply to section
4 3 of this act.
5 Section 5. Effective date. This act is effective May

-End-

1. 1980.

-3-

46th Legislature HB 0030/02

HOUSE BILL NO. 30

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Approved by Comm. on Fish and Game

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2	INTRODUCED BY YARDLEY
3	BY REQUEST OF THE DEPARTMENT OF FISH AND GAME
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISHA
6	GRMMERGIALWHITEFISHANGLING-LIGENSE-AND-TO-MAKE-NEGESSARY
7	PROVISION-THEREFOR EXCEPT WHITEFISH FROM THE PROHIBITION
δ	AGAINST SALE OF GAME FISH; AMENDING SECTION 87-4-601. HCA+
9	AND-PROVIDING-AN-EFFECTIVE-BATE."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 87-4-601, MCA. is amended to read:
13	#87-4-601. Sale of fish or spawn unlawful
14	exceptions. (1) No Except as provided in subsection (2). no
15	person may, for speculative purposes, for market, or for
16	sale, in any way, catch any of the fish which in this title
17	are classified as game fish or remove or cause to be removed
13	the eggs or spawn of any such fish. No person may sell or
15	offer for sale any of the game fish of this state as defined
20	in this title or the eggs or spawn therefrom.
21	(2) This-section-does <u>The restrictions of subsection</u>
22	(1) do not apply to:
23	(a) the catching of fish eaught in private ponds by
24	the owners thereof:
25	(b) or-to the taking of fish by the state authorities

for the purpose of obtaining eggs for propagation in state 2 fish hatcheries or by any person who receives a permit from the department to take eggs for such purposes: or 3 (c) the-catchingy-sellingy-or-offering-for-sale-of 5 whitefish-or-whitefish-eggs-or-spawn--by--the-sholder-of--a 6 volid-commercial-whitefish-fishing-licenser IHE TAKING OF 7 WHILEEISH." NEW-SEETION: -- Section-2--- Eloss-AW-commercial-whitefish fishing-licenses--Any-residenty-as-defined-by-87-2-102y-upon 9 payment-of-a-fee-of-015-shall-receive-a-class--AK-commercial 10 whitefish--fishing-license-which-shall-entitle-the-holder-to 11 fish-with-hook-and-line-or-rod-as-authorized-by-rules-of-the 12 13 departments NEW SECTION. Section 2. Records and 0E report 14 WHITEFISH SALES by commercial whitefish FISHING license 15 holders. A holder of a commercial-whitefish fishing license 16 WHO CATCHES WHITEFISH FOR SPECULATIVE PURPOSES. FOR MARKET. 17 OR FOR SALE shall keep a monthly record and make an annual 18 report to the department of the number-of-whitefish-tokeny 19 number of whitefish sold, and the date of each sale. The 20 monthly--record--may--be--inspected-by-suthorized-deportment 21 employees-ot-eny-reasonable-times The annual report shall be 22 submitted to the appropriate department regional office 23 within 15 days of the end of the license year. 24

Section 3. Codification instructions. (1)-Section-2-of

-2- SECOND READING PB 30

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HB 0030/02

HB 0030/02

this--oct--is-intended-to-be-codified-as-en-integral-part-of

title-87v-chapter-2v-part-3v-end-the-provisions-contained-in

title-87v-chapter-2-apply-to-section-2-of-this-actv

{2) Section 3 2 of this act is intended to be codified
as an integral part of Title 87v chapter 4v part 6v and the
provisions of Title 87v chapter 4v part 6v apply to section

of this actv

section-5v--Effective--datev--This-act-is-effective-May

ty-1980v

-End-

46th Legislature HB 0030/03

1	HOUSE BILL NO. 30
2	INTRODUCED BY YARDLEY
3	BY REQUEST OF THE DEPARTMENT OF FISH AND GAME
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISHA
6	GONNERGIALWHITEFISHANGLING-LIGENSE-AND-TO-MAKE-NECESSARY
7	PROVISION-THEREFOR EXCEPT WHITEFISH FROM THE PROHIBITION
8	AGAINST SALE DE GAME FISH; AMENDING SECTION 87-4-601, MCA:
9	AND-PROVIDING-AN-EFFEETIVE-BATE."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 87-4-601, MCA, is amended to read:
13	#87-4~601. Sale of fish or spawn unlawful
14	exceptions. (1) No Except as provided in subsection (21: no
15	person may, for speculative purposes, for market, or for
16	sale, in any way, catch any of the fish which in this title
17	are classified as game fish or remove or cause to be removed
18	the eggs or spawn of any such fish. No person may sell or
19	offer for sale any of the game fish of this state as defined
20	in this title or the eggs or spawn therefrom.
21	(2) This-section-does The restrictions of subsection
22	<pre>(1) do not apply to:</pre>
23	(a) the catching of fish caught in private ponds by
24	the owners thereof:
25	(b) or-to the taking of fish by the state authorities

