# HOUSE BILL NO. 200 <br> INTRODUCED BT ELLISON <br> BY REQUEST OP THE DEPARTMENT OF FISH, WILDLIPE, AND PARKS 

IN THE ROUSE

January 14, 1981

January 16. 1981

January 21, 1901
February 21,1981

February 23, 1981

February 24. 1981

Februacy 25, 1981

Introduced and raferred to Committee on Taxation.

PIscal note requested.
Rereferced to Comitete on F1ah and Game.

Piscal note returned.

Committee recommend bill do pans as amended. Report adopted.

BL11 printed and placed on members" desks.

Second reading, do pass as amended.

On motion rules sumpended and bill placed on third reading this aday.

Third reading, pasaed. Ayes, 80; Noes, 17. mransmitted to genate.

IN THE SENATE

March 3. 1981

Harch 26, 1981

Maxch 28, 1981

Introduced and raferred to Conmittee on Fish and Game.

Cominitee recommend till be concurted in as manded. Report adopted.

Motion pass coneideration.

March 30, 1981
march 31. 1981

April 1, 1981
April 8, 1981

April 9, 1981
April 14, 1981

April 17, 1981

April 20, 1980

April 20, 1981

Second reading, concurred in as amended.

On motion rules sumpended. Bill allowed to be transmitted on 7lat legialative day. Motion adopted.

Third reading, concurred in as amended. Ayes, 34; Noes, 16.

IN THE HOUSE
Returned from Senate with amendments
Second reading, amendments not concurred in.

On motion Free Conterence Comittee requested.

Free Conference Comittee appointed.
Free Conference Comittee reported and dissolved.

Second reading, Free Conference Comittee report adopted.

On motion rules suspended and free Conference Committee report placed on thira reading this day.

Third reading, Free Conference Comittee report adopted. Ayes, 83; Noes. 12. Transmitted to senate.

In THE SENATE
Free Conference Comittee report adopted.

IN THE HOUSE

Returned from Senate. Sent to enrolling.

Reported correctly enrolled.

[^0]original license is lost, stolen, or destroyed upon payment of-the-sum-of-*3--of--the--cost--of--the--originot--tieenset

## whienever-is-the-smather-amount of_the_original_orice_of_the

## loste_stolene or destroyed_licenses not to exceed $\$ 25^{\circ} \mathrm{m}$

Section 2. Section $87-2-202$, MCA, is amended to read:
-87-2-202. Application -- stamp attachment -- fee -expiration. (1) A wildife conservation ificense shall be sold upon written application. The application shall contain the applicant's name, age, occupation, place of residence, post-office address, and length of time in the state of Montana; state whether the applicant is a citizen of the United States or an alieni and be subscribed by the applicant. The applicant shall present a driver's license or other identification to substantiate the informatione
(2) Hunting, fishing, or trapping licenses in the form of tags or stanps issued to a holder of a wildife conservation license must be affixed to or recorded on the wildife conservation license according to such rules as the department may prescribe.
(3) Resident and nonresident wildife conservation Iicenses may be purchased for a fee of $\$ \mathbf{\$ 3}$.
(4) Licenses issued shall be void after April 30 next succeeding their issuance."
Section 3. Section 87-2-301, MCA , is amended to read:
"87-2-301. Class A--resident fishing license. Any

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\begin{gathered}
-2-\quad \text { INTRODUCED BILL } \\
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\end{gathered}
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resident, as defined by 87-2-102, upon payment of a fee of
 recejve a Class A license which shall entitle the holder thereof to fish with hook and ine or rod as authorized by regulations of the department."
Section 4. Section 87-2-302, MCA, is amended to read:
m87-2-302. Class g--nonresident fishing license. Any person not a resident, as defined in 87-2-102, upon payment of the sum of $\$ 2 \theta$ sto to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to a Class $B$ license which shall entitle the holder thereof to fish with hook and line as authorized by the rules and regulations of the departiment."
Section 5. Section $87-2-304$, MCA, is amended to read:
"97-2-304. Class B-4--one-der tho-day nonresident fishing license. Any person not a resident, as defined in 87-2-102, who is a holder of a valid wildife conservation license, upon payment of the sum of tz 54 to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to $a$-day 2 -day nonresident fishing license which shall authorize the holder to fish whth hook and line as preseribed by rules and regulations of the department for $\pm 2$ calendar day days as indicated on the Iicense."
NEH SECILONa Section 6. Paddlefish tags. The

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department may issue paddlefish tags to holders of valid
Class A, Class B, and Class B-4 fishing licenses for a fee
of $5. Each tag authorizes the holder to fish with nook and
line for paddlefish as prescribed by rules of the
department.
Section 7. Section AT-2-40I, MCA, is anended to read:
"87-2-401. Class A-1--resident game bird license. Except as otherwise provided, a resident, as defined by 87-2-102, who is 12 years of age or older may, upon payment of a fee of \(\$ 4\) 55_ors_after_April_30._1983e_a_fee_of_56, receive a Class \(A-I\) license which will entitle the holder to pursue, hunt, shoot, and kill game birds and possess the carcasses of game bifds as authorized by department rufes."
Section 8 . Section \(87-2-402, \mathrm{MCA}\), is amended to read:
-87-2-402. Ctass B-1--nonresident game bird license. Except as otherwise provided in this chapter, a person not a resident, as defined in \(87-2-102\), but who is 12 years of age or older, upon payment of a fee of \(\$ 30 \$ 40\) may receive a Class B-1 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill game birds and possess the carcasses of game birds as authorized by department rules."
Section 9. Section \(87-2-403, \mathrm{MCA}\), is amended to read:
H87-2-403. Wild turkey tags and fee. (1) The department may issue wild turkey tags to the holder of a valid Class \(A-1\) or Class \(B-1\) icense. Each tag shall entitle
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the holder to pursue, hunt, shoot, and kill one wild turkey and possess the carcass thereof, during such times and such places as the department shall authorize an open season on wild turkey.
(2) The fee for a wild turkey tag shall be 57 \$5. Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules."

Section 10. Section 87-2-501, MCA, is amended to read:

- $87-2-501$. Class $A-3, A-4, A-5, A-6-$ resident deer. elk, and bear licenses. Except as otherwise provided in this chapter, a resident, as defined by $87-2-102$, who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses 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 carcasses of those game animals as authorized by department rules:
(1) Class A-3, deer $A$ tag, 37 \$8_until_April_30_1283n then 510 ;
(2) Class $A-4$, deer $B$ tag, 55
(3) Class A-5, elk tag, to slo_until_April_30e_12d3e then s12;
(4) Class A-6, black or brown bear tag, ti s 510 ."

Section 11. Section 87-2-505, $H C A$, is amended to read:
*87-2-505. Class B-10--nonresident big game combination licenses Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the fee of 5275 s 300 _ors_after ADVil 30219832 feemof 5325 and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a $\mathrm{e}-10$ nonresident big game combination license which shall entitle the holder to
 black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in B7-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license yearn

Section 12. Section 87-2-507, MCA, is amended to read=
m87-2-507. Class D-1--nonresident mountain lion license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of $\$ 280 \quad \$ 250$ may receive a Class $D-1$ license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."

Section 13. Section 87-2-508, MCA; is amended to read:

M87-2-508. Class D-2--resident mountain lion ficense. Except as otherwise provided in this chapter, a person who is a resident, as defined in 87-2-102, and who is 12 years of age or older, upon payment of a fee of $\$ 5 \$ 25$ may receive a Class $\mathrm{B}-2$ license which shall entitle the holder thereof to pursue, hant, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."

Section 14. Section $87-2-601, \mathrm{MCA}$, is amended to read:

- ${ }^{-17-2-602 . ~ C l a s s ~ C--t r a p p e r " s ~ l i c e n s e . ~ E x c e p t ~ a s ~}$ otherwise provided in this chapter, a resident, as defined in 87-2-102, upon making application and payment of a fee of $\$ 30$ s25 to the department, may receive a Class $C$ license which shall authorize the holder thereof to trap fur-bearing animals and hunt bobcat, wolverine, and Canada lynx within the state of Montana at such times and in such manner as may be lawful so to do under the laws of the state and the regulations of the department and at such places as may be designated in said license."

Section 15. Section 87-2-701, HCA, is amended to read:
m87-2-701. Special licenses. (1) Any applicant who witl be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildife conservation license or a nonresident mildife conservation license may apply for a special Jicense which, in the judgment of the department, is to be
issued and shall pay the following fees therefor:
(a) moose-resident, $\$ 25$ \$50; nonresident, $\$ 454$ \$250;
(b) mountain goat--resident, $\$ 45$ \$50; nonresident, \$ 750 s250;
(c) mountain sheep-resident, szs 550 ; nonresident. $\$ 350$ 1250;
(d) antelope--resident, \$5 510 ; nonresident, $\$ 100$;
(e) grizzly bear--resident, szs \$50; nonresident, \$150 5250;
(f) black or brown bear--nonresident, $\$ 100$.
(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of $\mathbf{s 2 5}$ within 10 days after date of kill. Such trophy iicense shall authorize the holder to possess and transport said trophy*
(3) Special licenses shall be issued in a manner prescribed by the departuent."

Section 16. Section $87-2-702, \mathrm{MCA}$, is amended to read:
 person--who--hes--obteined--a--grizziy-beary-mooser-mountatn goetr-or-motintatn-sheep-7ieense-is-not-etigibte-to-apply-for another-sueh-7ieense-for-the-next-sueeteding-7-yeors-if-sueh person-hes-kflted-or-taken-en--enimat--of--the--speetes--for which--the--spectet--7teense--wos--issuedr--A-person-whe-has obteined-n-grizyly-teary-mooser-mountsin-goaty--or--mountain
sheep--ifeense--but--did--not--k+łł-or-take-an-animat-of-the speeies-for-whieh-the-speetat-7ieense-was-issued-is-etigibte to-apply-for-another-sueh-7ieense-in-any-sueeeeding-year--if he--returns--his--unused--speeiot--łieense-to-the-department before-er-at-the-time-apptieation-is-madev
til A person who has received a special permit for elk is not eligible to receive a second special permit for this species of game animal during any license year. However, in the event the number of applications received is not equal to the number of game animals desired to be killed by the department, reapplication may be made by those valid license holders of the current year who may fall within these limitations.
thill) A person who has killed or taken any game animal, except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."
Section 17. Section 87-2-705, MCA, is amended to read:
-87-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the department for the district, these permits shall be awarded by 3 drawing. Persons-making-vełid-eppłieation-who-did-not receive-o-speciał-ełk-permit-during-the--season--immedieteły
preeeding-the-drawing-shat+-reeefve-first-preference-in-this drawing---for---firstp--secondT--and--third--ehotee--hunting distrietsi The_department_shall_provide_for_those_dersons making_valig application_for_special_elk_permits_a_methog_of selecting_firste_secande_and_third_choice_huntlag_districts for__any_drawing_held__pursuant_to_this__sectione The department may promulgate the rules necessary to implement this section."

