

HOUSE BILL NO. 335

INTRODUCED BY NILSON

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

IN THE HOUSE

January 18, 1983	Introduced and referred to Committee on Fish and Game.
February 15, 1983	Committee recommend bill do pass as amended. Report adopted.
February 16, 1983	Bill printed and placed on members' desks.
February 17, 1983	Second reading, do pass as amended.
February 19, 1983	Correctly engrossed.
February 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Fish and Game.
March 18, 1983	Committee recommend bill be concurred in as amended. Report adopted. Statement of Intent attached.
March 21, 1983	Second reading, concurred in.
March 23, 1983	Third reading, concurred in. Ayes, 39; Noes, 11.

IN THE HOUSE

March 23, 1983	Returned to House with amendments and Statement of Intent.
March 30, 1983	Second reading, pass consideration until 80th Legislative Day.
April 8, 1983	Second reading, on motion consideration passed until the 84th Legislative Day.
April 14, 1983	Second reading, amendments and Statement of Intent not concurred in. On motion, Free Conference Committee requested and appointed.
April 18, 1983	Free Conference Committee reported. Second reading, Statement of Intent and report adopted. Third reading, Statement of Intent and report adopted.
April 20, 1983	Free Conference Committee report and Statement of Intent adopted by Senate. Sent to enrolling. Reported correctly enrolled.

1 House BILL NO. 335
2 INTRODUCED BY Nelson
3 BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE LICENSE
6 FEES FOR ACTIVITIES REGULATED BY THE DEPARTMENT OF FISH,
7 WILDLIFE, AND PARKS; AMENDING SECTIONS 87-2-202, 87-2-301,
8 87-2-304, 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508,
9 87-2-701, 87-2-711, 87-4-127, 87-4-201, 87-4-304, 87-4-503,
10 87-4-602, 87-4-603, 87-4-803, AND 87-5-204, MCA; AND
11 PROVIDING EFFECTIVE DATES."
12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14 Section 1. Section 87-2-202, MCA, is amended to read:
15 "87-2-202. Application -- stamp attachment -- fee --
16 expiration. (1) A wildlife conservation license shall be
17 sold upon written application. The application shall contain
18 the applicant's name, age, occupation, place of residence,
19 post-office address, and length of time in the state of
20 Montana; state whether the applicant is a citizen of the
21 United States or an alien; and be subscribed by the
22 applicant. The applicant shall present a driver's license or
23 other identification to substantiate the information.
24 (2) Hunting, fishing, or trapping licenses in the form
25 of tags or stamps issued to a holder of a wildlife

1 conservation license must be affixed to or recorded on the
2 wildlife conservation license according to such rules as the
3 department may prescribe.
4 (3) Resident and--nonresident wildlife conservation
5 licenses may be purchased for a fee of \$2 ~~\$3~~, and
6 ~~nonresident wildlife conservation licenses may be purchased~~
7 ~~for a fee of \$4~~.
8 (4) Licenses issued shall be void after April 30 next
9 succeeding their issuance."
10 Section 2. Section 87-2-301, MCA, is amended to read:
11 "87-2-301. Class A--resident fishing license. Any
12 resident, as defined by 87-2-102, upon payment of a fee of
13 \$7 ~~\$10~~, shall receive a Class A license which shall entitle
14 the holder thereof to fish with hook and line or rod as
15 authorized by regulations of the department."
16 Section 3. Section 87-2-304, MCA, is amended to read:
17 "87-2-304. Class B-4--two-day nonresident fishing
18 license. Any person not a resident, as defined in 87-2-102,
19 who is a holder of a valid wildlife conservation license,
20 upon payment of the sum of \$4 ~~\$6~~ to any agent of the
21 department authorized to issue fishing and hunting licenses,
22 shall be entitled to a 2-day nonresident fishing license
23 which shall authorize the holder to fish with hook and line
24 as prescribed by rules and regulations of the department for
25 2 calendar days as indicated on the license."

Section 4. Section 87-2-403, MCA, is amended to read:

"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-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 authorize an open season on wild turkey.

(2) The fee for a wild turkey tag shall be \$3 ~~15~~. Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules."

Section 5. 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, \$6 ~~12~~;

(2) Class A-4, deer B tag, \$5 ~~16~~;

(3) Class A-5, elk tag, \$9 ~~20~~;

(4) Class A-6, black or brown bear tag, \$8 ~~10~~."

Section 6. Section 87-2-505, 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 September 15 of the season for which the license is issued may, upon payment of the fee of \$275 ~~350~~ 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 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year."

Section 7. Section 87-2-507, MCA, 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 87-2-102, but who is 12 years of age or older, upon payment of a fee of \$100 ~~1300~~ 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

1 department rules."

2 Section 8. Section 87-2-508, MCA, is amended to read:

3 "87-2-508. Class D-2--resident mountain lion license.

4 Except as otherwise provided in this chapter, a person who
5 is a resident, as defined in 87-2-102, and who is 12 years
6 of age or older, upon payment of a fee of ~~\$5~~ \$50 may receive
7 a Class D-2 license which shall entitle the holder thereof
8 to pursue, hunt, shoot, and kill mountain lion and possess
9 the carcass thereof as authorized by department rules."

10 Section 9. Section 87-2-701, MCA, is amended to read:

11 "87-2-701. Special licenses. (1) Any applicant who
12 will be 12 years of age or older prior to September 15 of
13 the season for which the license is issued and is the holder
14 of a resident wildlife conservation license or a nonresident
15 wildlife conservation license may apply for a special
16 license which, in the judgment of the department, is to be
17 issued and shall pay the following fees therefor:

18 (a) moose--resident, ~~\$25~~ \$50; nonresident, ~~\$175~~ \$300;

19 (b) mountain goat--resident, ~~\$15~~ \$50; nonresident,

20 ~~\$175~~ \$300;

21 (c) mountain sheep--resident, ~~\$25~~ \$50; nonresident,

22 ~~\$175~~ \$300;

23 (d) antelope--resident, ~~\$5~~ \$10; nonresident, ~~\$100~~;

24 (e) grizzly bear--resident, ~~\$25~~ \$50; nonresident, ~~\$175~~

25 ~~\$300~~;

1 (f) black or brown bear--nonresident, ~~\$100~~.

2 (2) In the event a holder of a valid special grizzly
3 bear license kills a grizzly bear, he must purchase a trophy
4 license for a fee of \$25 within 10 days after date of kill.
5 Such trophy license shall authorize the holder to possess
6 and transport said trophy.

7 (3) Special licenses shall be issued in a manner
8 prescribed by the department."

9 Section 10. Section 87-2-711, MCA, is amended to read:

10 "87-2-711. Class AAA--sportsman's license. Any
11 resident, as defined by 87-2-102, who will be 12 years of
12 age or older prior to September 15 of the season for which
13 the license is issued, upon payment of the sum of ~~\$35~~ \$50,
14 shall be entitled to a sportsman's license which shall
15 permit the holder to exercise all rights granted to holders
16 of Class A, A-1, A-3, A-5, A-6, and resident conservation
17 licenses as prescribed in 87-2-202. The department shall
18 furnish each holder of a sportsman's license an appropriate
19 decal."

20 Section 11. Section 87-4-127, MCA, is amended to read:

21 "87-4-127. Fees. (1) Applications shall be accompanied
22 by a license fee as herein stipulated, which will be
23 refunded if and when the application is denied:

24 (a) resident outfitter's license fee ~~\$50~~ \$75;

25 (b) resident professional guide's fee ~~\$15~~ \$25;

(c) nonresident outfitter's license fee ... ~~\$150~~ \$175;

(d) nonresident professional guide's fee .. ~~\$100~~ \$175.

