

SENATE BILL NO. 342

INTRODUCED BY E. SMITH, ETCHART

IN THE SENATE

February 2, 1979	Introduced and referred to Committee on Fish and Game.
February 5, 1979	Fiscal note requested.
February 9, 1979	Fiscal note returned.
February 12, 1979	Committee recommend bill do pass. Report adopted.
February 13, 1979	Printed and placed on members' desks.
February 14, 1979	Motion pass consideration.
February 15, 1979	Second reading, do pass.
February 16, 1979	Considered correctly engrossed.
February 17, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 19, 1979	Introduced and referred to Committee on Fish and Game.
March 6, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 7, 1979	Second reading, concurred in.
March 9, 1979	Third reading, concurred in as amended.

IN THE SENATE

March 10, 1979	Returned from second house. Concurred in as amended.
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March 12, 1979

Second reading, pass consideration.

March 13, 1979

Second reading, amendments adopted.

March 14, 1979

Third reading, amendments adopted. Sent to enrolling.

Reported correctly enrolled.

1 *Senet* BILL NO. *342*
 2 INTRODUCED BY *E. Smith Eubank*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REGULATE THE
 5 TRAPPING OF PREDATORS AND NONGAME WILDLIFE BY NONRESIDENTS;
 6 AMENDING SECTION 87-2-103, MCA."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 87-2-103, MCA, is amended to read:
 10 "87-2-103. License required. It is unlawful for any
 11 person to:

12 (1) pursue, hunt, trap, take, shoot, or kill or
 13 attempt to trap, take, shoot, or kill any game animal, any
 14 game bird, or any fur-bearing animal or take, kill, trap, or
 15 fish for any fish within this state or have, keep, or
 16 possess within this state any game animal, game bird,
 17 fur-bearing animal, game fish, or parts thereof, except as
 18 herein provided or as provided by the department; or

19 (2) pursue, hunt, trap, take, shoot, or kill or
 20 attempt to trap, take, shoot, or kill any game animal, game
 21 bird, or fur-bearing animal or take, kill, trap, or fish for
 22 any fish, except at the places and during the periods and in
 23 the manner herein defined or as defined by the department;
 24 or

25 (3) pursue, hunt, trap, take, shoot, or kill or

1 attempt to trap, take, shoot, or kill any game animal, game
 2 bird, or fur-bearing animal or take, kill, trap, or fish for
 3 any fish within this state or have, keep, possess, sell,
 4 purchase, ship, or reship any imported or other fur-bearing
 5 animal or parts thereof without first having obtained a
 6 proper license or permit from the department to do so; or
 7 (4) trap or snare or attempt to trap or snare
 8 predatory animals or nongame wildlife without a license as
 9 prescribed in [section 2] if that person is not a resident
 10 as defined in 87-2-102."

11 NEW SECTION. Section 2. Class C-2 -- nonresident
 12 trapper's license. (1) Any person not a resident as defined
 13 in 87-2-102, upon making application to the department and
 14 paying a fee of \$250 to the department, is entitled to a
 15 nonresident trapper's license that authorizes the holder to
 16 trap and snare predatory animals and nongame wildlife within
 17 the state. Such trapping or snaring is permitted only after
 18 October 15 of each license year, in such manner as may be
 19 lawful under the laws of the state and the rules of the
 20 commission, and at such places as may be designated in the
 21 license.

22 (2) Any person not a resident whose state of residence
 23 does not sell nonresident trapper's licenses to Montanans
 24 may not be issued a Class C-2 license under subsection (1).

25 NEW SECTION. Section 3. Permission of landowner

1 required. Every holder of a Class C-2 trapper's license
2 shall obtain written permission from the landowner, lessee,
3 or his agent before trapping or snaring predatory animals or
4 nongame wildlife on private property.

-End-

STATE OF MONTANA

Request No. 213-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5, 1979, there is hereby submitted a Fiscal Note for Senate Bill 342 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 342 is legislation proposed to regulate the trapping of predators and nongame wildlife by nonresidents.

ASSUMPTIONS:

1. Approximately 50 nonresident trapper's licenses will be sold.
2. The \$250 license fee will not discourage trapping predators, as one properly handled prime coyote will bring up to \$275 at current prices.
3. The October 15 opening date for nonresident trappers will curtail numbers somewhat as most states' trapping seasons open during the period October 20-November 10.
4. An estimated .5 FTE would be required annually to administer this provision. The duties would be absorbed by current-level personnel on a statewide basis.