Section 18. Section 87-2-70.6. MCA, is amended to read:
"87-2-706. Drawing for special antelope licenses. In the event the number of valid applications for special antelope licenses for hunting district exceeds the quota set by the departant for the district, such licenses shall be awarded by a drawing. Persons-making-vetid--apptieation whe-did--not--receive-on-antetope-7icense-durfng-the-season immediotełr-preeeding-the--drawing--shaf+--be--given--first preference--in--such--drewing--for--firsty-seeondy-and-third ehoree-honting-digtrietsw Ihe_department_shall_proxide_for those_persons making_yalid_apolication_for_special_antelope licenses_a_method_of_selecting_firste__seconde_and_third choice_hunting_districts_for_any drawing_held_pursuant to this_sectione The department shall have the authority to promulgate such rules and regulations as are necessary to implement this section."

NEw SEEIIONe Section 19. Drawing fee. (1) When the
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department determines a drawing is necessary prior to . issuance of hunting licenses for any game species during a hunting seasong it shall collect a $\$ 5$ drawing fee with each application submitted.
(2) This fee must be deposited in the earmarked revenue fund to the credit of the department as set forth in 87-1-601.
(3) The payment of a drawing fee confers no hunting rights or privileges.
(4) The commission may waive the provisions of subsaction (1) when a drawing is required for a special season under 87-1-304.

Section 20. Section $87-2-711, M C A$, is amended to read:
r87-2-711. Class AAA--sportsman's license. Any resident, as defined by $87-2-102$, who will be 12 years of age or older prior to September 15 of the season for which the $\mathbf{j}$ icense is issued, upon payment of the sum of 335 4.0, shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to nolders of CTass $A$, $A-1, A-3, A-5, A-6$, and resident conservation licenses as prescribed in 87-2-202. The department shałl furnish each holder of a sportsman's license an appropriate decal."

Section 21. Section 87-2-605, MCA, is amended to read:
m87-2-805. Persons under fifteen years of age. (1)

Minors under 15 years of age may fish for and take fish during the open season without a license. However, no nonresident person under the age of 15 years may $f i s h$ in or on any Montana waters without first having obtained a class $B$, $B-3$, or $B-4$ fishing license unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.
(2) Residents, as defined by 87-2-102, under the age of 15 years may purchase Class $A-1, A-3$, and $A-5$ licenses at tz 53 per 1 icense.*

Section 22. Section 87-2-903. MCA, is amended to read:
-87-2-903. Compensation and duties of agents. (1) License agents, except salaried employees of the department, shall receive for all services rendered the sum of $\mathbf{4 5} 30$ cents for each license, permity or certificate issued. On or before the loth day of each month each license agent shall submit to the department all duplicates of each class of licenses sold during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of 4530 cents for each license sold. Each license agent shall keep his license account open at all reasonable hours to inspection by the departmenty the
director, the wardens, or the legislative auditor
(2) For purposes of this section, the term wicense* includes any license, permit, and certificate prescribed by the department."

Section 23. Section 87-5-204, MCA, is amended to read:
-87-5-204. License and rules for falconry. (1) The department may adopt specific rules for the keeping of records and for the trapping, taking, possession, or training of raptors used in the practice of falconry and may authorize the issuance of licenses to persons for the practice of falconry. It is unlawful for any person to possess a raptor or to train a raptor in the practice of falconry without a license.
(2) The fee for a falconry license is $53 \$ 25$ a year or any part of a year. A license expires April 30 each year.
(3) A license may not be issued to a person under the age of 12 years.
(4) Licensees shall have in possession a valid falconer's license when engaged in the practice of falconry. In addition, falconers loosing raptors at game birds shall have in possession a valid resident or nonresident game bird license.
(5) Falconry licenses or permits are not transferable and may be revoked for due cause at any time by the department."

Section 24. Repealer. (1) Sections 87-2-703 and 87-2-721, MCA, are repealed effective May 1, 1981.
(2) Section $87-2-303$, MCA, is repealed effective May 1, 19日2.

Section 25. Codification instruction e (1) Section 6 is intended to be codified as an integral part of Title 87, chapter 2, part 3, and the provisions of Title 87 apply to section 6.
(2) Section 19 is intended to be codified as an integral part of Title 87, chapter 2, part 1 , and the provisions of Title 87 apply to section 19.

Section 26. Effective date. This act is effective as follows:
(1) Sections 2 and 19 are effective May $1,1981$.
(2) Section 24 is effective as provided therein.
(3) Section 16 is effective July $1,1980$.
(4) Sections 17 and 18 are effective on passage and approval of this act.
(5) All other sections are effective May 1, 1982. -End-

In compliance with a written request received January 16_, 19 , there is hereby submitted a Fiscal Note for $\qquad$ pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).
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

An act to increase funds available for management of the state's wildlife resources by increasing the fees for hunting, flshing, trapping, and related licenses and permits; removing the 7 -year kill limitation on certain game animals; and removing the priority status for unsuccessful special elk and antelope license applicants.

## Assumptions

It is assumed the license dealer commission fee will be increased from 15 ç to 30 c per license. It is assumed the price of some licenses will not change (bow and arrow, nonresident antelope, nonresident bear, resident and nonresident Deer B). It is assumed the proposed fee increases will occur in three separate waves spread over the next several years: May 1,1981 , May 1, 1982, and May 1, 1983. It is assumed several 1icenses and fees will be eliminated (nongame certificate, nonresident 6-day fishing license, special elk drawing fee, special deer drawing fee). A $10 \%$ drop in the total sales volume of licenses sold is assumed if hunting and fishing license fees are increased. Historically after a license fee increase sales volume has dropped $8-15 \%$. No difference was assumed between annual revenue generated in a Department of Fish, Wildlife \& Parks license year (May 1 to April 30) and a state of Montana fiscal year (July 1 to June 30).

| Fiscal Impact | FY 1982 | FY 1983 |
| :---: | :---: | :---: |
| Hunting \& Fishing License |  |  |
| Earmarked Revenue: |  |  |
| Current Law | \$8,112,197 | \$8,112,197 |
| Operating Expense | 47,000 | 47,000 |
|  | \$8,065,197 | \$8,065,197 |
| Proposed Law | 9,239,446 | 11,534,788 |
| Operating Expense | 0 | 0 |
| Estimated Revenue | \$1,174,249 | \$3,469,591 |

## Long Range Effects of Proposed Legislation

The fee increases scheduled for May 1,1983 will have an additional annual revenue impact of $\$ 802,231$ in fiscal years subsequent to FY 1983. This revenue package Mas designed to carry the Department of Fish, Wildiife \& Parks through the next four fiscal years without further major fee increases.

Technical or Mechanical Defects or Conflicts with Existing Legislation

Sec. 26, Subsec. (3) should read as follows: "(3) Section 16 is effective 7-1-81" Rather than سلسly 1980) There ic a typagraphical_orror in drafting the bill

Approved by Comm on Fish and Game

## IATRODUCED BY ELLISON

BY REqUEST OF
THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

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

## Section 1. Section 87-2-104, MCA, is amended to read=

m87-2-104. Number of licenses allowed. Only one license of any one class, except Class B-3 and B-4 licenses, shall be issued to any one person. The department may prescribe rules and regulations for the issuance or sale of
a replacement license of the same class in the event the original license is lost, stolen, or destroyed upon payment of-the-sum-of-43--or--the--cost--of--the--originat--ticenser whichever-is-the-smatter-bmont of the original price of the losta stolen: or destroyed_license, not to exceed ses s5*" Section 2. Section $97-2-202$, MCA, is amended to read: m87-2-202. Application -- stamp attachment -- fee -expiration. (1) A williffe conservation license shall be sold upon written application. The application shall contain the applicant's name, age, occupation. place of residence, post-office address, and length of time in the state of Montana; state whether the applicant is a citizen of the United states or an alien; and be subscribed by the applicant. The applicant shall present a driver's license or other identification ta substantiate the information.
(2) Hunting, fishing, or trapping licenses in the form of tags or stamps issued to a holder of a wildife conservation license must be affixed to or recorded on the wildife conservation license according to such rules as the department may prescribe.
(3) Resident and nonresident wildife conservation

(4) Licenses issued shall be void after April 30 next succeeding their issuance."

Section 3. Section 87-2-301, MCA, is amended to read:
m8-2-301. Class A-resident fishing license. Any resident, as defined by 87-2-102, upon payment of a fee of
 receive a Class A license which shall entitle the nolder thereaf to fish with hook and line or rod as authorized by regulations of the departmente"
Section 4. Section 87-2-302, MCA, is amended to read:
*a7-2-302. Class B-monresident fishing license. Any person not a resident, as defined in 87-2-102, upon payment of the sum of $\$ \mathcal{Z} \boldsymbol{\$} \leqslant \underline{\theta} \$ 30$ to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to C (ass B license which shall entitle the holder thereof to fish with hook and line as authorized by the rules and regulations of the department."
Section 5. Section 67-2-304. MCA, is amended to read:
m97-2-304. Class B-4--one-day tmo-day nonresident fishing license. Any person not a resident, as defined in 87-2-102, who is a holder of a valid wildife conservation license, upon payment of the sum of $\$ z \$ 4$ to any agent of the department authorized to issue fishing and hunting licenses, shall ,ibe entitled to a t-dey $\underline{2}$-day nonresident fishing license which shall authorize the nolder to fish with hook and line as prescribed by rules and regulations of
 Iicense."

NEH SECIION: Section 6. Paddiefish tags. The department may issue paddefish tags to holders of valid Class A. Class B, and Class B-4 fishing licenses for a fee of \$5 53. Each tag authorizes the holder to fish with hook and line for paddlefish as prescribed by rules of the department.

Section 7. Section 87-2-401, MCA, is amended to read:
" 87-2-401. Class A-1--resident game bird license. Except as otherwise provided, a resident, as defined by 87-2-102, who is 12 years of age or older mayp upon payment
 receive a Class A-i license which will entitle the holder to pursue, munt, shoot, and kill game birds and possess the carcasses of game birds as authorized by department rules."

Section 8. Section 87-2-402, MCA, is amended to read:
7日7-2-402. Class B-1--nonresident game bird license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of $\$ 30 \leqslant 4 \theta \leqslant 30$ may receive a Class B-l license which shall entitle the holder thereof to pursue, hunt, shoot, and kill game birds and possess the carcasses of game birds as authorized by department rules." Section 9. Section 87-2-403, MCA* is amended to read: w 87-2-403. Wild turkey tags and fee. (1) The department may issue wild turkey tags to the holder of a
valid Class A-1 or Class B-I icense. Each tag shall entitle the holder to pursue, hunt, shoot, and kill one wild turkey and possess the carcass thereof, during such times and such places as the department shall authorize an open season on wild turkey.
(2) The fee for a wild turkey tag shall be st 55 s3. Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules."

Section 10. Section 87-2-501, MCA, is amended to read:
" 87 -2-501. Class $A-3, A-4, A-5, ~ A-6--r e s i d e n t ~ d e e r, ~$ elk, and bear licenses. Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who will be 12 years of age or older prior to september 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses which will entitle the holder to pursue, nunt, shoot, and kill the game animal or animals authorized by the license held and to possess the carcasses of those game animals as authorized by department rules:
 then-t븡
(2) Class A-4, deer $B$ tag, $\$ 5$;
 then-st?
(4) Ctass A-6. black or brown bear tag: 46 细 s.e"

Section 11. Section 81-2-505. MCA, is amended to read=
-87-2-505. Class B-10-nonresident big game combination license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to Septenber 15 of the season for which the license is issued may, upon payment of the fee of 4225 \$309-0ry-ofter-Apriz- $30 y=4983 y-2$ fee-of- 5325 y $\$ 250$ and subject to the limitations prescribed by law and department regulations apply to the fish and game office, Helena, Montana, to purchase a $8-10$ nonresident big game combination iicense which shall entitle the holder to all the privileges of Class B, Class B-1. Class B-7, and black bear licefses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than $t 7+000$ 15*000 Class B-10 iicenses may be sold in any one license year."