(2) If the nonresident resides in a state requiring residents of the state of Montana to pay in excess of such amounts for a similar license, the fee for such nonresident outfitter's or professional guide's license shall be the same amount as the higher fee charged in the state where the nonresident resides. All fees collected under this part shall be deposited as provided in 87-1-601.

(3) The license fee shall be used to investigate the applicant, to enforce this part, and for administrative costs."

Section 12. Section 87-4-201, MCA, is amended to read:

"87-4-201. Taxidermist's license, fee, and penalty. A person who engages in conducting any taxidermy business, as the term is generally understood, or any person who conducts a business for the purpose of mounting, preserving, or preparing any of the dead bodies of any wildlife or any part thereof must first obtain from the director a taxidermist's license and pay an annual license fee of ~~\$15~~ \$25 therefor. Such person shall keep a written record of all the articles of wildlife in his possession or control, the kind and number of each, by whom owned, and the residence of owner, all the articles of wildlife shipped and to whom and where shipped. The above record shall be kept for as long as such

articles remain in the possession of the licensee but in any event at least 5 years. These records shall be open to inspection by any state game warden at any reasonable time. In all cases of conviction of violation of this section, the license of the person convicted may be revoked by the court."

Section 13. Section 87-4-304, MCA, is amended to read:

"87-4-304. License classification and fees. (1) The following classes of licenses shall be issued and the following fees charged therefor:

(a) resident fur dealer's license, ~~\$10~~ \$20;

(b) nonresident fur dealer's license, ~~\$50~~ \$75;

(c) fur dealer's agent's license, ~~\$10~~ \$20.

(2) Any person who is employed by a resident or nonresident fur dealer as a traveling fur buyer shall be deemed a fur dealer's agent. A fur dealer's agent's license may be issued to any person who is employed as a fur buyer by a licensed resident or licensed nonresident fur dealer, providing that it shall be the responsibility of each and every fur dealer and fur dealer's agent to have the proper license before buying or dealing in furs as defined by 87-4-301."

Section 14. Section 87-4-503, MCA, is amended to read:

"87-4-503. Fees. Fees for shooting preserve licenses or permits shall be ~~\$50~~ \$75 per year for the first 160 acres

of shooting preserve area, plus ~~\$20~~ \$25 per year for each additional 160 acres or parts thereof."

Section 15. Section 87-4-602, MCA, is amended to read:

"87-4-602. Seining licenses. (1) The director shall keep a record of all licenses issued by him for the use of a net for the taking of fish, showing the name of the applicant, the date of issue, the waters to be used in, and the date of revocation if the license is revoked. The director shall pay all fees received for those licenses into the state treasury to the credit of the fish and game moneys in the earmarked revenue fund. A license may not be issued to a person whose license has been revoked for cause.

(2) The fee for a license for the use of a net in the taking of fish is \$20."

Section 16. Section 87-4-603, MCA, is amended to read:

"87-4-603. Fish pond license for artificial lake or pond. (1) A person who owns or lawfully controls an artificial lake or pond may apply to the director for a fish pond license. The holder of a private fish pond license may stock his fish pond with fry procured from any lawful source. The department may designate the species of fish which may be released in the pond when there is a possibility of fish escaping from the pond into adjacent streams or lakes. The license holder may take fish from the lake or pond in any manner. Before a license holder may sell

fish or eggs or fry from the lake or pond, he shall furnish a corporate surety bond to the state for \$500, conditioned to the effect that he will not sell fish or spawn from any of the public waters of this state and also conditioned to the effect that he will report to the director the quantity of fish, fish eggs, and spawn taken from the lake or pond. This report shall be made under oath annually during the month of January. A record of all transactions must be kept showing the species and numbers or pounds of fish sold, number and species of eggs sold, number and species of fry sold, name of person or persons to whom sold, and the date of transaction.

(2) "Artificial lake or pond" as used in this section does not include a natural pond or body of water created by natural means or any portion of the streambed or lakebed thereof. It includes only bodies of water created by artificial means or diversion of water which do not exceed 50+ acres of surface area.

(3) The license fee for the operation of a commercial fish pond is \$100."

(4) The fee for annual renewal of a commercial fish pond license is \$25."

Section 17. Section 87-4-803, MCA, is amended to read:

"87-4-803. Permits. (1) The department shall grant permits for roadside menageries or zoos. It is unlawful for

1 any person to operate a roadside menagerie without a permit.
 2 Application for a permit shall be made to the director on a
 3 form prescribed by him. The annual permit fee for five or
 4 less animals shall be ~~\$10~~ \$25. The annual permit fee for
 5 more than five animals shall be ~~\$25~~ \$50. Permits shall
 6 expire on December 31 but may be renewed upon payment of the
 7 annual fee. This section shall not apply to the United
 8 States, the state of Montana, or any county or city. Any
 9 person who shall subscribe to any false statement in
 10 application for a permit shall be guilty of a misdemeanor.

11 (2) No permit shall be granted by the department until
 12 it has satisfactorily verified that the provisions for
 13 housing and caring for such animals and for protecting the
 14 public are proper and adequate and in accordance with the
 15 standards established by the department.

16 (3) A permit is not transferable to another person
 17 unless the roadside menagerie or zoo to which it pertains is
 18 also transferred to the same person. The director's approval
 19 must be obtained prior to such permit transfer and prior to
 20 a transfer of any wild animals held under the permit."

21 Section 18. Section 87-5-204, MCA, is amended to read:

22 "87-5-204. License and rules for falconry. (1) The
 23 department may adopt specific rules for the keeping of
 24 records and for the trapping, taking, possession, or
 25 training of raptors used in the practice of falconry and may

1 authorize the issuance of licenses to persons for the
 2 practice of falconry. It is unlawful for any person to
 3 possess a raptor or to train a raptor in the practice of
 4 falconry without a license.

5 (2) The fee for a falconry license is ~~\$3~~ \$20 a year or
 6 any part of a year. A license expires April 30 each year.

7 (3) A license may not be issued to a person under the
 8 age of 12 years.

9 (4) Licensees shall have in possession a valid
 10 falconer's license when engaged in the practice of falconry.
 11 In addition, falconers loosing raptors at game birds shall
 12 have in possession a valid resident or nonresident game bird
 13 license.

14 (5) Falconry licenses or permits are not transferable
 15 and may be revoked for due cause at any time by the
 16 department."

17 NEW SECTION. Section 19. Effective dates. (1)
 18 Sections 1 through 4 and 6 through 10 are effective March 1,
 19 1984.

20 (2) Section 5 is effective as follows:

21 (a) The amendment raising the fees for the Class A-3,
 22 deer A tag and Class A-5, elk tag is effective May 1, 1983.

23 (b) The amendment raising the fee for the Class A-4,
 24 deer 8 tag and Class A-6, black or brown bear tag is
 25 effective March 1, 1984.

STATE OF MONTANA

REQUEST NO. 183-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 21, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 335 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:

House Bill 335 increases the license fees for activities requested by the Department of Fish, Wildlife and Parks.

ASSUMPTIONS:

- 1) The estimated effect on revenue from the proposed license increases is based upon projections of the number of licenses that will be sold at the new fee rate. The projected number of licenses that will sell under the new fee structure includes a 12% factor for buyer resistance. This factor was arrived at through an analysis of the effect of fee increases in Montana over the past ten years, and from information reviewed from three other states.
- 2) We cannot provide expenditures by category. The expenditure budget is not allocated by category for each funding source.
- 3) The increased funding from the proposed license fee increase is budgeted primarily for new and expanded programs and capitol construction.