for the purpose of obtaining eggs for propagation in state 1 fish hatcheries or by any person who receives a permit from the department to take eggs for such purposes: Or (c) the-catchings-sellings-or-offering-for-sele-of whitefish-or-whitefish-oogs-or-spawn--by--the--holder-of--0 volid--compercial--whitefish--fishing-licenses IHE-TAKING-OF WHITEFISH THE CATCHING OF WHITEFISH BY THE HOLDER OF A VALID FISHING LICENSE FISHING WITH HOOK AND LINE OR ROD IN SPECIFIED WATERS DESIGNATED BY RULES AND REGULATIONS OF THE DEPARTMENT." 10 <u>NEW-SECTIONs--Section-2---Class-AW-commercial-whitefish</u> 11 12 fishing-license---kny-residenty-as-defined-by-87-2-102y-upon 13 payment-of-a-fee-of-\$15-shall-receive-a-class--AW-commercial 14 whitefish--fishing-license-which-shall-entitle-the-holder-to 15 fish-with-hook-end-line-or-rod-as-authorized-by-rules-of-the 16 departments 17 NEW SECTION. Section 2. Records and Q£ report 18 WHITEFISH SALES by commercial whitefish FISHING license 19 holders. A holder of a commercial-whitefish fishing license 20 WHO CATCHES WHITEFISH FOR SPECULATIVE PURPOSES. FOR MARKET. 21 OR FOR SALE shall keep a monthly record and make an annual 22 report to the department of the number-of-whitefish-takeny number of whitefish soldy and the date of each sale. The 23 monthly--record--may--be--inspected-by-authorized-department 24 25 employees-at-any-reasonable-time. The annual report shall be

-2- HB 30

HB 0030/03

1	submitted to the appropriate department regional office
2	within 15 days of the end of the license year.
3	. Section 3. Codification instructions. <del>(1)-Section-2-of</del>
4	thisactis-intended-to-be-codified-as-an-integral-part-of
5	<del>                                      </del>
6	<del>Title-87v-chapter-2-apply-to-section-2-of-this-act</del>
7	<pre>     Section 3 2 of this act is intended to be codified </pre>
8	as an integral part of Title 87. chapter 4. part 6. and the
9	provisions of Title 87, chapter 4, part 6, apply to section
10	3 of this act.
11	Section-SuEffectivedateuThis-act-is-affective-May

-End-

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46th Legislature HB 0030/04 HB 0030/04

1	HOUSE BILL NO. 30
2	INTRODUCED BY YAROLEY
3	BY REQUEST OF THE DEPARTMENT OF FISH AND GAME
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISHA
6	CONMERCIALWHITEFISHANGLING-LIGENSE-AND-TO-MAKE-NEGESSARY
7	PROVISION-THEREFOR EXCEPT WHITEFISH FROM THE PROHIBITION
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12	Section 1. Section 87-4-601: MCA: is amended to read:
13	#87-4-601. Sale of fish or spawn unlawful
14	exceptions. (1) No Except as provided in subsection (2). no
15	person may, for speculative purposes, for market, or for
16	sale, in any way, catch any of the fish which in this title
17	are classified as game fish or remove or cause to be removed
18	the eggs or spawn of any such fish. No person may sell or
19	offer for sale any of the game fish of this state as defined
20	in this title or the eggs or spawn therefrom.
21	(2) This-section-does <u>The restrictions of subsection</u>
22	(1) do not apply to:
23	(a) the catching of fish caucht in private ponds by
24	the owners thereof;
25	(b) or-to the taking of fish by the state authorities

2	fich habehoring or by any parson who receives a second firm
_	fish hatcheries or by any person who receives a permit from
3	the department to take eggs for such purposes <u>i or</u>
4	(c) the catching = selling = correction for sale of
5	whitefish_oc_whitefish_egga_oc_apewo_bythebolderof
6	volid==commercial==whitefish==fishing=licensex
7	MHITEEISH INE_CAICHING_OF_MHITEEISH_BY_THE_HOLDER_OF_A_YALI
8	EISHING LICENSE FISHING WITH HOOK AND LINE OR ROD IT
9	SPECIFIED WATERS DESIGNATED BY RULES AND REGULATIONS OF THE
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HB 0030/04

1	submitted to the appropriate department regional office
2	within 15 days of the end of the license year.
3	Section 3. Codification instructions. <a href="title=" title-section-2-of"="">title=section-2-of</a>
4	thisactis-intended-to-be-codified-as-an-integral-part-of
5	fitte-87-chapter-2-part-3-and-the-provisions-contained-in
6	Title-87chapter-2-apply-to-section-2-of-this-act.
7	<del>†2↑</del> Section 3 2 of this act is intended to be codified
8	as an integral part of Title 87, chapter 4, part 6, and the
9	provisions of Title 87, chapter 4, part 6, apply to section
10	3 of this act.
11	Section-SaEffectivedatesThis-act-is-effective-May
12	1v-1980e

-End-