NEW SECTION SECTION 12. CLASSES_B-11_AND_B-12 NONRESIDENT BIG GAME LICEHSE (LI EXCEPT AS OTHERWISE PROYIDED_IN THIS CHAPIER, A PERSON MOT A RESIOENT\& AS DEF1NED_1N 87-2-1023 BUT_HO HLLL BE_12_YEARS_OF_AGE_OR OLOER PRIOR TO SEPTEMBER 15 OF THE_SEASOM FOR HHICH_THE LICENSE IS ISSUED MAY UPON PAYMEMT OF THE PROPER FEE_ER FEES: AND SUBIECT TO THE LIMLTATIDNS PRESCRIBED GY LAH AND DEPARIMENT RULE PURCHASE ONE EACH OF THE FOLLOHING LICENSES:
(A) CLASS B-11 WOMRESIOENT ELK LICENSE FOR 5150; AND (B) CLASS B-12 MONRESIDEAI DEER LICENSE FOR $\$ 100$.
[21 THE LICENSE FEES IN SUBSECTIOM C11 IHCLUDE THE NONRESIDENT COMSERYATIOM LICENSE FEES FOR THE LICENSE PRESCRIBED [N_87-2-202.

131 NOI MORE THAN 2,000 CLASS E-11 ELK TAGS OR MORE THAN_2,000 CLASS B-12 DEER TAGS MAY BE SOLD IM ANY ONE LICENSE YEAR.
(4) THE USE OF EITHER LICENSE SPECIFIED IN SUBSECIION (1) IS MOI RESIRICTED TO ANY ONE SPECIFIC AUTHORIZED HUNIING GREA IM HONTANAE

Section 13. Section 8 7-2-507. MCA. is amended to read:
-87-2-507. Class D-i--nowresident mountain lion iicense. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older. upon payment of a fee of $\$ \pm 60 \leqslant 50$ $\$ 100$ may receive a Class $0-1$ iicense mich shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."
: Section 14. $\mathbf{2}=\mathbf{S e c t i o n} 87-2-508$, MCA. is amended to read: "87-2-508. Class D-2--resident mountain lion license. Except as otherwise provided in this chapter, a person who is a resident, as defined in 87-2-102, and who is 12 years of age or older, upon payment of a fee of $\$ 553555$ may
receive a Class $0-2$ license which shall entitle the nolder thereof to pursue, hunt, shoot, and kill mountain ion and possess the carcass thereof as authorized by department rulese"

Section 15. Section 07-2-601, HCA. is amended to read:

- a7-2-601. class C--trapper's license. Except as otherwise provided in this chapter, aresident, as defined in 81-2-102. upon making application and payment of a fee of $\$ 10$ \$25 $\$ 10$ to the deportment. may receive a class $C$ icense which shall authorize the holder thereof to trap fur-bearing animals and hunt bobcat, wolverine, and Canada lynx within the state of montana at such times and in such manner as may be lawful so to do under the laws of the state and the regulations of the department and at such places as may be designated in said license."

Section 16. Section 87-2-701. MCA, is amended to read:
"87-2-701. Special licensese (l) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildife conservation license or a monresident wildife conservation license may apply for a special license which, in the judgment of the department. is to be issued and shall pay the following fees therefor:
(a) moose--resident, 525 550 s25; nonresident. $\$ 50$ \$258 \$175:
(b) mountain goat--resident, $\$ 15$ \$50 \$15; nonresident. $\$ 450$ \$250 \$175;
(c) mountain sheep--resident, 425 s5e s25; noncesident, 5450 导 5175 ;
(d) antelope-resident, *5 细 5 : nonresident. $\$ 100$;
(e) grizily bear-resident, \$25 550 \$35; nonresident. $\$ 450$ 559 5175:
(f) black or brown bear--nonresident, \$100.
(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of $\$ 25$ within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy-
(3) Special licenses shall be issued in a manner prescribed by the departmente*

Section 17. Section 6.7-2-702, MCA, is amended to read:
 person-whe--has--obterined--a-gritix+y-bear v-mooser-mountain godt-or-mountain-sheep-7icense-js-not-etigibte-to-appty-for another-suen-ticense-for-the-next-sueceeding-7-rears-if-surch person-has-kitied-or-taken-an--animat-of--the--species--for whieh--the-speetrit--tieense--wes-issuedr--A-person-who-has obtaimed-a-gritztp-beor $v$-moseg-countein-goatr--or-mountoin sheep--ticense--but--did--net--kiti-op-take-an-antmat-of-the spectes-for-whieh-the-spectat-ticense-was-issurd-is-etigibte

[^1]distrietse The departgent shall provide for those persons azing valid application for special elk pergits a method of Selecting firsti seconde and third choice hunting districts for any or awing held pursuant to this sectione The department may promulgate the rules necessary to implement this section."

Section 19. Section 87-2-706, MCA, is amended to read:
-87-2-706. Drawing for special antelope licenses. In the event the number of valid applications for special antelope licenses for a hunting district exceeds the quota set by the fepartment for the district, such licenses shall be awarded by a drawing. Persons--making--votid--epptieetion who--did--not--receive-on-antetope-ticense-during-the-season imandately-preeeding--the--drawing--shatt--be--given-firgt preference--in--such--drawing--fer--fifstr-secondr-and-third choiee-hunting-distrietsw The department shall provide for those persons_aking valid_application for special antelope licenses a method of selecting firste seconds and third choice hunting_districts for any drawing held_pursuant to thissectione The department shall have the authority to promelgate suchercules and regulations as are necessary to implement this section.**

NEH SECIIOM, Section 20. Drawing fee. (l) then the department determines a drawing is necessary priar to issuance of hunting ifenses for any game species during a
hunting season, it shall collect a 85 drawing fee with each application subnitted.
(2) This fee must be deposited in the earmarked revenue fund to the credit of the department as set forth in 87-1-601.
(3) The payment of a drawing fee confers no hunting rights or privileges.
(4) The comission may waive the provisions of subsection (1) when a drawing is required for a special season under B7-1-304.

Section 21. Section 87-2-711, MCAr is amended to read:
m87-2-711. Class AAA--sportsman's license. Any resident, as defined by 87-2-102, who will be 12 years of age or older prior to september 15 of the season for which the license is issuedy upon payment of the sum of $\$ 35 \$ 40$ \$35, shall be entitled to a sportsman's ficense which shall permit the holder to exercise all rights granted to holders of Class $A, A-1, A-3, A-5, A-6$, and resident conservation licenses as prescribed in 87-2-202. The department shall furnish each holder of a sportsman's license an appropriate decal."

Section 22. Section a7-2-805, HCA, is amended to read:
m87-2-805. Persons under fifteen years of age- (i) Minors under 15 years of age may fish for and take fish Guring the open season without a ifense. However. no
nonresident person under the age of 15 years may fish in or on any Montana waters without first having obtained a class 8．E－3．or B－4 fishing license unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid montana fishing license．The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one aduit as established by law or by rule of the department．
（2）Residents，as defined by 87－2－202，under the age of 15 years may purchase Cl ass $A-1, A-3$ ，and $A-5$ licenses at妇 33 红 per license．＂

Section 23．Section 87－2－903，MCA，is amended to read：
－87－2－903．Compensation and duties of agents．（1） license agents，except salaried employees of the department． shall receive for all services rendered the sum of $\pm 5 \quad 30$ cents for each iicense，permit，or certificate issued．On or before the loth day of each month each license agent shall submit to the department all duplicates of each class of licenses sold during the preceding aonth and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of $\mathbf{t 5} 30$ cents for each license sold．Each license agent shall keep his license account open at all reasonable hours to inspection by the department，the director，the wardens，or the legislative auditor．
（2）For purposes of this section the term Micense＊
includes any iicense，permit，and certificate prescribed by the department．＂

Section 24．Section 87－5－204，MCA，is amended to read：
－87－5－204．License and rules for falconry．（1）The department may adopt specific rules for the keeping of records and for the trappinge taking．possession，or training of raptors used in the practice of falconry and may authorize the issuance of licenses to persons for the practice of falconrye le is unlawful for any person to possess a raptor or to train a raptor in the practice of falconry without a license．
（2）The fee for a falconry license is 43 纪 $\$ 3$ a year or any part of a year．A license expires April 30 each year．
（3）A license may not be issued to a person under the age of 12 years．
（4）Licensees shall have in possession a valid falconer＂s license when engaged in the practice of falconry． In addition，falconers loosing raptors at game birds shall have in possession a valid resident or nonresident game bird Iicense．
（5）Falconry licenses or permits are not transferable and way be revoked for due cause at any time by the department．＂

Section 25．Repealer．（1）Sections 87－2－703 and 87－2－721，MCA，are repealed effective May 1．1981．

[^2]HOUSE BILL NO． 200 introduced by ellison

## gy Request of

the department of fish，hildilfe，and parks

A BILL FOR AN ACT ENTITLED：WAN ACT TO INCREASE FUNDS available for hanagement of the staters wilotife resources BY INCREASING THE FEES FDR HUNTING，FISHING，TRAPPING，AND RELATED LICENSES AND PERMITS；REMOVING THE 7－YEAR KILL LIMITATION ON CERTAIN GAME ANIMALS：AND REMOVING THE PRIORITY STATUS FOR UNSUCCESSFUL SPECIAL ELK ANO ANTELOPE LICENSE APPLICANTS；AMENDING SECTIONS ET－2－104，87－2－202． 87－2－301，87－2－302，87－2－304，87－z－4日t－ーFHR日甘GM 87－2－403， 87－2－501，87－2－505，87－z－507＊－87－z－508\％－87－z－60t．87－2－701， 87－2－702，87－2－705，87－2－706，87－z－7ttv 87－z－865v ANO 87－2－903．ANB－87－5－204．MCA；REPEALING SECTIUNS 87－2－303， 87－2－703．AND B7－2－721，MCA；AND PROVIDING SEPARATE EFFECTIVE DATES．＊ be it enacted by the legislature of the state of montana：

Section 1．Section 87－2－104，MCA，is amended to read： ＂a7－2－104．Number of licenses allowed．Only one license of any one class，except Class $8-3$ and 8－4 licenses． shall be issued to any one person．The department may prescribe rules and regulations for the issuance or sale of
a replacement license of the same class in the event the original license is losty stolen，or destroyed upon payment of－the－sum－of－ 53 －－or－the－－cost－－of－the－－originat－－ticenset whichever－is－the－smatter－omount of the original＿price of the


Section 2．Section B7－2－202，MCA＊is amended to read：
＂87－2－202．Application－－stamp attachment－－fee－ expiration．（l）A wildife conservation license shall be sold upon written appiication．The application shall contain the applicant＇s name，age occupation，place of residence． post－office addressy and length of time in the state of Montana；state whether the applicant is a citizen of the United States or an aiten；and be subscribed by the applicant．The applicant shall present a driver＊s license or other identification to substantiate the informatione
（2）Hunting，fishing，or trapping licenses in the form of tags or stamps issued to a holder of a wildiffe conservation license must be affixed to or recorded on the wildife conservation license according to such rules as the department may prescribe．
（3）Resident and nonresident wildife conservation licenses may be purchased for a fee of $\$ 4 \leqslant 3 \leqslant 2$ ．
（4）Licenses issued shall be void after April 30 next succeeding their issuance．＊

Section 3．Section 87－2－301．MCA，is amended to read：
-87-2-301. Class A--resident fishing license. Any resident, as defined by 87-2-102, upon payment of a fee of
 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 department."