FISCAL IMPACT:

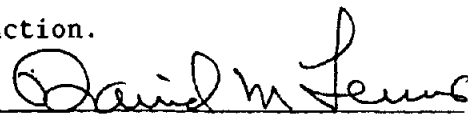
	<u>FY84</u>	<u>FY85</u>	<u>Biennium</u>
License Fees			
Under Current Law	\$11,420,000	\$11,420,000	\$22,840,000
Under Proposed Law	<u>12,718,000</u>	<u>15,911,000</u>	<u>28,629,000</u>
Increased Revenue (Earmarked Rev.)	<u>\$ 1,298,000</u>	<u>\$ 4,491,000</u>	<u>\$ 5,789,000</u>

There would be a corresponding impact on FY 1984 and 1985 expenditures.

LONG RANGE IMPACTS:

The proposed legislation will provide funding in fiscal years 1984 and 1985 for needed program expansion and capitol construction.

FISCAL NOTE 7:P/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-25-83

Approved by Comm.
on Fish and Game

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE LICENSE
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8 87-2-304, 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508,
9 87-2-509, AND 87-2-701, 87-2-711, 87-4-127, 87-4-201,
10 87-4-304, 87-4-503, 87-4-602, 87-4-603, 87-4-803, AND
11 87-5-204, MCA; AND PROVIDING EFFECTIVE DATES."
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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14 Section 1. Section 87-2-202, MCA, is amended to read:
15 "87-2-202. Application-----stamp-attachment----fee---
16 expiration--(1) A wildlife conservation license shall be
17 sold upon written application. The application shall contain
18 the applicant's name, age, occupation, place of residence,
19 post-office address, and length of time in the state of
20 Montana; state whether the applicant is a citizen of the
21 United States or an alien; and be subscribed by the
22 applicant. The applicant shall present a driver's license or
23 other identification to substantiate the information.
24 (2) Hunting, fishing, or trapping licenses in the form
25 of tags or stamps issued to a holder of a wildlife

1 conservation license must be affixed to or recorded on the
2 wildlife conservation license according to such rules as the
3 department may prescribe.
4 (3) Resident and nonresident wildlife conservation
5 licenses may be purchased for a fee of \$2.50 and
6 nonresident wildlife conservation licenses may be purchased
7 for a fee of \$5.
8 (4) Licenses issued shall be void after April 30 next
9 succeeding their issuance."
10 Section 1. Section 87-2-301, MCA, is amended to read:
11 "87-2-301. Class A--resident fishing license. Any
12 resident, as defined by 87-2-102, upon payment of a fee of
13 \$7.50, shall receive a Class A license which shall
14 entitle the holder thereof to fish with hook and line or rod
15 as authorized by regulations of the department."
16 Section 2. Section 87-2-304, MCA, is amended to read:
17 "87-2-304. Class B--two-day nonresident fishing
18 license. Any person not a resident, as defined in 87-2-102,
19 who is a holder of a valid wildlife conservation license,
20 upon payment of the sum of \$4.50 to any agent of the
21 department authorized to issue fishing and hunting licenses,
22 shall be entitled to a 2-day 5-DAY nonresident fishing
23 license which shall authorize the holder to fish with hook
24 and line as prescribed by rules and regulations of the
25 department for 2 5 calendar days as indicated on the

1 license."

2 Section 4. Section 87-2-403, MCA, is amended to read:

3 "87-2-403. Wild turkey tags and fees. (1) The

4 department may issue wild turkey tags to the holder of a

5 valid Class A-1 or Class B-1 license. Each tag shall entitle

6 the holder to pursue, hunt, shoot, and kill one wild turkey

7 and possess the carcass thereof during such times and such

8 places as the department shall authorize an open season on

9 wild turkeys.

10 (2) The fee for a wild turkey tag shall be \$3.25.

11 Turkey tags shall be issued either by a drawing system or in

12 unlimited number as authorized by department rules."

13 Section 3. Section 87-2-501, MCA, is amended to read:

14 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,

15 elk, and bear licenses. Except as otherwise provided in this

16 chapter, a resident, as defined by 87-2-102, who will be 12

17 years of age or older prior to September 15 of the season

18 for which the license is issued may, upon payment of the

19 proper fee or fees, be entitled to purchase one each of the

20 following licenses which will entitle the holder to pursue,

21 hunt, shoot, and kill the game animal or animals authorized

22 by the license held and to possess the carcasses of those

23 game animals as authorized by department rules:

- 24 (1) Class A-3, deer A tag, \$0.12.12;
- 25 (2) Class A-4, deer B tag, \$5.16;

1 (3) Class A-5, elk tag, \$9.28.110;

2 (4) Class A-6, black or brown bear tag, \$0.16.18."

3 Section 6. Section 87-2-505, MCA, is amended to read:

4 "87-2-505. Class B-18--nonresident--big--game

5 combination--license--Except as otherwise provided in this

6 chapter, a person not a resident as defined in 87-2-102,

7 but who will be 12 years of age or older prior to September

8 15 of the season for which the license is issued may, upon

9 payment of the fee of \$275.2358 and subject to the

10 limitations prescribed by law and department regulation,

11 apply to the fish and game officer, Helena, Montana, to

12 purchase a B-18--nonresident--big--game--combination--license

13 which shall entitle the holder to all the privileges of

14 Class B-1, Class B-14, Class B-17, and black bear licenses, and

15 an elk tag. This license includes the nonresident

16 conservation license as prescribed in 87-2-202. Not more

17 than 17,000 Class B-18 licenses may be sold in any one

18 license year."

19 Section 4. Section 87-2-507, MCA, is amended to read:

20 "87-2-507. Class D-1--nonresident mountain lion

21 license. Except as otherwise provided in this chapter, a

22 person not a resident, as defined in 87-2-102, but who is 12

23 years of age or older, upon payment of a fee of \$100.1300

24 may receive a Class D-1 license which shall entitle the

25 holder thereof to pursue, hunt, shoot, and kill mountain

lion and possess the carcass thereof as authorized by department rules. ~~IF A HOLDER OF A VALID MOUNTAIN LION LICENSE UNDER THIS SECTION KILLS A MOUNTAIN LION, HE MUST PURCHASE A TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS AFTER THE DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE HOLDER TO POSSESS AND TRANSPORT SUCH TROPHY.~~"

Section 5. Section 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 ~~\$5~~ ~~\$50~~ ~~\$10~~ may receive a Class D-2 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. ~~IF A HOLDER OF A VALID MOUNTAIN LION LICENSE UNDER THIS SECTION KILLS A MOUNTAIN LION, HE MUST PURCHASE A TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS AFTER THE DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE HOLDER TO POSSESS AND TRANSPORT SUCH TROPHY.~~"

SECTION 6. SECTION 87-2-601, MCA, IS AMENDED TO READ:

"87-2-601. Class C--trapper's license. Except as otherwise provided in this chapter, a resident, as defined in 87-2-102, upon making application and payment of a fee of ~~\$10~~ ~~\$20~~ 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 7. 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 prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife 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~~ ~~\$50~~; nonresident, ~~\$175~~ ~~\$300~~;

(b) mountain goat--resident, ~~\$15~~ ~~\$50~~; nonresident, ~~\$175~~ ~~\$300~~;

(c) mountain sheep--resident, ~~\$25~~ ~~\$50~~; nonresident, ~~\$175~~ ~~\$300~~;

(d) antelope--resident, ~~\$5~~ ~~\$10~~ ~~\$6~~; nonresident, \$100;

(e) grizzly bear--resident, ~~\$25~~ ~~\$50~~; nonresident, ~~\$175~~ ~~\$300~~;

(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.

1 Such trophy license shall authorize the holder to possess
2 and transport said trophy.

3 (3) Special licenses shall be issued in a manner
4 prescribed by the department."