REVENUE IMPACT:

	<u>FY 80</u>	<u>FY 81</u>
Fee collections under proposed law	\$12,500	\$12,500
Fee collection under current law	0	0
Increased fee collection under proposed law	<u>\$12,500</u>	<u>\$12,500</u>

Richard L. Tranter
BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 2/9/79

Approved by Comm.
on Fish and Game

1 Amend BILL NO. 342
2 INTRODUCED BY E. Smith Erhart

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14 game bird, or any fur-bearing animal or take, kill, trap, or
15 fish for any fish within this state or have, keep, or
16 possess within this state any game animal, game bird,
17 fur-bearing animal, game fish, or parts thereof, except as
18 herein provided or as provided by the department; or

19 (2) pursue, hunt, trap, take, shoot, or kill or
20 attempt to trap, take, shoot, or kill any game animal, game
21 bird, or fur-bearing animal or take, kill, trap, or fish for
22 any fish, except at the places and during the periods and in
23 the manner herein defined or as defined by the department;

24 or

25 (3) pursue, hunt, trap, take, shoot, or kill or

1 attempt to trap, take, shoot, or kill any game animal, game
2 bird, or fur-bearing animal or take, kill, trap, or fish for
3 any fish within this state or have, keep, possess, sell,
4 purchase, ship, or reship any imported or other fur-bearing
5 animal or parts thereof without first having obtained a
6 proper license or permit from the department to do so; or
7 (4) trap or snare or attempt to trap or snare
8 predatory animals or nongame wildlife without a license as
9 prescribed in [section 2] if that person is not a resident
10 as defined in 87-2-102."

11 NEW SECTION. Section 2. Class C-2 -- nonresident
12 trapper's license. (1) Any person not a resident as defined
13 in 87-2-102, upon making application to the department and
14 paying a fee of \$250 to the department, is entitled to a
15 nonresident trapper's license that authorizes the holder to
16 trap and snare predatory animals and nongame wildlife within
17 the state. Such trapping or snaring is permitted only after
18 October 15 of each license year, in such manner as may be
19 lawful under the laws of the state and the rules of the
20 commission, and at such places as may be designated in the
21 license.

22 (2) Any person not a resident whose state of residence
23 does not sell nonresident trapper's licenses to Montanans
24 may not be issued a Class C-2 license under subsection (1).

25 NEW SECTION. Section 3. Permission of landowner

1 required. Every holder of a Class C-2 trapper's license
2 shall obtain written permission from the landowner, lessee,
3 or his agent before trapping or snaring predatory animals or
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5 animal or parts thereof without first having obtained a
6 proper license or permit from the department to do so or
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8 predatory animals or nongame wildlife without a license as
9 prescribed in [section 2] if that person is not a resident
10 as defined in 87-2-102a"

11 NEW SECTION. Section 2. Class C-2 -- nonresident
12 trapper's license. (1) Any person not a resident as defined
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14 paying a fee of \$250 to the department, is entitled to a
15 nonresident trapper's license that authorizes the holder to
16 trap and snare predatory animals and nongame wildlife within
17 the state. Such trapping or snaring is permitted only after
18 October 15 of each license year, in such manner as may be
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20 commission, and at such places as may be designated in the
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22 (2) Any person not a resident whose state of residence
23 does not sell nonresident trapper's licenses to Montanans
24 may not be issued a Class C-2 license under subsection (1).

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(2) pursue, hunt, trap, take, shoot, or kill or attempt to trap, take, shoot, or kill any game animal, game bird, or fur-bearing animal or take, kill, trap, or fish for any fish, except at the places and during the periods and in the manner herein defined or as defined by the department; or

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(2) Any person not a resident whose state of residence does not sell nonresident trapper's licenses to Montanans may not be issued a Class C-2 license under subsection (1).

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SB 0342/02

1 required. Every holder of a Class C-2 trapper's license
2 shall obtain written permission from the landowner, lessee,
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4 nongame wildlife on private property.

5 SECTION 4, CODIFICATION, SECTIONS 2 AND 3 ARE
6 INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 81,
7 CHAPTER 2, PART 6, AND THE PROVISIONS CONTAINED IN TITLE 81,
8 CHAPTER 2, PART 6, APPLY TO SECTIONS 2 AND 3.

-End-

March 6, 1979

HOUSE OF REPRESENTATIVES

Committee on Fish and Game amendments to SENATE BILL NO. 342, third reading copy as follows:

1. Page 3.

Following: line 4

Insert: "Section 4. Codification. Sections 2 and 3 are intended to be codified as an integral part of Title 87, chapter 2, part 6, and the provisions contained in Title 87, chapter 2, part 6, apply to sections 2 and 3."

AND AS AMENDED BE CONCURRED IN