Section 4. Section $87-2-302$, MCA, is amended to read:
*87-2-302. Class B-nonresident fishing iicense. Any person not a resident, as defined in 87-2-102, upon payment of the sum of $52 \theta \leqslant 4 \theta \leq 30$ to any agent of the department zuthorized to issue fishing and hunting licenses, shall be entitled to $\mathfrak{C l}$ ass B license which shall entitle the nolder thereof to fish with hook and line as authorized by the rules and regulations of the department."

Section 5. Section 87-2-304, MCA, is amended to read:
"87-2-304. Class B-4--one-doy two-day nonresident fishing license. Any person not a resident, as defined in 87-2-102, who is a holder of a valid wildife conservation Iicense, upon payment of the sum of 52 s 4 to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to a t-dey $\underline{2}$-day nonresident fishing license which shali authorize the holder to fish with hook and line as prescribed by rules and regulations of the department for $t \underline{z}$ calendar doy days as indicated on the license."


#### Abstract

NEH_SECIION. Section 6. Paddlefish tags. The department may issue paddlefish tags to holders of valid Class $A$, Class $B$, and Class B-4 fishing licenses for a fee of 45 \$3. Each tag authorizes the holder to fish with nook and Tine for paddlefish as prescribed by rules of the department.

Section T. Section 87-2-401, MCA, is amended to read: " 8 - $2-401$. Class A-1--resident game bira bicense. Except as otherwise provided, a resident, as defined by 87-2-102, who is 12 years of age or older mayp upon payment  receive d Class A-i license which will entitle the holder to pursue, hunt, shoot, and kill game birds and possess the carcasses of game diras as authorized by department rules." Section 8. Section 87-2-402, MCA, is amended to read: m87-2-402. Class 8-i--nonfesident game bira license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of $530 \leqslant 40$ may receive a Class B-1 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill game birds and possess the carcasses of game birds as authorized by department ruleso" Section 9. Section $87-2-403$. HCA , is amended to read: ma7-2-403. Wild turkey tags and fee. (lit The department may issue wild turkey tags to the holder of a



valid Class A-1 or Class B-I license. Each tag shall entitle the holder to pursue, hunt, shoot, and kill one wild turkey and possess the carcass thereof, during such times and such places as the department shall authorize an open season on wild turkey.
(2) The fee for a wild turkey tag shall be tz 纪 3 . Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules."

Section 10. Section 87-2-501, MCA, is amended to read:
-87-2-501. Class A-3, A-4, M-5. A-6--resident deer, elk, and bear licenses. Except as othermise provided in this chapter, a resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses 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 carcasses of those game animals as authorized by department rules:
 then-ste;
(2) Class A-4, deer B tag. $\$ 5$
 then-stz s9:
(4) Class $4-6$, black or brown bear tag, \$6 \$ $\$ 8 . "$

Section 11. Section 87-2-505, MCA, is amended to read:
m87-2-505. Class b-10-nonresident big game combination license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102. but who will de 12 years of age or older prior to September 15 of the season for which the license is issued may, upon
 fetrof- $3 \underline{35} 5 \underline{250}$ and subject to the limitations prescribed by law and department regulation* apply to the fish and game office, Helena, Montana, to purchase a B-10 monresident big game combination license which shall entithe the hoider to all the privileges of Class $B$, Class B-1, Class B-7, and black bear licenses, and an elk tag. This ricense includes the nonresident conservation license as prescribed in
 licenses may be sold in any one license year."







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 ETEENSE-YEAAT:




Section 12. Section 87-2-507, HCA, is amended to read:
-87-2-507. Class D-1--nonresident mountain lion license except as otherwise provided in this chapter. a person not a resident, as defined in 81-2-102, but who is 12 years of age or older, upon payment of a fee of $\mathbf{t t e \theta}$ tise \$100 may receive a Class $0-1$ license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as authorized by department rules."

Section 13. Section $87-2-500$, MCA, is amended to read:
*87-2-508. Class D-2--resident mountain lion license. Except as otherwise provided in this chapter, a person who is a residenty as defined in 87-2-102, and who is 12 years of age or older. upon payment of a fee of $55 \$ 25 \leq 5$ may

[^3]
(b) mountain goat--resident, $\$ 45$ 59 515; nonresident,

(C) mountain sheep-resident. s2s s50 s25:

(e) grizzly bear-resident, st5 550 525: nonresident, $5 \pm 50$ 259 5175 :
(f) black or brown bear-nonresident, \$100. bear license kills a grizziy bear, he must purchase a trophy license for afee of 525 within 10 days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.
(3) Special ticenses shall be issued in a maner prescribed by the department**

Section 16. Section 87-2-702, MCA, is amended to read:
m97-2-702. Restrictions on special licenses. $t+t-A$ person- who--has--obterned--o--grizzty-bear r-moeser-mountern goty-or-mountsin-sheep-łtiense-is-not-eligible-to-oppty-for pergon-hos-kitted-or-taken-an--animat--of-the--spectes--for whith--the--speeiat--tieense--was-isatiedr--A-person-who-has obtained-g-grizzty-beary-moosep-morntarn-goatr--or--mountain spectes-for-which-the-speetat-ticense-mas-issued-is-etigibte
to-apply-for-another-sueh-tieenst-in-tny-sueceeding-year--if he--returns--his-untsed--3peeiat-7ieense-to-the-deportment before-or-at-the-tine-applieation-ts-mader
tz+11) A person who has received a special pernit for elk is not eligible to receive a second special permit for this species of game animal during any license year. However, in the event the number of applications received is not equal to the number of game animals desired to be killed by the department, reapplication may be made by those valid license holders of the current year who may fall within these $1 \mathrm{imitations}$.
$+3+121$ person who has killed or taken any game animal. except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."

Section 17. Section $87-2-705$. MCA. is amended to read:
ma7-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the department for the district, these permits shall be aworded by a drawing. Persons-mbking-ratid-applieation-who-did-not Fecetve-s-speet ot-etk-permit-dur ing-the--season--immedratetr preceding-the-drawing-shatl-recetve-first-preference-in-this drawing---for---firstr--seconty--and--third--ehoice--hunting
distrietsw The_department shall proyide for those_persons making valig_apglication for special elk_permits a method of selecting first, seconde and third choice hunting districts for _any_drawing_held_pursuant_to_this_sectione the department may promulgate the rules necessary to implement this section."

Section 18. Section 87-2-706, MCA, is amended to read:

* 87-2-706. Drawing for special antelope licenses. In the event the number of valid applications for special antelope licenses for a hunting district exceeds the quota set by the department for the district, such licenses shall be awarded by a drawing. Persons--making--votid--apptieation who--did--not--recetre-an-antelope-titense-during-the-season immedtatety-preceding--the--drawing--shat+--be--given--4irat preferenee-in--sweh--drowing--for-firstr-seeondr-and-third ehoice-hanting-distriets= Ihe department shall provide for those_persons making valid application_for special antelope licenses_a_methog of selecting firsty_second,__and_third choice hunting_districts for any drawing_held_pursudnt to this section. The department shall have the authority to promulgate such rules and regulations as are necessary to inplement this section."

NEN SECITONE Section 19. Drawing fee. (1) when the department determines a drawing is necessary prior to isswance of hunting licenses for any game species during a
hunting season, it shall collect a ss drawing fee with each application submitted.
(2) This fee must be deposited in the earaarked revenue fund to the credit of the department as set forth in 87-1-601.
(3) The payment of a drawing fee confers no hunting rights or privileges.
(4) The commission day waive the provisions of subsection (1) when a arawing is required for a special season under 87-1-304.

Section 20. Section 87-2-711. MCA, is amended to read:

- 87-2-711. Class AAA--sportsman's license. Any resident, as defined by $87-2-102$, who will be 12 years of age or older prior to Septemter is of the sedson for wnich the license is issued* upon payment of the sum of 35549 535, shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to hotders of Class $A, A-1$. A-3. A-5, A-G. and resident conservation licenses as prescribed in 87-2-202. The department shall furnish each holder of a sportsman's license an appropriate decal."

Section 21. Section 67-2-805, MCA, is amended to read:
-87-2-805. Persons under fifteen years of age. (1) Minors under 15 years of age may fish for and take fish during the open season without a license. However, no
nonresident person under the age of 15 years may fish in or on any Hontana waters without first having obtained a Class B, B-3, or B-4 fishing ificense unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.
(2) Residents, as defined by 87-2-102, under the age of 15 years may purchase Class A-1. A-3, and A-5 licenses at 42 $53 \leq 2$ per license.*

Section 22. Section 87-2-903, MCA* is amended to read:
-87-2-903. Compensation and duties of agents. (1) ticense agents, except salaried employees of the department, shall receive for all services rendered the sum of $\mathbf{t 5} 30$ cents for each license, permit. or certificate issued. On or before the loth day of each month each license agent shall submit to the department all duplicates of each ciass of licenses sold during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of 45 30 cents for each license sold. Each license agent shall keep his license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.
(2) For purposes of this section, the term micense"
includes any license, permit, and certificate prescribed oy the department. -

Section 23. Section B7-5-204, HCA. is amended to readz

- 87-5-204. License and rules for falconrye (1) The department may adopt specific rules for the keeping of records and for the trapping, taking, possession, or training of raptors used in the practice of falconry and may authorize the issuance of licenses to persons for the practice of falconry. It is unlawful for any person to possess a raptor or to train a raptor in the practice of falconry without a license.
(2) The fee for a falconry incense is 43 纪 53 a year or any part of a year. A license expires April $\mathbf{3 0}$ each year.
(3) A license may not be issued to a person under the age of 12 years.
(4) Licensees shall have in possession a valid faiconer"s incense when engaged in the practice of falconryIn addition, falconers loosing raptors at game birds shall have in possession a valid resident or nonresident game bird iicense.
(5) Falconry incenses or permits are not transferabie and may be revoked for due cause at any time by the department.-

Section 24. Repealer. (1) Sections 87-2-703 and 87-2-721, MCA, are repealed effective May 1, 1981.
(2) Section 87-2-303, MCA, is repealed effective May 1. 1982.

Section 25. Codification instruction. (l) Section 6 is intended to be codified as an integral part of Title 87. Chapter 2. part 3, and the provisions of Title 87 apply to section 6.
(2) Section 19 is intended to be codified as an integral part of Title 87, chapter 2, part 1 , and the provisions of Title 87 apply to section 19.