5 Section 18--Section 87-2-711-MCA is amended to read:
6 "87-2-711--Class--AAA--sportsman's--license--Any
7 residency--as--defined--by--87-2-102--who--will--be--12--years--of
8 age--or--older--prior--to--September--15--of--the--season--for--which
9 the--license--is--issued--upon--payment--of--the--sum--of--\$35 ~~250~~
10 shall--be--entitled--to--a--sportsman's--license--which--shall
11 permit--the--holder--to--exercise--all--rights--granted--to--holders
12 of--Class--A--A-1--A-3--A-5--A-6--and--resident--conservation
13 licenses--as--prescribed--in--87-2-202--The--department--shall
14 furnish--each--holder--of--a--sportsman's--license--an--appropriate
15 decal"

16 Section 11--Section 87-4-127-MCA is amended to read:
17 "87-4-127--Fees--(1)--Applications--shall--be
18 accompanied--by--a--license--fee--as--herein--stipulated--which
19 will--be--refunded--if--and--when--the--application--is--denied:

20 (a)--resident--outfitter's--license--fee--\$50 ~~275~~

21 (b)--resident--professional--guide's--fee--\$15 ~~225~~

22 (c)--nonresident--outfitter's--license--fee--\$150 ~~1125~~

23 (d)--nonresident--professional--guide's--fee--\$100 ~~1125~~

24 (2)--If--the--nonresident--resides--in--a--state--requiring
25 residents--of--the--state--of--Montana--to--pay--in--excess--of--such

1 amounts--for--a--similar--license--the--fee--for--such--nonresident
2 outfitter's--or--professional--guide's--license--shall--be--the
3 same--amount--as--the--higher--fee--charged--in--the--state--where--the
4 nonresident--resides--All--fees--collected--under--this--part
5 shall--be--deposited--as--provided--in--87-1-601.

6 (3)--The--license--fee--shall--be--used--to--investigate--the
7 applicant--to--enforce--this--party--and--for--administrative
8 costs"

9 Section 12--Section 87-4-201-MCA is amended to read:

10 "87-4-201--Taxidermist's--license--fees--and--penalties--A
11 person--who--engages--in--conducting--any--taxidermy--business--as
12 the--term--is--generally--understood--or--any--person--who--conducts
13 a--business--for--the--purpose--of--mounting--preserving--or
14 preparing--any--of--the--dead--bodies--of--any--wildlife--or--any--part
15 thereof--must--first--obtain--from--the--director--a--taxidermist's
16 license--and--pay--an--annual--license--fee--of--\$15 ~~225~~ therefor.
17 Such--person--shall--keep--a--written--record--of--all--the--articles
18 of--wildlife--in--his--possession--or--control--the--kind--and
19 number--of--each--by--whom--owned--and--the--residence--of--owner
20 all--the--articles--of--wildlife--shipped--and--to--whom--and--where
21 shipped--The--above--record--shall--be--kept--for--as--long--as--such
22 articles--remain--in--the--possession--of--the--licensee--but--in--any
23 event--at--least--5--years--These--records--shall--be--open--to
24 inspection--by--any--state--game--warden--at--any--reasonable--times
25 in--all--cases--of--conviction--of--violation--of--this--section--the

1 license--of--the--person--convicted--may--be--revoked-by-the
2 courts"

3 Section-13v--Section-87-4-384v-MEAy-is-amended-to-read:
4 "87-4-384v--license-classification-and-feesv---(1)--The
5 following--classes--of--licenses--shall--be--issued--and-the
6 following-fees-charged-therefor:

7 (a)--resident-fur-dealer's-licensev-\$18 ~~\$28~~
8 (b)--nonresident-fur-dealer's-licensev-\$50 ~~\$75~~
9 (c)--fur-dealer's-agent's-licensev-\$10 ~~\$20~~
10 (2)--Any-person--who--is--employed--by--a--resident--or
11 nonresident--fur--dealer--as--a-traveling-fur-buyer--shall--be
12 deemed-a-fur-dealer's-agentv-A-fur-dealer's-agent's--license
13 may--be--issued-to-any-person-who-is-employed-as-a-fur-buyer
14 by-a-licensed-resident-or-licensed-nonresident--fur--dealerv
15 providing--that--it--shall--be--the-responsibility-of-each-and
16 every-fur-dealer-and-fur-dealer's-agent-to-have--the--proper
17 license--before--buying--or--dealing--in--furs-as-defined-by
18 87-4-381v"

19 Section-14v--Section-87-4-583v-MEAy-is-amended-to-read:
20 "87-4-583v--Feesv--Fees-for-shooting-preserve--licenses
21 or-permits--shall--be-\$50 ~~\$75~~ per-year-for-the-first-160-acres
22 of--shooting--preserve--areav-plus-\$20 ~~\$25~~ per-year-for-each
23 additional-160-acres-or-parts-thereofv"

24 Section-15v--Section-87-4-682v-MEAy-is-amended-to-read:
25 "87-4-682v--Seining-licensesv ~~\$11~~ The--director--shall

1 keep-a-record-of-all-licenses-issued-by-him-for-the-use-of-a
2 net--for--the-taking-of--fishv--showing--the--name--of-the
3 applicantv-the-date-of-issuev-the-waters-to-be-used-inv--and
4 the--date--of--revocation--if--the--license--is--revokedv-The
5 director--shall--pay--all--fees--received--for--those--licenses--into
6 the-state-treasury-to-the-credit-of-the-fish-and-game-moneys
7 in-the-earmarked-revenue-fundv-A-license-may-not--be--issued
8 to-a-person-whose-license-has-been-revoked-for-causes

9 ~~(2)--The--fee--for-a-license-for-the-use-of-a-net-in-the~~
10 ~~taking-of-fish-is-\$20v"~~

11 Section-16v--Section-87-4-683v-MEAy-is-amended-to-read:
12 "87-4-683v--Fish-pond-license-for-artificial--take--or
13 ponds---(1)--A--person--who--owns--or--lawfully--controls-an
14 artificial--take-or-pond-may-apply-to-the-director-for-a-fish
15 pond-licensev-The-holder-of-a-private-fish-pond-license--may
16 stock--his--fish-pond--with--fry--procured--from-any-lawful
17 sourcev-The-department-may-designate--the--species--of--fish
18 which--may--be--released--in--the--pond--when--there--is--a
19 possibility-of-fish-escaping-from--the--pond--into--adjacent
20 streams--or--takesv-The-license-holder-may-take-fish-from-the
21 take-or-pond-in-any-mannerv-Before-a-license-holder-may-sell
22 fish-or-eggs-or-fry-from-the--take-or-pondv-he--shall--furnish
23 a--corporate--surety-bond-to-the-state-for-\$500v-conditioned
24 to-the-effect-that-he-will-not-sell-fish-or-spawn--from--any
25 of--the--public-waters-of-this-state-and-also-conditioned-to

1 the effect that he will report to the director the quantity
2 of fish, fish eggs and spawn taken from the lake or ponds.
3 This report shall be made under oath annually during the
4 month of January. A record of all transactions must be kept
5 showing the species and numbers or pounds of fish sold,
6 number and species of eggs sold, number and species of fry
7 sold, name of person or persons to whom sold, and the date
8 of transaction.

9 (2) "Artificial lake or pond" as used in this section
10 does not include a natural pond or body of water created by
11 natural means or any portion of the streambed or lakebed
12 thereof. It includes only bodies of water created by
13 artificial means or diversion of water which do not exceed
14 500 acres of surface area.

15 (3) "The license fee for the operation of a commercial
16 fish pond is \$100."

17 (4) "The fee for annual renewal of a commercial fish
18 pond license is \$25."

19 Section 17, Section 87-4-803, MCA, is amended to read:

20 "87-4-803. Permits. (1) The department shall grant
21 permits for roadside menageries or zoos. It is unlawful for
22 any person to operate a roadside menagerie without a permit.
23 Application for a permit shall be made to the director on a
24 form prescribed by him. The annual permit fee for five or
25 less animals shall be \$10. The annual permit fee for

1 more than five animals shall be \$25. Permits shall
2 expire on December 31 but may be renewed upon payment of the
3 annual fees. This section shall not apply to the United
4 States, the state of Montana or any county or city. Any
5 person who shall subscribe to any false statement in
6 application for a permit shall be guilty of a misdemeanor.
7 (2) No permit shall be granted by the department until
8 it has satisfactorily verified that the provisions for
9 housing and caring for such animals and for protecting the
10 public are proper and adequate and in accordance with the
11 standards established by the department.

12 (3) A permit is not transferable to another person
13 unless the roadside menagerie or zoo to which it pertains is
14 also transferred to the same person. The director's approval
15 must be obtained prior to such permit transfer and prior to
16 a transfer of any wild animals held under the permit."

17 Section 18, Section 87-5-204, MCA, is amended to read:

18 "87-5-204. License and rules for falconry. (1) The
19 department may adopt specific rules for the keeping of
20 records and for the trapping, taking, possession, or
21 training of raptors used in the practice of falconry and may
22 authorize the issuance of licenses to persons for the
23 practice of falconry. It is unlawful for any person to
24 possess a raptor or to train a raptor in the practice of
25 falconry without a license.

1 (2)--The fee for a falconry license is \$3 ~~20~~ a year or
2 any part of a year. A license expires April 30 each year.

3 (3)--A license may not be issued to a person under the
4 age of 12 years.

5 (4)--Licensees shall have in possession a valid
6 falconer's license when engaged in the practice of falconry.
7 In addition, falconers loosing raptors at game birds shall
8 have in possession a valid resident or nonresident game bird
9 license.

10 (5)--Falconry licenses or permits are not transferable
11 and may be revoked for due cause at any time by the
12 department.

13 NEW SECTION. Section 8. Effective dates. (1) Sections
14 1 through 4, 2, and 6 4 through 10 I are effective March 1,
15 1984.

16 (2) Section 5 3 is effective as follows:

17 (a) The amendment raising the fees for the Class A-3,
18 deer A tag and Class A-5, elk tag is effective May 1, 1983.

19 (b) The amendment raising the fee for the Class A-4,
20 deer B tag and Class A-6, black or brown bear tag is
21 effective March 1, 1984.

-End-

HOUSE BILL NO. 335

INTRODUCED BY NILSON

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

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE LICENSE FEES FOR ACTIVITIES REGULATED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; AMENDING SECTIONS 87-2-202, 87-2-301, 87-2-304, 87-2-403, 87-2-501, 87-2-505, 87-2-507, 87-2-508, 87-2-501, AND 87-2-701, 87-2-711, 87-4-127, 87-4-201, 87-4-304, 87-4-503, 87-4-602, 87-4-603, 87-4-603, AND 87-5-204, MCA; AND PROVIDING EFFECTIVE DATES."

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

Section 1. Section 87-2-202, MCA, is amended to read:

"87-2-202. Application stamp attachment fee expiration--(1) A wildlife 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 to substantiate the information.

(2) Hunting, fishing, or trapping licenses in the form of tags or stamps issued to a holder of a wildlife

conservation license must be affixed to or recorded on the wildlife conservation license according to such rules as the department may prescribe.

(3) Resident and nonresident wildlife conservation licenses may be purchased for a fee of \$2 \$3, and nonresident wildlife conservation licenses may be purchased for a fee of \$1.

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

Section 1. 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 \$7 \$12 \$8, 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 2. Section 87-2-304, MCA, is amended to read:

"87-2-304. Class B--two-day B-4--FIVE-DAY nonresident fishing license. Any person not a resident, as defined in 87-2-102, who is a holder of a valid wildlife conservation license, upon payment of the sum of \$4 \$6 \$7 to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to a 2-day 5-DAY nonresident fishing license which shall authorize the holder to fish with hook and line as prescribed by rules and regulations of the department for 2 5 calendar days as

1 indicated on the license."

2 Section 4. Section 87-2-403, MCA, is amended to read:
3 "87-2-403. Wild turkey tags and fees. (1) The
4 department may issue wild turkey tags to the holder of a
5 valid Class A-1 or Class B-1 license. Each tag shall entitle
6 the holder to pursue, hunt, shoot, and kill one wild turkey
7 and possess the carcass thereof during such times and such
8 places as the department shall authorize an open season on
9 wild turkeys.

10 (2) The fee for a wild turkey tag shall be \$3 12.
11 Turkey tags shall be issued either by a drawing system or in
12 unlimited number as authorized by department rules."

13 Section 3. Section 87-2-501, MCA, is amended to read:
14 "87-2-501. Class A-3, A-4, A-5, A-6--resident deer,
15 elk, and bear licenses. Except as otherwise provided in this
16 chapter, a resident, as defined by 87-2-102, who will be 12
17 years of age or older prior to September 15 of the season
18 for which the license is issued may, upon payment of the
19 proper fee or fees, be entitled to purchase one each of the
20 following licenses which will entitle the holder to pursue,
21 hunt, shoot, and kill the game animal or animals authorized
22 by the license held and to possess the carcasses of those
23 game animals as authorized by department rules:

24 (1) Class A-3, deer A tag, \$6 12 12;

25 (2) Class A-4, deer B tag, \$5 12;

1 (3) Class A-5, elk tag, \$9 12 10;

2 (4) Class A-6, black or brown bear tag, \$6 12 18."

3 Section 6. Section 87-2-505, MCA, is amended to read:
4 "87-2-505. Class B-10--nonresident--big--game
5 combination--license. Except as otherwise provided in this
6 chapter, a person not a resident, as defined in 87-2-102,
7 but who will be 12 years of age or older prior to September
8 15 of the season for which the license is issued may, upon
9 payment of the fee of \$275 12 12 and subject to the
10 limitations prescribed by law and department regulation,
11 apply to the fish and game office, Helena, Montana, to
12 purchase a B-10--nonresident--big--game--combination--license
13 which shall entitle the holder to all the privileges of
14 Class B-1, Class B-2, Class B-3, and black bear licenses, and
15 an elk tag. This license includes the nonresident
16 conservation license as prescribed in 87-2-202. Not more
17 than 17,000 Class B-10 licenses may be sold in any one
18 license year."

19 Section 4. Section 87-2-507, MCA, is amended to read:
20 "87-2-507. Class D-1--nonresident Mountain lion
21 license. Except as otherwise provided in this chapter, a
22 person not a resident, as defined in 87-2-102, but who is 12
23 years of age or older, upon payment of a fee of \$100 12 00
24 may receive a Class D-1 license which shall entitle the
25 holder thereof to pursue, hunt, shoot, and kill mountain

1 lion and possess the carcass thereof as authorized by
 2 department rules. IF A HOLDER OF A VALID MOUNTAIN LION
 3 LICENSE UNDER THIS SECTION KILLS A MOUNTAIN LION, HE MUST
 4 PURCHASE A TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS
 5 AFTER THE DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE
 6 HOLDER TO POSSESS AND TRANSPORT SUCH TROPHY."

7 Section 5. Section 87-2-508, MCA, is amended to read:

8 "87-2-508. Class D-2--resident mountain lion license.
 9 Except as otherwise provided in this chapter, a person who
 10 is a resident, as defined in 87-2-102, and who is 12 years
 11 of age or older, upon payment of a fee of ~~\$5~~ ~~\$50~~ ~~\$10~~ may
 12 receive a Class D-2 license which shall entitle the holder
 13 thereof to pursue, hunt, shoot, and kill mountain lion and
 14 possess the carcass thereof as authorized by department
 15 rules. IF A HOLDER OF A VALID MOUNTAIN LION LICENSE UNDER
 16 THIS SECTION KILLS A MOUNTAIN LION, HE MUST PURCHASE A
 17 TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS AFTER THE
 18 DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE HOLDER TO
 19 POSSESS AND TRANSPORT SUCH TROPHY."