Section 20. Effective date. This act is effective as follows:
(1) Sections 2 and 19 are effective May 1 . 1981 .
(2) Section 24 is effective as provided therein.
(3) Section 16 is effective July 1,4989 1981.
(4) Sections 17 and 18 are effective on passage and approval of this act.
(5) All other sections are effective May 1, 1982.
-End-

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                    HOUSE BILL NU. 200
            INTRODUCEO BY ELLISON
                    gy REQUEST OF
            THE JEPARTMENT OF FISH, HILDLIFE, gND PARKS
A EILL FOR AN ACT EATITLED: MAN ACI TO TNCREASE FUNDS
avallagle for manaugment of the state's wilolife gisuurces
by InCREASING the feES FQR hunting. FISHING. fRAPP+NG% and
RE&ATEO lICENSES AND PERMITS; REMGVING THE T-YEAR KILE
lim:tatign on certain game animals; and removivg taf
POEORIJY STATUS FOR UNSUCCESSFUL SPECIAL ELK AND ANTELOPE
LICFNSE APFLICANTS; AMENDING SECTIONS 87-2-104, 37-2-202,
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37-2-501, 87-2-505, 87-z-587%-87-z-508%-87-z-6at% 87-2-701,
37-2-702, 87-2-705. 87-2-706. 87-2-74t% 87-2-8e5. AND
87-2-903, 440-67-5-204% MCA; REPEALING SECTIUNS 87-2-303,
87-2-703, AND S7-2-721. MCA; AND PROVIDING SEPARATE
EFFECTTVE DATES.*
be IT ENaCtED zy the legislature df the state of moniana:
    Section i. Section 87-2-104. MCA, is amended to read:
    *87-2-104. Nunber of licenses allowed. Gnly one
license of any one class, except (lass B-3 and g-4 licenses.
shall be issued to any one person. The department may
prescribe rules and regulations for the issuance or sale of
HOUSE BILL NO. 200
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## NTRODUCEO BY EELISON

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ey REquest of
the jepartment of fish, hildilfe, hnd parks
EILL FOR AN ACT EATITLED: MAN ACT TO TNCREASE FUNDS
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#### Abstract

a replaceqent license of the same class in the event the original license is lost, stolen, or destroyed upon payment of-the-9tr-of-43--or--the--cost--of--the--originat--ticensey whehever-is-the-smatter-emount of the original price of the lost, stolen, or destroyed_licenseq not to exceed ses \$5." Section 2. Section 8T-2-202. MCA, is amended to read: *97-2-202. Application -- stamp attachment -- fee -expiration. (l) A wildife conservation license shall be sold upon written application. The application shall contain the applicant's name, age, occupation, place of residence* post-office address, and tength of time in the state of Montana; state whether the applicant is acitizen of the United States or an arien; and be subscribed by the applicant. The applicant shall present a driver's license or other identification to substantiate the information.


(2) Hunting, fishing, or trapping 1 icenses in the form of tags or stamps issued to a holder of a wildife conservation license must be affixed to or recorded on the wildife conservation license according to such rules as the department may prescribe.
(3) Resident and nonresident wildife conservation licenses may be purchased for a fee of $\$ \mathbf{t} \$ \mathbf{\$} \mathbf{\$ 3}$.
(4) Licellses issued shall be void after April 30 next succeeding their issuarce."

Section 3. Section 87-2-301, MCA, is amended to read:

REFEREHCEBILL
m87-2-301. Class A--resident fishing license. Any resident, as defined by 87-2-102, upon payment of a fee of
 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 department.*

Section 4. Section 87-2-302. MCA, is amended to read:
-87-2-302. Class B--nonresident fishing license. Any person not a resident, as defined in 87-2-102, upon payment of the sum of $\$ 2 \theta \$ 4 \theta \$ 30$ to any agent of the department authorized to issue fighing and nunting licenses, shall be entitled to a class B license which shall entitle the holder thereof to fish with hook and line as authorized by the rules and regulations of the department."

Section 5. Section 87-2-304, MCA, is amended to read:
"87-2-304. Class B-4--one-dar two-day nonresident fishing license. Any person not a resident, as definedin 87-2-102, who is a holder of a valid wildife conservation license, upon payment of the sum of $s \geq \underline{4}$ to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to a t-day $\underline{\underline{2}}$-day nonresident fishing license which shall authorize the nolder to fish with hook and line as prescribed by rutes and regulations of the department for $\pm 2$ calendar day days as indicated on the 1icense."

NEW SECTION. Section 6. Paddlefish tags. The department may issue paddlefish tags to molders of valid Class A, Class $B$, and Class B-4 fishing licenses for a fee of 55 §3. Each tag authorizes the holder to fish with hook and line for paddlefish as prescribed by rules of the department.

Seetion-7t--Seetion-87-Z-4Өty-MEAy-ts-amended-to--reat-
 Exeept-as-otherwise-providedr--a--residenty--as-defined--by

 recetre-n-Etoss-m-t-ticense-whteh-wtht-entitte-the-hotder-to porstueq--huntr--shootr--and--kift-game-birds-and-possess-the eareasses-of-game-birds-as-outhorited-by-department--ratesin

Section- $\theta$-- Seetion--87-z-4日Z,-MEAT-is-bmended-to-readt
 Exeept-as-otherwise-provided-in-this -ehaptery-a-person-not-o
 or-otdervapon parment-af-a-fee-of- $530 \leq 4 \theta$ 狚 may-recetve-a Efass-B-t-+ifeense-whith-shat+-entit+e-the-hotder-thereof-to pur 5 uev-mant *-shootv-and-kit+-gane--birds--and--possess--the eareasses--of-game-birds-as-authorized-by-department-rotesw

Section 7. Section 87-2-403, MCA, is amended to read:
"87-2-403. Wifd turkey tags and fee. (1) the department may issue wild turkey tags to the nolder of avalid Class $\mathrm{m}-1$ or Class $\mathrm{E}-\mathrm{l}$ license. Each tag shall entitlethe holder to pursue, hunt, shoot, and kill one wild turkeyand possess the carcass thereof, during such times and suchplaces as the department shall authorize an open season onwild turker.
(2) The fee for $a$ wild turkey tag shall be $5 \mathfrak{z}$ t5 $5 \underline{3}$ Turkey tags shall be issued either by a drawing system or in unlinited number as authorized by department rules.m
Section 8 . Section 87-2-501, MCA, is amended to read:
*87-2-501. Class A-3, A-4, A-5, A-6-resident deer, elk, and bear licenses. Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who will be 12 years of age or older prior to september 15 of the season for which the license is issued may, upon payment of the proper fee or fees, be entitled to purchase one each of the following licenses which will entitle the hof der to pursuen hunt, shoot, and kill the gate animal or animals authorized by the license held and to possess the carcasses of those game animals as authorized by department rules:
 then-4 $\boldsymbol{t}$;
(2) Class A-4, deer B tag. 35:
 then-st르 59 ;
(4) [lass A-5, black or brown bear tag. $46 \$ \pm \underline{8} \$ 8.0$

Section 9. Section 87-2-505, NCA. is amended to read:
*87-2-505. Class B-10-monresident big game combination license. Except as stherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to september 15 of the season for which the license is issued may upon payment of the fee of fzz5 $3 \mathbf{3 0 日 - 0 r y = 0 f t e r - A p r i q - 3 0 y - 1 9 8 3 g - a ~}$ fee-gf-s325y sise 5275 and subject to the limitations prescribed by $l a w$ and department regulation apply to the Fish and game office, Melena, Montanap to purchase a b-10 nonresident big gane combination license which shall entitfe the holder to all the privileges of Class B. Class B-l, Class B-7, and block bear licenses, and an elk tage This ficense inclutes the nonresident conservation license as
 Class b-10 licenses may be sold in any one license year."







 EFENSF5*


fZI二－



FHAN二－Zロ日日旦－Et ETEENSE－FEARE

 ＊REA－TN－MOAFANAE

Seetion－tz＝－Seetion－87－2－5日7v－HEAv－ts－amended－to－read＊
 treensev－Exeept－as－otherwise－provided－in－－this－－chapeary－－a person－not－t－residentr－as－defined－in－87－z－i日Z7－but－who－is－iz yetrs－of－－age－－or－otderf－upon－parment－of－a－fee－of－it\＆tizse
 hof der－thereof－to－pursuev－hunt－－shooty－and－kitt－－mountain tion－－and－－possess－－the－－careass－－thereaf－－as－－authorized－by departmentrores＊＊

Seetion－t3＊－－5eetion－87－z－500，－HEAT－is－amended－to－reent
 Exeept－－as－－otherwise－provided－in－this－chaptery－a－person－who is－b－restidentr－as－deftned－in－87－z－i日zr－and－who－is－－tz－yeors of－－age－－or－－ot terv－－upon－－parment－of－a－fee－of－ 55 纪 55 may


#### Abstract

 thereof－－te－－pursuev－huntr－sheot v－and－kity－mountain－tion－end persess－the－ear eass－thereof－－as－－buthorized－by－－department rutes．a

Section－t4v－－Section－87－z－60t，－MEAT－is－tmended－te－readt ＂87－R－6010－－Etass－－－E－tropper＊s－－＋ieensew－－－Except－as otherwise－provided－in－this－emapterr－e－restidentr－－trs－－defined tn－87－2－t9Z4－upon－waking－epptreation－and－payment－of－o－fee－of  whith－shatt－arthorite－the－hotder－thereof－to－trap－tur－bearing ami mats－－ond－－hunt－bobeatr－wotverinev－and－Eanodo－tynx－within the－state－of－Hontana－at－such－times－and－in－sueh－manner－as－may be－Hawfat－so－to－do－under－the－－tews－－of－－the－－stote－－and－－the Pegetetions－－of－－the－department－ond－ot－such－pteres－as－mby－be destgnoted－rn－satd－ticenseva

Section 10．Section 87－2－701，MCA．is amended to redd： m87－2－701．Special licenses．（1）Any applicant who will be 12 years of age of older prior to September 15 of the season for which the license is issued and is the holder of a resident wildife conservation license or a nonresident wildife conservation license may apply for a special license which，in the judgment of the department，is to be issued and shatl pay the following fees therefor： （a）moose－－resident． $5 \mathbf{2} 50$ s25：nonresident，$\$+50$ st능 5175


(b) mountain goat--resident, $4+5$ 5e 115 ; nonresident,

(c) mountain sheep--resident, s25 s50 \$25: nonresident. 4t5e $52 \underline{2} 9$ s175;
(d) antelope--resident, 55 ste $5 \underline{5}$; nonresident, siov;
(e) grizzly bear--resident, 52 s 50 \$25; nonresident.

(f) black or brown bear--nonresident, $\$ 100$.
(2) In the event a holder of a valid special grizzly bear license kills a grizaly bear, he must purchase a trophy license for a fee of $\$ 25$ within 10 days after date of kille Such trophy license shall authorize the holder to possess and transport said trophy.
(3) Special licenses shall be issued in a manner prescribed by the department."

Section lle Section 87-2-702, MCA, is amended to read:
"87-2-702. Restrictions on special licenses. t+t-A person--who-has--obtained--a--grizity-beart-moser-mauntain goaty-or-mountain-sheep-tieense-is-not-etigibte-te-oppty-For onother-sulh-tieense-for-the-next-suceeeding-7-years-if-such persan-has-kiH whith--the--spectat--tieense--was-i issuedu--A-person-who-has obtained-a-grizzfy-beary-moosey-mountan-goetv-or-mountain the ep--ticense-but--did--not--kitt-or-take-an-onimaz-of-the speetes-for-whieh-the-speciat-ticense-mes-isgued-ig-etigibte
> to-apply-for-another-stuh-tieense-in-ony-sueceeding-year--if he--seturns--his--untsed--speciat-Hicense-to-the-department before-or-at-the-time-appiteation-is-made.
> tztill A person who has received a special perait for elk is not eligible to receive a second special permit for this species of game animal during any license yearHowever, in the event the number of applications received is not equal to the number of game animals desired to be killed by the department, reapplication may be made oy those valid Iicense bolders of the current year who may fall within these limitations.
> $+3+121$ A person who has killed or taken any game aninal, except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."

> Section 12. Section 87-2-705. MCA, is amended to read:
> m87-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the department for the district, these permits shall be awarded by a drawing. Persons-making-vatid-appticetion-who-did-not receive-a-spectot-etk-permit-during-the--season--immedteteiy preceding-the-drawing-shati-receive-first-preferenee-in-this drawing---for--firsty-secondy--and--thifd--choite--hunting
districts The department shall provide for those persons making yalid＿application for special＿elk＿pernits＿anethod of selecting firste secondg＿and＿third＿choice hunting districts for any draming heid＿pursuant to＿this sectione The department may promulgate the rules necessary to implement this section．＂

Section 13．Section 87－2－706．MCA．is amended to read：
m87－2－706．Orawing for special antelope licenses．In the event the number of valid applications for special antelope iicenses for a hunting district exceeds the quota set by the department for the district，such licenses shall be awarded by a drawing．Persons－－making－－vatid－apptication Who－－did－－not－－reeeive－an－antetope－tieense－during－the－season immediatety－preceding－－the－－drawing－－shott－－be－－given－－first preference－－in－－such－－drawing－－for－－firstp－secondp－and－third ehoree－honting－distrietsi Ihe degartment shall provide for those＿persons＿making＿yalid＿application＿for special antelope licenses＿a＿method of selecting first，second，and third choice＿hunting＿districts for any drawing＿held＿pursuant to this＿section．The department shall have the authority to promulgate such rułes and regulations as are necessary to implement this section．＂

NEN SECTIUN：Section 14. Orawing fee．（t）when the department determines a draming is necessary prior to issuance of munting licenses for any game species during a
hunting season，it shall collect a $\$ 5$ drawing fee with each application submitted．
（2）This fee mast be deposited in the earmarked revenue fund to the credit of the department as set forth in日7－1－601．
（3）The payment of a drawing fee confers no hunting rights or privileges．
（4）The commission may waive the provisions of subsection（1）when a drawing is required for a special season under 87－1－304．

Section－20．－5eetion－87－z－7ttr－MEAT－ts－amended－te－readt
 resitentr－－as－defined－－by－87－z－492－who－wit＋－be－tz－rears－of age－or－ot ter－priar－te－5eptentber－t5－of－the－season－for－whieh the－－treense－－is－－issuedv－upon－payment－of－the－sum－of－ 535 \＄49绿年－shath－be－entitited－to－sportsman＊s－ticense－which－－shatt permit－the－hot der－to－exereise－n＋t－rights－granted－to－notders
 ＋icenses－－as－－preseribed－－in－－87－Z－Z $\theta Z$ ．－The－department－shat furnish－eeeh－hotder－of－a－sportsmons－ticense－on－－toppropriote decat ${ }^{2}$

Section－24i－－Section－87－z－805；－MEA，－is－tmended－to－readt
－87－z－8e5z－－Persons－under－－fifteen－years－－of－agen－ft Minors－unter－ 45 －years－of－age－may－4ish－－far－mand－－take－－fish during－－the－－open－－season－－without－－H－Hiensew－－Howevery－no
nonresident-person-under-the-age-of-45-years-may-fish-in--or
on--any-Montana-wotefs-without-first-maving-obtatned-e-Gtass
By-B-3F-or-B-4-fishing-7icense-untess-the-nomresident-person
unter-the-age-of-t5-years-is-in-the-eompany-of-an-adett--in
possession--of-a-vatid-Montane-fishing-ticensew-Fhe-limit-of
fish-for-the-nonresident-person-and-the--beeomponying--adott
combined---mar--not--exceed--the--1imit--for--one--adutt--as
established-by-tam-or-by-rtte-of-the-department:
tzy--Residentsv-as-defined-by- $87-z-\frac{1927-u n d e r--t h e--a g e ~}{\text { - }}$
of-t5-year s-may-purehese-6tass-A-tp-A-3v-and-A-5-ticenses-at
42 53 4 Per-treenser $=$
Section 15. Section 87-2-903. MCA, is amended to read:
m97-2-903. Compensation and duties of agents. (1)
License agents, except salaried employees of the department.
shall receive for all services rendered the sum of $\$ 5 \quad 30$
cents for each license, permit. or certificate issuede On or
before the loth day of each month each license agent shall
submit to the department alf duplicates of each class of licenses sofd during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of $t 530$ cents for each license sold. Each license agent shall keep his license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.
(2) For purposes of this section, the tern "license"
includes any license, permit, and certificate prescribed by the department."

 department--may--adopt--speeifie-urtes--for--the-keeping-of Feeords--ond--for--the--trappingr--tekingy--pessession*---or training-of-roptors-used-in-the-practice-of-fateonry-and-moy arthorize-the--issuance--of-Hicenses--to--persons--for-the proetiee-of-fateonryu-ft--is--untowfut--for--any--person-to possess--6-ropter--or--to-tratn-t-roptor-in-the-practice-of fateomp-without-o-ticense.
 or-any-part-of-a-year $-A-t i c e n s e-e x p i r e s-A p r i+-3 \theta-e s h-y$ ear.
$t 3+-$-A-treense-may-not-be-issued-to-b-person-under--the oge-of- 42 -yeorsw
t4f--tieensees--3hath---have-in--possession--o--vatid foteoner²-tieense-when-engaged-th-the-prectice-of-fateonry= In-odidtiant-fateoners-toosing-reptorg-ot-geme-birids--shoft have-in-possession-a-vatid-resident-op-nonres ident-game-bird +reensex
t5y--Fateonry--Hieenses-or-pernits-ore-not-transfer abte and-may-be--revoked--for--dtre--eatse--at--any-time--by--the departmente"

Section 16. Repealer. (1) Sections 87-2-703 and 87-2-721. MCA, are repealed effective May 1.1981.
(2) Section 87-2-303, MCA, is repealed effective May 1. 1982.

Section 17. Codification instruction. (1) section 6 is intended to be codified as an integral part of fitle 87, chapter 2, part 3, and the provisions of Title 87 apply to section 6.
(2) Section $\mathbf{1 9} 14$ is intended to be codified as an integral part of Title 87, chapter 2 , part 1 , and the provisions of Title 87 apply to section 49 14.

Section 18. Effective date. This act is effective as follows:
(1) Sections 2 and $t 9 \underline{14}$ are effective May $1,1981$.
(2) Section 24 i6 is effective as provided therein.
(3) Section th 11 is effective July l. 1988 1981.
 passage and approval of this act.
(5) All other sections are effective May i. 1982.
-End-

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monresident-per son-under-the-age-0f-45-yearg-moy-4ith-in--or on－any－Mont ana－woters－mithout－first－maving－obtatned－E－Ebas B－B－3v－or－8－4－fishing－ticense－untess－the－nonrestident－person under－the－zge－of－t5－years－is－in－the－company－of－an－odute－in possession－－of－o－vatid－Hentanc－fishing－＋icensem－Fhe－tint t－of frsh－for－the－nonresident－person－and－the－－aeeompanying－adutt combines－－－may－－not－－exeeed－the－－Himit－－for－one－－adott－－as estabtished－by－tam－or－by－rate－of－the－deportment．
tzt－－Residentsp－as－defined－by－97－Z－t日民v－under－－the－－age of－t5－yeaps－moy－pupehase－Gtass－A－ty－A－3t－and－A－5－7teenses－at
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Section 15．Section 87－2－903，MCA，is amended to read： m97－2－903．Compensation and duties of agents．（1） License agents，except salaried employees of the department， shall receive for all services rendered the sum of \(t 5\) 응 cents for each license，permit．or certificate issued．On or before the 10 th day of each month each license agent shall submit to the department all duplicates of each class of licenses sold during the preceding month and shall accompany the duplicate licenses with all moneys received for the sale of the licenses less a fee of \(t 530\) cents for each license sold．Each license agent shall keep his license account open at all reasonable hours to inspection by the department，the director，the mardens，or the legislative auditor．
（2）For purposes of this section，the term＂license＂
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includes any license，permit，and certificate prescribed by the department．＂

Seetion－23．－－5eetion－97－5－2 0 －
 department－－may－－adopt－－speeifie－rutes－－for－－the－keeping－of records－－and－for－－the－－trappingt－takingy－－possessiont－－or troining－of－poptors－used－in－the－practrce－of－foteonryand－mby authorize－the－issuance－－of－7ieenses－－to－－persons－－for－the practice－of－fatconryb－It－－is－－untowfut－－for－－any－person－－to possess－－o－－raptor－－or－to－troin－troptor－in－the－practice－of fateonry－without－a－ticensen
 or－ony－part－of－a－year－A－ticense－expires－Appit－3e－each－year＝

Hy－－A－Hicense－may－not－be－issued－to－o－person－under－－the oge－of－tr－yearsw
t4i－－ticensees－－－shath－－－have－in－possession－－t－vatid fateoner＊s－ticense－when－engaged－in－the－proctice－of－fateonry In－additionv－fateoners－7eosing－raptors－at－gome－－birds－3hott have－in－passession－a－vatid－pesident－or－nonresident－game－bird treensen
（5t－fateonry－－tieenses－or－permits－ore－not－transferable
and－may－be－－revoket－－for－－due－－earse－－at－－any－time－－by－the depertmentr＂

Section 16．Repealer．（1）Sections 87－2－703 and 87－2－721．MCA，are repealed effective May 1．19日l．
(2) Section 87-2-303. MCA, is repealed effective May 1. 1982.

Section 17. Codification instruction. (1) Section 6 is intended to be codified as an integral part of Title 87, chapter 2, part 3, and the provisions of Title 87 apply to section 6.
(2) Section 19 14 is intended to be codified as an integral part of Title 87, chapter 2 . part 1 , and the provisions of Title 87 apply to section 19 14.