20 SECTION 6. SECTION 87-2-601, MCA, IS AMENDED TO READ:

21 "87-2-601. Class C--trapper's license. Except as
 22 otherwise provided in this chapter, a resident, as defined
 23 in 87-2-102, upon making application and payment of a fee of
 24 ~~\$10~~ ~~\$20~~ to the department, may receive a Class C license
 25 which shall authorize the holder thereof to trap fur-bearing

1 animals and hunt bobcat, wolverine, and Canada lynx within
 2 the state of Montana at such times and in such manner as may
 3 be lawful so to do under the laws of the state and the
 4 regulations of the department and at such places as may be
 5 designated in said license."

6 Section 7. Section 87-2-701, MCA, is amended to read:

7 "87-2-701. Special licenses. (1) Any applicant who
 8 will be 12 years of age or older prior to September 15 of
 9 the season for which the license is issued and is the holder
 10 of a resident wildlife conservation license or a nonresident
 11 wildlife conservation license may apply for a special
 12 license which, in the judgment of the department, is to be
 13 issued and shall pay the following fees therefor:

14 (a) moose--resident, ~~\$25~~ ~~\$50~~; nonresident, ~~\$175~~ ~~\$300~~;

15 (b) mountain goat--resident, ~~\$15~~ ~~\$50~~; nonresident,
 16 ~~\$175~~ ~~\$300~~;

17 (c) mountain sheep--resident, ~~\$25~~ ~~\$50~~; nonresident,
 18 ~~\$175~~ ~~\$300~~;

19 (d) antelope--resident, ~~\$5~~ ~~\$10~~ ~~\$6~~; nonresident, \$100;

20 (e) grizzly bear--resident, ~~\$25~~ ~~\$50~~; nonresident, ~~\$175~~
 21 ~~\$300~~;

22 (f) black or brown bear--nonresident, \$100.

23 (2) In the event a holder of a valid special grizzly
 24 bear license kills a grizzly bear, he must purchase a trophy
 25 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 department."

Section 10~~r~~ 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 September 15 of the season for which the license is issued, upon payment of the sum of \$35 ~~25~~ shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to holders of Class A 1y A 3y A 5y A 6y 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 11~~r~~ Section 87-4-127, MCA, is amended to read:

"87-4-127. Fees --- (1) --- Applications --- shall --- be accompanied by a license fee as herein stipulated, which will be refunded if and when the application is denied:

(a) --- resident outfitter's license fee --- \$50 ~~225~~

(b) --- resident professional guide's fee --- \$15 ~~225~~

(c) --- nonresident outfitter's license fee --- \$150 ~~225~~

(d) --- nonresident professional guide's fee --- \$100 ~~225~~

(2) If the nonresident resides in a state requiring residents of the state of Montana to pay in excess of such

amounts for a similar license, the fee for such nonresident outfitter's or professional guide's license shall be the same amount as the higher fee charged in the state where the nonresident resides. All fees collected under this part shall be deposited as provided in 87-1-601.

(3) The license fee shall be used to investigate the applicant to enforce this part and for administrative costs."

Section 12~~r~~ Section 87-4-201, MCA, is amended to read:

"87-4-201. Taxidermist's license fee and penalty --- A person who engages in conducting any taxidermy business as the term is generally understood or any person who conducts a business for the purpose of mounting, preserving or preparing any of the dead bodies of any wildlife or any part thereof must first obtain from the director a taxidermist's license and pay an annual license fee of \$15 ~~225~~ therefor. Such person shall keep a written record of all the articles of wildlife in his possession or control, the kind and number of each, by whom owned, and the residence of owner, all the articles of wildlife shipped and to whom and where shipped. The above record shall be kept for as long as such articles remain in the possession of the licensee but in any event at least 5 years. These records shall be open to inspection by any state game warden at any reasonable time. In all cases of conviction of violation of this section, the

1 license-of-the-person-convicted-may-be-revoked-by-the
2 courts"

3 Section-13v-Section-87-4-384v-M6Av-is-amended-to-read:
4 "87-4-384v-License-classification-and-fees--(1)-The
5 following-classes-of-licenses-shall-be-issued-and-the
6 following-fees-charged-therefor:

7 (a)--resident-fur-dealer's-license--\$10 120v

8 (b)--nonresident-fur-dealer's-license--\$50 125v

9 (c)--fur-dealer's-agent's-license--\$10 120v

10 (2)--Any-person-who-is-employed-by-a-resident-or
11 nonresident-fur-dealer-as-a-traveling-fur-buyer-shall-be
12 deemed-a-fur-dealer's-agent-A-fur-dealer's-agent's-license
13 may-be-issued-to-any-person-who-is-employed-as-a-fur-buyer
14 by-a-licensed-resident-or-licensed-nonresident-fur-dealer,
15 providing-that-it-shall-be-the-responsibility-of-each-and
16 every-fur-dealer-and-fur-dealer's-agent-to-have-the-proper
17 license-before-buying-or-dealing-in-furs-as-defined-by
18 87-4-381v."

19 Section-14v-Section-87-4-503v-M6Av-is-amended-to-read:
20 "87-4-503v-Fees--Fees-for-shooting-preserve-licenses
21 or-permits-shall-be-\$50 125 per-year-for-the-first-160-acres
22 of-shooting-preserve-areas-plus-\$20 125 per-year-for-each
23 additional-160-acres-or-parts-thereof."

24 Section-15v-Section-87-4-602v-M6Av-is-amended-to-read:
25 "87-4-602v-Seining-licenses 121 The-director-shall

1 keep-a-record-of-all-licenses-issued-by-him-for-the-use-of-a
2 net-for-the-taking-of-fish-showing-the-name-of-the
3 applicant-the-date-of-issue-the-waters-to-be-used-in-and
4 the-date-of-revocation-if-the-license-is-revoked-The
5 director-shall-pay-all-fees-received-for-these-licenses-into
6 the-state-treasury-to-the-credit-of-the-fish-and-game-moneys
7 in-the-earmarked-revenue-fund-A-license-may-not-be-issued
8 to-a-person-whose-license-has-been-revoked-for-cause:

9 (2)--The-fee-for-a-license-for-the-use-of-a-net-in-the
10 taking-of-fish-is-\$20v"

11 Section-16v-Section-87-4-603v-M6Av-is-amended-to-read:
12 "87-4-603v-Fish-pond-license-for-artificial-take-or
13 ponds--(1)--A-person-who-owns-or-lawfully-controls-an
14 artificial-take-or-pond-may-apply-to-the-director-for-a-fish
15 pond-license-The-holder-of-a-private-fish-pond-license-may
16 stock-his-fish-pond-with-fry-procured-from-any-lawful
17 source--The-department-may-designate-the-species-of-fish
18 which-may-be-released-in-the-pond-when-there-is-a
19 possibility-of-fish-escaping-from-the-pond-into-adjacent
20 streams-or-lakes-The-license-holder-may-take-fish-from-the
21 take-or-pond-in-any-manner-Before-a-license-holder-may-sell
22 fish-or-eggs-or-fry-from-the-take-or-pondy-he-shall-furnish
23 a-corporate-surety-bond-to-the-state-for-\$500v-conditioned
24 to-the-effect-that-he-will-not-sell-fish-or-spawn-from-any
25 of-the-public-waters-of-this-state-and-also-conditioned-to

1 the--effect--that--he--will--report--to--the--director--the--quantity
2 of--fishy--fish--eggs--and--spawn--taken--from--the--lake--or--ponds
3 This--report--shall--be--made--under--oath--annually--during--the
4 month--of--January--A--record--of--all--transactions--must--be--kept
5 showing--the--species--and--numbers--or--pounds--of--fish--sold
6 number--and--species--of--eggs--sold--number--and--species--of--fry
7 sold--name--of--person--or--persons--to--whom--sold--and--the--date
8 of--transactions

9 (2)--"Artificial--lake--or--pond"--as--used--in--this--section
10 does--not--include--a--natural--pond--or--body--of--water--created--by
11 natural--means--or--any--portion--of--the--streambed--or--lakebed
12 thereof--it--includes--only--bodies--of--water--created--by
13 artificial--means--or--diversion--of--water--which--do--not--exceed
14 500--acres--of--surface--area

15 ~~11--The--license--fee--for--the--operation--of--a--commercial~~
16 ~~fish--pond--is--\$100~~

17 ~~11--The--fee--for--annual--renewal--of--a--commercial--fish~~
18 ~~pond--license--is--\$25~~

19 Section--17--Section--87-4-803--MCA--is--amended--to--read:

20 "87-4-803--Permits--(1)--The--department--shall--grant
21 permits--for--roadside--menageries--or--zoos--it--is--unlawful--for
22 any--person--to--operate--a--roadside--menagerie--without--a--permit
23 Application--for--a--permit--shall--be--made--to--the--director--on--a
24 form--prescribed--by--him--The--annual--permit--fee--for--five--or
25 less--animals--shall--be--\$10--\$25--The--annual--permit--fee--for

1 more--than--five--animals--shall--be--\$25--\$50--Permits--shall
2 expire--on--December--31--but--may--be--renewed--upon--payment--of--the
3 annual--fee--This--section--shall--not--apply--to--the--United
4 States--the--state--of--Montana--or--any--county--or--city--Any
5 person--who--shall--subscribe--to--any--false--statement--in
6 application--for--a--permit--shall--be--guilty--of--a--misdemeanor
7 (2)--No--permit--shall--be--granted--by--the--department--until
8 it--has--satisfactorily--verified--that--the--provisions--for
9 housing--and--caring--for--such--animals--and--for--protecting--the
10 public--are--proper--and--adequate--and--in--accordance--with--the
11 standards--established--by--the--department

12 (3)--A--permit--is--not--transferable--to--another--person
13 unless--the--roadside--menagerie--or--zoo--to--which--it--pertains--is
14 also--transferred--to--the--same--person--The--director's--approval
15 must--be--obtained--prior--to--such--permit--transfer--and--prior--to
16 a--transfer--of--any--wild--animals--held--under--the--permit

17 Section--18--Section--87-5-204--MCA--is--amended--to--read:

18 "87-5-204--License--and--rules--for--falconry--(1)--The
19 department--may--adopt--specific--rules--for--the--keeping--of
20 records--and--for--the--trapping--taking--possession--or
21 training--of--raptors--used--in--the--practice--of--falconry--and--may
22 authorize--the--issuance--of--licenses--to--persons--for--the
23 practice--of--falconry--it--is--unlawful--for--any--person--to
24 possess--a--raptor--or--to--train--a--raptor--in--the--practice--of
25 falconry--without--a--license

(2) The fee for a falconry license is \$3 120 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.

NEW SECTION. Section 8. Effective dates. (1) Sections 1 through 4, 2, and 6 4 through 10 1 are effective March 1, 1984.

(2) Section 5 3 is effective as follows:

(a) The amendment raising the fees for the Class A-3, deer A tag and Class A-5, elk tag is effective May 1, 1983.

(b) The amendment raising the fee for the Class A-4, deer 3 tag and Class A-6, black or brown bear tag is effective March 1, 1984.

-End-

March 18, 1983

SENATE STANDING COMMITTEE REPORT
(Fish & Game)

That House Bill No. 335 be amended as follows:

1. Title, line 7.
Following: "PARKS;"
Insert: "TO ESTABLISH A CLASS A-7 COW ELK LICENSE;"
2. Title, line 8.
Following: "87-2-505,"
Insert: "87-2-505,"
3. Page 2, line 17.
Strike: "B-4--FIVE-DAY"
Insert: "B-4--two-day"
4. Page 2, line 20.
Strike: "\$7"
Insert: "\$6"
5. Page 2, line 22.
Strike: "5-DAY"
Insert: "2-day"
6. Page 2, line 25.
Strike: "5"
Insert: "2"
7. Page 3, line 14.
Following: "A-6"
Insert: ", A-7"
8. Page 3, line 15.
Following: "licenses."
Insert: "(1)"
9. Page 3, line 24.
Strike: "(1)"
Insert: "(a)"
Renumber: subsequent subsections
10. Page 4, line 2.
Following: "\$8"
Insert: ";
(e) Class A-7, cow elk tag, \$8.
(2) The holder of a Class A-7 cow elk license is entitled to take surplus cow elk in areas designated by the commission and at such times during the regular big game season as set forth by the commission"

11. Page 4, line 19.

Following: line 18

Insert: "Section 4. Section 87-2-505, 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 September 15 of the season for which the license is issued may, upon payment of the fee of \$275 \$300 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 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year.""

Renumber: subsequent sections

12. Page 13, line 14.

Strike: "7"

Insert: "8"

March 18, 1983

SENATE STANDING COMMITTEE REPORT
(Fish & Game)

That House Bill No. 335 have Statement of Intent added:

A statement of intent is required for House Bill 335 because section 3 provides that the Fish and Game Commission will designate the areas in which surplus cow elk may be taken with a Class A-7 cow elk license. In addition, the Commission may set time during the regular big game season for the taking of surplus cow elk in designated areas.

The intent of the Class A-7 cow elk license is to provide the Commission with the option to issue cow elk licenses. The Commission would, with appropriate public comment, authorize cow elk licenses to be used in problem areas where additional cow elk need to be harvested. Class A-7 cow elk license holders would not be allowed to harvest a bull elk in the designated areas for the time period authorized by the Commission for the cow elk license.

The Class A-7 cow elk license would not replace the need for or use of the cow elk permits now in place. The Class A-7 cow elk license would provide additional flexibility for the Commission to deal with problems of surplus cow elk, particularly on private land.

1 STATEMENT OF INTENT

2 HOUSE BILL 335

3

4 A statement of intent is required for House Bill 335
5 because section 3 provides that the Fish and Game Commission
6 will designate the areas in which surplus cow elk may be
7 taken with a Class A-7 cow elk license. In addition, the
8 Commission may set times during the regular big game season
9 for the taking of surplus cow elk in designated areas.

10 The intent of the Class A-7 cow elk license is to
11 provide the Commission with the option to issue cow elk
12 licenses. The Commission would, with appropriate public
13 comment, authorize cow elk licenses to be used in problem
14 areas where additional cow elk need to be harvested. Class
15 A-7 cow elk license holders would not be allowed to harvest
16 a bull elk in the designated areas for the time period
17 authorized by the Commission for the cow elk license.

18 The Class A-7 cow elk license would not replace the
19 need for or use of the cow elk permits now in place. The
20 Class A-7 cow elk license would provide additional
21 flexibility for the Commission to deal with problems of
22 surplus cow elk, particularly on private land.

REFERENCE BILL

HB 335

HOUSE BILL NO. 335

INTRODUCED BY NILSON

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

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE LICENSE FEES FOR ACTIVITIES REGULATED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; TO ESTABLISH A CLASS A-7 COW ELK LICENSE; AMENDING SECTIONS 87-2-202, 87-2-301, 87-2-304, 87-2-403, 87-2-501, 87-2-505, 87-2-505, 87-2-507, 87-2-508, 87-2-601, AND 87-2-701, 87-2-711, 87-4-127, 87-4-201, 87-4-304, 87-4-503, 87-4-602, 87-4-603, 87-4-603, AND 87-5-204, MCA; AND PROVIDING EFFECTIVE DATES."

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

Section 1. Section 87-2-202, MCA, is amended to read:

"87-2-202. Application stamp attachment fee expiration. (1) A wildlife 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 to substantiate the information.