Section 18. Effective date. This act is effective as follows:
(1) Sections 2 and $\mathbf{4 9} 14$ are effective May $1,1981$.
(2) Section 2416 is effective as provided therein.
(3) Section 4611 is effective July $1.490 \theta$ 1981.
(4) Sections 47 -and- $\mathbf{4 8}$ 12 ANO_13 are effective on passage and approval of this act.
(5) All other sections are effective May 1 . 1982.
-Enat
house bill no． 200 introduceo by ellison
BY REQUEST UF
THE DEPARTMENT OF FISH，WILDLIFE，AND PLRKS
A oILL for an act entitled：＂an act to increase funds available for management of the state＊s hilolife resources by increasing the fees for hunting．fishinig fatppingy and related licenses and permits；removing the t－year kill limitation on certain game animals；and removing the pqigRity status for unsuccessful special elk and antelope LICENSE APPLICANTS；AMENOING SECTIONS 87－2－104．日
 37－2－501，87－2－505，87－z－507，－87－z－5日日v－37－z－60t，87－2－701， 87－2－702．87－2－705，87－2－706，87－z－7tt\％87－z－805，ANO
 G7－2－703．AND 87－2－721，MCA：AND PRQVIUING SEPARATE effective oates．＂

## be it enacted by the legislature of the state jf montana：

Section l．Section $87-2-104, \mathrm{MCA}$ ，is amended to read：
＂87－2－104．Number of licenses allowed．Bnly one license of any one class．except Class B－3 and B－4 licenses， shall be issued to any one person．The department may prescribe rutes and regulations for the issuance or sale of
a replacement license of the same class in the event the original license is lost，stolen，or destroyed upon payment of－the－stim－of－43－－or－－the－－cost－－of－－the－－originat－－ticensev whtchever－is－the－smatter－ameunt of the original＿price＿of the lost，stolen．or destroyed licenseg not to exceed szt 55＊＊ Section 2．Section $87-2-202$ ，MCA，is amended to read： n日7－2－202．Application－－stamp attachment－－fee－－ expiration．（l）wildife conservation license shall be sold upon written application．The application shall contain the applicantes name，aqe，occupation，place of residence， post－office address，and length of time in the state of Montana；state whether the applicant is a citizen of the United States or an alien；and be subscribed by the applicant．The applicant shall present a driver＇s license or other identification to substantiate the information．
（2）Hunting，fishing，or trapping licenses in the form of tags or stamps issued to a holder of a wililife conservation license must be affixed to or recorded on the wildife conservation license according to such rules as the department may prescribe．
（3）Resident and nonresident wildife conservation

（4）Licenses issued shall be void after Aprill 30 next succeeding their issuance．＂

Section 3．Section 87－2－301，MCA，is amended to read：
ma7－2－301．Class A－resident fishing license．Any resident，as defined by 87－2－102．upon payment of a fee of
 shall receave a class $A$ license which shall entitle the holder thereof to fish with hook and line or rod as aut．irized by reyulations of the department．＂

Section 4．Section 87－2－302，MCA，is amended to read＝
＂e7－2－302．Class B－－nonresident fishing license．Any person not a resident，as defined in 87－2－102．upon payment of the $54 m$ of $\$ 2 \boldsymbol{z} \underline{\$ 1} \underline{\underline{3}} \underline{0}$ to any agent of the department authorized to issuefishing and hunting licenses，snall be entitled to class e license wich shall entitle the holder thereof to fish with hook and line as authorized uy the rites and regulations of．the department．＂

Section 5．Section 87－2－304．MCA，is mended to read：
－87－2－304．Class B－4－－one－dかy tro－day nonresident fisning license．Any person not a resident，as defined in 37－2－102，who is a holder of a valid wildife conservation Iicense，upon payment of the sum of $\$ 2 \underline{2}$ to any 3 gent of the department authorized to issue fishing and muntina licenses，shall be entitlea to a t－say $\underline{z}$－day nonresident fishing license which shall authorize the nolder to fish with hook and ine as prescribed by rules and regulations of the department for $\ddagger \underline{2}$ calendar dey gays as indicated on the license．＂

NEW SECEION．Section 6．Paddefish tags．The department may issue padiefish tags to holders of valid Cass A，Class $B$ ，ano Class B－4 fishing licenses for fee of $\$ 5$ 53．Each taf authorizes the nolder to fish with hook and line for paddefish as presctibed by rules of the department．

Section－7＊－－Sectren－－87－Z－4日tv－MEAy－is－amended－te－read＊
u87－z－4日t＊－－Etass－－A－t－－resigent－－game－－bite－－7feensen Except－－as－－otherwise－－provideav———－residentr－as－defined－oy

 recetre－a－EHass－A－t－＋trense－whteh－mit＋－entitte－the－notaer－ce
 carcasses－of－game－birds－as－authortzed－by－department－rates．

Section－A．－－Section－A7－z－4日zr－NEAT－r9－anended－te－readz
 Except－as－otherwtse－provided－in－this－eneptery－a－person－not－a residentr－as－defined－in－67－z－i日z r－but－who－ity－zz－yfars－of－age
 Etess－3－t－tieense－whieh－shatl－entitte－the－hoter－thereof－－te parsoer－－hantr－－shootim－and－－kit＋－yame－birds－and－possess－the Careasses－of－qume－birds－as－authorized－sy－department－－rates．

Section 7．Section 87－2－403．MCA，is amended to readz
＂87－2－403．Wila turkey tags and fee．（1）The department may issue wild turkey tags to the holaer of d
valid Class $A-1$ or Class $3-1$ license．Each tag shall entitle the holder to pursue；hunt，shoot，and kill one wild turkey and possess the carcass thereof ，during such times and such places as the department shall autnorize an open season on wild turkey．
（2）The fee for a wild turkey tay shall be $5 \mathbb{5}$ 红 $\$ 3$. furkey tags shall de issued either by a drawing system or in unlimited number as authorized by department rules．＂

Section 9．Section 87－2－501．MCA，is amended to read：
M8－2－501．Class A－3．A－4．A－5，A－6－－resident deer， elk，and bear licenses．Except as otherwise provided in this chapter，a resident，as defined by 日l－2－102，who will de 12 years of age or alder prior to september 15 of the season for which the $f$ icense 15 issued may：upan payment of the proper fee or fees，be entitled to purchase one each of the following licenses which will entitle the holder to pursue， hunt，shoot，and kill the game animal or animals authorized Dy the license held and to possess the carcasses of those qame animals as authorized by department rufes：
 then－6t日；
（2）Class A－4，deer $B$ tag，\＄5；


（4）Class a－b，black or brown bear tag， $56 \pm t \theta$ £3．＂

Section 9．Section $87-2-505$ ，MCA，is amended to read： M87－2－505．Class E－10－－nonresident big yame combination license．Except as otherwise provided in this chapter，a person not a resident as defined in 87－2－102． but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may，upon

 prescribed by law and department regulationg apply to the fish and game office，Helena，itontana，to purchase 3 －10 nonresident big jame combination license which shall entitle the holder to dil the privileges of Class $B$ ，Class B－l， Class B－7，and black bear licenses，and an elk tag．This license includes the nonresident conservation license as
 Class $\mathrm{g}-10$ licenses may be sald in any one license year．＊

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Section 10．Section 87－2－701，MCA，is amended to read：
m87－2－701．Special licenses．（1）Any applicant who will be 12 years of age or older prior to Seftember 15 of the season for which the license is issued and is the notder of a resident wildife conservation license or a nonresitent wildife conservation license may upply for a special Jicense which，in the judgment of the department，is to be issued and snall pay the following fees therefor：
（a）moosa－－resident，\＆z5 \＆5e E25；monresident，ti5A SE5日 5175：
 * 450 \$25 8 \$175;
(c) mountain sheep--resident, \$25 S5e s25;

(d) antelope-resident, $\$ 5 \underline{ \pm} \underline{\underline{\theta}}$ 55; nonresident. s100;
(e) griz<ly bear--resident, bz5 $\$ 59$ \$25; nonresident, $\$ 459+25 \theta$ \$175;
(f) black or brown bear--nonresident, $\$ 100$.
(2) In the event a holder of a valid special grizzly bear license kills a grizzly bear. he must purchase otrophy license for a fee of 525 within 10 days after date of kille. Such trophy license shall authorize the holder to possess and transport said trophy.
(3) Spectal licenses shali be issued in a manner prescribed by the department."

Section 11. Section B7-2-702, MCA, is amended to read:
"st-2-702. Restrictions on special ificenses. ttt-A person-who-has-obtathed--a--grizzty--beart--moeser--meantarn goaty-or-mountain-sheep-license-ts-not-etigible-te-apply-for another-such-tieense-for-the-next-suceeding-7-years-if-stuch person--has--kt+ted--er--taken--an-antmat-of-the-specteg-for Whteh-the-speetat-ticense--was--issuedr--A--person--wha--has obtaifed--a--grizz+y-beary-moosey-mountain-goaty-or-menntatim sheep-łtcense-bat-dig-not-kit+-or--take--an--animat--of--the spectes-for-minth-the-speetet-tieense-was-issuet-is-etigibte
to--apply-for-another-sueh-treense-in-any-suceeding-year-if he-returns-his-unused--spectaf--7icense-to--the--department before-or-at-the-time-zpplieation-is-made*
$t z+1$ a person who has received a special permit for elk is not eligiole to receive a second special permit for this species of game animal during any license year. However, in the event the nuaber of applications received is not equal to the number of game animals desired to be killed by the department, reapplication may be made by those valid Cicense holders of the current year who may fall within these limitations.
t $\ddagger+121$ A person who has killed or taken any game animal, except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."

Section 12. Section 87-2-705, HCA , is amended to read:
m87-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk germits for a huntang district exceeds the quota set by the department for the district, these permits shall be awerded by a drawing. persons-making-vatit-apptreatron-whe--tid--not receive--a-speciat-etk-permit-during-the-seoson-immedtotety precedtigg-the-arawing-shati-receive-first-preference-in-this drawing--for--Ftratr-useeondy--and--third---ehoree---hontrme

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ftstrietg* Ihe_degartment shall erovide_for_those_gersons
making_yalig_apelication_for special_elk_permits_a_method_of
selecting_firstg secondz_ang_third choice_hunting_districts
for_any drawing_held pursuant_-to_-this_section= The
fepartment may promulgate the rules necessary to implement
tht; section."
Section 13．Section 87－2－706，MCA，is amended to read： ＂日7－2－706．Jrawing for special antelope licenses．In the event the number of valid applications for special antelope licanses for a hunting district exceeds the quota set by the department for the district，such licenses stall be awarded by a drawing．Persens－makting－ratrd－apptientron Who－did－not－recerve－an－antetope－ticense－－baring－－the－－season tmmediately－－preceding－－the－－drawing－－shat＋－－be－－given－first preference－th－sueh－drawing－－for－－ftrstv－－secondv－－ant－－thiry ehoree－－manting－－sistrietse Ine department＿shall provide＿for those＿persons＿making valid＿aplication for special＿antelope licenses＿a＿method＿of＿selecting＿first．second．and＿third Ghoice hunting＿districts＿for＿any＿drawing＿neld＿oursuant＿＿to this＿＿section．The department shall have the authority to promulgate sucti rutes and regatations as are necessary to implement this section．＂
NEW SECIIJN．Section 14 ．Drawiny fee．（1）wifen the department determines a arawing is necessary prior to issuance of nuntiny licenses for any game species during \(\Rightarrow\)
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hunting season，it shall collect a 55 S2 PER＿SPECIES drawing fee with each application submitted．
（2）Tris fee must be deposited in the earimarked revenue fund to the credit of the department as set forth in 87－1－601．
（3）The payment of a drawing fee confers no hunting rights or privileges．
（4）The commission may waive the provisions of subsection（l）when a drawing is required for a special season under 97－1－304．

 residenty－－as－－deftned－－by－87－z－tetr－who－wt＋t－be－tz－yetrs－sf oge－or－otder－prifor－to－jeptember－t5－of－the－season－－for－－whieh
 535v－shaft－be－entitled－to－a－sportsmans－ticense－whren－－smatt permit－－the－hotfer－to－exeretse－at＋－rights－granted－to－hotaers
 ＋icenses－－as－－prescrtbed－－in－－87－z－z日z．－Fhe－deportment－shat＋ furnish－edeh－motder－ef－a－spertsmanis－litense－an－－approprtate deeatw

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we7－z－8日S：－－Persons－－onder－－frfteen－－years－－ef－arer－tth Minor s－uncer－45－years－of－age－may－－fish－for－－ane－－take－－ftsh

nonrestident－person－under－the－age－of－t5－years－miy－fish－in－－or on－－any－Montans－waters－without－first－haytng－abtained－a－Etass B7－9－37－or－3－4－fithing－tieense－antesg－the－nonresident－person under－the－age－of－t5－years－ts－rm－the－eampony－of－an－－agutt－－th possesston－－of－a－vatit－Mantana－fishtno－licensea－7he－timit－af fish－for－the－nonrestent－person－ana－the－－aceempanying－－ndatt combiney－－－mar－－not－－exceed－－the－－4imit－－for－－ane－－adaft－－9s estobtrghed－ay－taw－or－by－rute－of－the－tepartment．
tZł－Restdentsv－as－deftned－by－87－z－t日zv－under－－the－－age ef－ts－years－mey－paremese－Etars－A－tw－＊－3v－and－A－5－treenses－at


Section 15．Section 87－2－903．MCA，is aminded to read： n87－2－903．Compensation and duties of agents．（1） License agents．except salaried employees of the department， shall receive for all services rendered the sum of $t 53$ cents for each license，permit，or certificate issuec．In or before the luth day of each month each licens？agent shall suomit to the department all duplicates of each class of licenses suld during the preceding month and stall accompany the juplicate licenses with all moneys received for the salo of the licenses less a fee of $\mathbf{t s} 30$ cents for each license sold．Each license agent shall keep his licensa account open at $\rightarrow 11$ reasonable hours to inspection by the department，the director，the ardens，or the leyislative auditor．
（2）For purposes of this section，the term＂license＂
includes any license，permit，and certificate prescribed by the department．＂

Section－2．3．－－5eetron－87－5－z日4v－MEAv－is－amended－te－readt
 department－－may－－odopt－－specific－－rutes－－for－－the－keeping－of records－－and－－for－the－－trappingr－takingr－－posgegstony－－－or training－of－raptors－tised－in－the－prdetice－of－fateoney－and－may outhorize－－the－－tssuance－－of－－tieenses－－to－－persons－－for－the practice－of－fat conry－it－－is－－antawfut－－for－－any－－person－to possess－－a－－raptor－－or－－to－tratn－a－raptor－tn－the－pratite－of fateonry－without－a－lieense．
 or－any－part－of－y－rear－－titeense－exptres－Aprit－3日－each－year：
t3f－－A－tieense－may－not－be－issued－to－b－Derson－under－－the age－of－tz－years．
f4t－－tifeensees－－－shatt－－－have－－tn－－pessession－－a－－voltd fatennern－ticense－when－engaged－in－the－praetree－af－fateonryn tn－additionv－fateoners－teosing－rdptors－at－geme－bifds－－shatt mave－in－possesston－a－vatid－restdent－or－nonrestaent－game－bird treensex
t5t－－fateonry－－7itenses－er－permtts－are－not－transferabte and－may－be－－revoked－－for－－abe－－earse－－at－－any－－time－－by－－the department：

Section lo．kepealer．（1）Sections 87－2－703 and 87－2－721，MCA，are repealed effective May 1，1981．
(2) Section 87-2-303, MCA, is repealed effective May 1. 1982.

Section 17. Codification instructione (1) Section 6 is intended to be codified as an integral part of Title 07, chopter 2 , part 3 , and the provisions of Tithe 87 apply to sec. on 0.
(2) Section $\mathbf{t 9} \quad 14$ is intended to be codified os an integral part of Title 87. chapter 2 , part 1 , and the provisions of litle 97 apply to section 49 14.

Section 18. Effective date. This act is effective as follows:
(1) jections 2, 3: and $\pm 9$ 14 are effective May 1, 1981 .
(2) Section $z^{4} \underline{16}$ is effective as provided therein.
(3) Section te 11 is effective July l. t98e 19El.
(4) Sections t7--end-- $\ddagger 8$ 12 AND_13 are effective on passage and approval of this act.
(5) All other sections arp effective May i, 1962. -Eng-

FREE CONFERENCE COMMITTEE REPORT NO. 1 ON HOUSE BILI NO. 200

MR. PRESIDENT AND SPEAKER OF THE HOUSE:
We, your Free Conference Committee on House Bill No. 200, met April 13, 1981, and considered:

Senate Fish and Game Committee Amendments to the third reading copy, dated March 26,1981 , and

Senate Committee of the Whole Amendments to the third reading copy, dated March 30,1981 , and recommend as follows:

That the House accede to Committee amendments 1 and 4 through 14;

That the Senate recede from Committee amendment 2;
That the Senate recede from Committee of the Whole amendment number 3;

That House Bill, No. 200 be further amended as indicated in CLERICAL INSTRUCTIONS number 3 and number 4;

And, that the Conference Report to House Bill No. 200 be adopted.

CLERICAL INSTRUCTION:

1. Page 2, line 22.)

Following: "\$2"
Strike: "\$3"
Insert: "\$2"
2. Page 3, line 3.

Following: "\$7"
Strike: "\$6"
Insert: "\$7"
3. Page 12 , line 1.

Following: "a"
Strike: "\$5" Insert: "\$2"
4. Page 15, line 12.

Following: "2"
Insert: ",3,"

Free Conference Committee on House Bill No. 200 Page -2-

FOR THE HOUSE:


FOR THE SENATE:


## SENATE COMMITTEE OF THE WHOLE

Proposed amendment to House Bill 200 , third reading copy, as follows:

That the following amendment of the senate standir.; Committee on Fish and Game of March 26, 1981, be stricken:
3. Page 3, line 3.

Strike: "\$6"
Insert: "\$7"

SENATE STANDING COMMITTEE REPORT (Fish and Game)
That House Bill No. 200 be amended as follows:

1. Title, line 8. Strike: "TRAPPING,"
2. Page 2, line 22 .

Strike: "\$2"
Insert: "\$3"
3. Page 3, line 3.

Strike: "\$6"
Insert: "\$7"
4. Page 4, lines 7 through 22.

Strike: sections 7 and 8 in their entirety Renumber: subsequent sections
5. Page 6, line 8. Strike: "\$250"
insert: $\$ 275 "$
6. Page 7, line 12 through line 15 on page 8. Strike: sections 12 through 14 in their entirety Renumber: subsequent sections
7. Page 12, line 11 through line 11 on page 13. Strike: sections 20 and 21 in their entirety Renumber: subsequent sections
8. Page 14, lines 3 through 23. Strike: section 23 in its entirety Renumber: subsequent sections
9. Page 15 , line 7. Following: "Section"
Strike: "19" Insert: "14"
10. Page 15, line 9.

Following: "section"
Strike: "19"
Insert: "14"
11. Page 15, line 12.

Following: "Sections 2 and"
Strike: "19"
Insert: "14"
12. Page 15 , line 13. Following: ."Section" Strike: " $24^{\text {m }}$ Insert: "16"
Page 2
March 26, 1981
House Bill No. 200
13. Page 15, line 14.
Following: "Section"
Strike: "16"Insert: "ll"
14. Page l5, line 15.Following: "Sections"Strike: "l7 and 18"Insert: "12 and 13"


[^0]:    
    by REQUEST OF
    the department of fish, hildlife, and parks

    A BILL FOR AN ACT ENJITLED: WAN ACT TO INCREASE FUNDS available for management of the state's hilditfe resources by increasing the fees for hunting, fishing, trapping, and related licenses and permits; removing the t-year kill limitation on certain game animals; and removing the PRIDRITY STATUS FOR UNSUCCESSFUL SPECIAL ELK ANO ANTELOPE LICENSE APPLICANTS; AMENDING SECTIONS 87-2-104, 87-2-202, 87-2-301, 87-2-302, 87-2-304, 87-2-401 THROUGH 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-601, 87-2-701, 87-2-702, 87-2-705, 87-2-706, 87-2-711, 87-2-805, 87-2-903, AND 87-5-204, MCA; REPEALING SECTIONS 87-2-303, 87-2-703, AND 87-2-721, MCA; ANO PROVIDING SEPARATE EFFECTIVE OATES.* ef it enacted by the legislature of the state of montana:

    Section 1. Section 87-2-104, HCA: is amended to read: "87-2-104. Number of licenses allowed. anly one license of any one class, except Class $\mathrm{P}-3$ and $\mathrm{B}-4$ licenses; shall be issued to any one person. The department may prescribe rules and regulations for the issuence or sale of a replacement license of the same class in the event the

[^1]:    te-apply-for-anether-streh-7ieens o-in-any-sueceeding-year-i-if he--returns--his--unused--speciat--Hieense-to-the-department before-or-ot-the-time-apptiestion-is-madex
    tzifll person who has received a special permit for elk is not eligible to receive a second special permit for this species of game animal during any license year. However. in the event the number of applications received is not equal to the number of game animals desired to be kilifed by the department, reapplication may be made by those valid license holders of the current year who may fall within these limitations.
    t3l2 (2) person who has killed or taken any game animal. except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species."

    Section 18. Section 87-2-705, MCA, is amended to read:
    -87-2-705. Drawing for special elk permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the department for the district, these permits shall be awarded by a drawing. Persons-making-valid-apptieetion-who-did-not receive-o-speciot-etk-permit-during-the--season-immedtetety preceding-the-drawing-shati-receive-first-preference-in-this drawing---for---firstv--secondy--and--thitd--ehoree--hunting

[^2]:    (2) Section 87-2-303, mCA, is repealed effective May 1. 1982

    Section 26. Codification instruction. (1) Section 6 is intended to be codified as an integral part of Title 87, chapter 2; part 3; and the provisions of Title 87 apply to section 6.
    (2) Section 19 is intended to be codified as an integral part of title 97 , chapter 2. part 1, and the provisions of 1 itle 87 apply to section 19.

    Section 27. Effective date. This act is effective as follows:
    (1) Sections 2 and 19 are effective May 1.1981 .
    (2) Section 24 is effective as provided therein.
    (3) Section 16 is offective July 1.1980 .
    (4) Sections 17 and 18 are effective on passage and approval of this act.
    (5) All other sections are effective May 1. 1982.
    -End-

[^3]:    receive a Class D-2 ifcense which shall entitle the nolder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof as duthorized $b y$ department rules."

    Section 14. Section 87-2-601, MCA, is amended to read:
    "81-2-601. Class C-trapper's iicense. Except as otherwise provided in this chapter, aresident, as defined in 87-2-102, upon making application and payment of a fee of
     Which shall authorize the holder thereof to erap fur-bearing animals and hunt bobcat, wolverine, and Canada lynx within the state of Montana at such times and in such manner as may be lawful so to do under the laws of the state and the regulations of the department and at such places as may de designated in said license."

    Section 15. Section 87-2-701. MCA, is amended to read=
    "87-2-701. Special licenses. (1) Any applicant who will be 12 years of age or older priof to September 15 of the seas on for which the license is issued and is the nolder of a resident wildife conservation license or a nonresident wildife conservation license may apply for a special license which, in the judgment of the department. is to be issued and shall pay the following fees therefor:
    (a) moose--resident, $\$ 25$ \$5e s25; nonresident. st5e
    