(2) Hunting, fishing, or trapping licenses in the form

of tags or stamps issued to a holder of a wildlife conservation license must be affixed to or recorded on the wildlife conservation license according to such rules as the department may prescribe.

(3) Resident and nonresident wildlife conservation licenses may be purchased for a fee of \$2 \$3, and nonresident wildlife conservation licenses may be purchased for a fee of \$4.

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

Section 1. 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 \$7 \$8, 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 2. Section 87-2-304, MCA, is amended to read:

"87-2-304. Class B-4--two-day B-4--FIVE-DAY B-4--TWO-DAY nonresident fishing license. Any person not a resident, as defined in 87-2-102, who is a holder of a valid wildlife conservation license, upon payment of the sum of \$4 \$6 \$7 \$8 to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to a 2-day 5-DAY 2-DAY nonresident fishing license which shall authorize the holder to fish with hook and line as

1 prescribed by rules and regulations of the department for 2
2 5 2 calendar days as indicated on the license."

3 Section 4. Section 87-2-403, MCA, is amended to read:
4 "87-2-403. Wild turkey tags and fees. (1) The
5 department may issue wild turkey tags to the holder of a
6 valid Class A-1 or Class B-1 license. Each tag shall entitle
7 the holder to pursue, hunt, shoot, and kill one wild turkey
8 and possess the carcass thereof during such times and such
9 places as the department shall authorize on open season on
10 wild turkey.

11 (2) The fee for a wild turkey tag shall be \$3 25.
12 Turkey tags shall be issued either by a drawing system or in
13 unlimited number as authorized by department rules."

14 Section 3. Section 87-2-501, MCA, is amended to read:
15 "87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident
16 deer, elk, and bear licenses. (1) Except as otherwise
17 provided in this chapter, a resident, as defined by
18 87-2-102, who will be 12 years of age or older prior to
19 September 15 of the season for which the license is issued
20 may, upon payment of the proper fee or fees, be entitled to
21 purchase one each of the following licenses which will
22 entitle the holder to pursue, hunt, shoot, and kill the game
23 animal or animals authorized by the license held and to
24 possess the carcasses of those game animals as authorized by
25 department rules:

1 (1)(A) Class A-3, deer A tag, \$8 12 12;
2 (2)(B) Class A-4, deer B tag, \$5 16;
3 (3)(C) Class A-5, elk tag, \$9 12 10;
4 (4)(D) Class A-6, black or brown bear tag, \$8 12 12;
5 (E) CLASS A-7, COW ELK TAG, 18;
6 (2) THE HOLDER OF A CLASS A-7 COW ELK LICENSE IS
7 ENTITLED TO TAKE SURPLUS COW ELK IN AREAS DESIGNATED BY THE
8 COMMISSION AND AT SUCH TIMES DURING THE REGULAR BIG GAME
9 SEASON AS SET FORTH BY THE COMMISSION."

10 Section 6. Section 87-2-505, MCA, is amended to read:
11 "87-2-505. Class B-18 nonresident big game
12 combination licenses. Except as otherwise provided in this
13 chapter, a person not a resident as defined in 87-2-102,
14 but who will be 12 years of age or older prior to September
15 15 of the season for which the license is issued may, upon
16 payment of the fee of \$275 2358 and subject to the
17 limitations prescribed by law and department regulation,
18 apply to the fish and game officer, Helena, Montana, to
19 purchase a B-18 nonresident big game combination license
20 which shall entitle the holder to all the privileges of
21 Class B-1, Class B-2, Class B-3, and black bear licenses, and
22 an elk tag. This license includes the nonresident
23 conservation license as prescribed in 87-2-202. Not more
24 than 17,000 Class B-18 licenses may be sold in any one
25 license year."

1 SECTION 4. SECTION 87-2-505, MCA, IS AMENDED TO READ:

2 "87-2-505. Class B-10--nonresident big game
3 combination license. Except as otherwise provided in this
4 chapter, a person not a resident, as defined in 87-2-102,
5 out who will be 12 years of age or older prior to September
6 15 of the season for which the license is issued may, upon
7 payment of the fee of ~~\$275~~ \$300 and subject to the
8 limitations prescribed by law and department regulation,
9 apply to the fish and game office, Helena, Montana, to
10 purchase a B-10 nonresident big game combination license
11 which shall entitle the holder to all the privileges of
12 Class B, Class B-1, Class B-7, and black bear licenses, and
13 an elk tag. This license includes the nonresident
14 conservation license as prescribed in 87-2-202. Not more
15 than 17,000 Class B-10 licenses may be sold in any one
16 license year."

17 Section 5. Section 87-2-507, MCA, is amended to read:

18 "87-2-507. Class D-1--nonresident mountain lion
19 license. Except as otherwise provided in this chapter, a
20 person not a resident, as defined in 87-2-102, but who is 12
21 years of age or older, upon payment of a fee of ~~\$100~~ \$300
22 may receive a Class D-1 license which shall entitle the
23 holder thereof to pursue, hunt, shoot, and kill mountain
24 lion and possess the carcass thereof as authorized by
25 department rules. IF A HOLDER OF A VALID MOUNTAIN LION

1 LICENSE UNDER THIS SECTION KILLS A MOUNTAIN LION, HE MUST
2 PURCHASE A TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS
3 AFTER THE DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE
4 HOLDER TO POSSESS AND TRANSPORT SUCH TROPHY."

5 Section 6. Section 87-2-508, MCA, is amended to read:

6 "87-2-508. Class D-2--resident mountain lion license.
7 Except as otherwise provided in this chapter, a person who
8 is a resident, as defined in 87-2-102, and who is 12 years
9 of age or older, upon payment of a fee of ~~\$5~~ \$50 ~~\$10~~ may
10 receive a Class D-2 license which shall entitle the holder
11 thereof to pursue, hunt, shoot, and kill mountain lion and
12 possess the carcass thereof as authorized by department
13 rules. IF A HOLDER OF A VALID MOUNTAIN LION LICENSE UNDER
14 THIS SECTION KILLS A MOUNTAIN LION, HE MUST PURCHASE A
15 TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS AFTER THE
16 DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE HOLDER TO
17 POSSESS AND TRANSPORT SUCH TROPHY."

18 SECTION 7. SECTION 87-2-601, MCA, IS AMENDED TO READ:

19 "87-2-601. Class C--trapper's license. Except as
20 otherwise provided in this chapter, a resident, as defined
21 in 87-2-102, upon making application and payment of a fee of
22 ~~\$10~~ \$20 to the department, may receive a Class C license
23 which shall authorize the holder thereof to trap fur-bearing
24 animals and hunt bobcat, wolverine, and Canada lynx within
25 the state of Montana at such times and in such manner as may

1 be lawful so to do under the laws of the state and the
2 regulations of the department and at such places as may be
3 designated in said license."

4 Section 8. Section 87-2-701, MCA, is amended to read:
5 "87-2-701. Special licenses. (1) Any applicant who
6 will be 12 years of age or older prior to September 15 of
7 the season for which the license is issued and is the holder
8 of a resident wildlife conservation license or a nonresident
9 wildlife conservation license may apply for a special
10 license which, in the judgment of the department, is to be
11 issued and shall pay the following fees therefor:

12 (a) moose--resident, \$25 ~~150~~; nonresident, \$175 ~~1300~~;

13 (b) mountain goat--resident, \$15 ~~150~~; nonresident,
14 \$175 ~~1300~~;

15 (c) mountain sheep--resident, \$25 ~~150~~; nonresident,
16 \$175 ~~1300~~;

17 (d) antelope--resident, \$5 ~~110~~ ~~16~~; nonresident, \$100;

18 (e) grizzly bear--resident, \$25 ~~150~~; nonresident, \$175
19 ~~1300~~;

20 (f) black or brown bear--nonresident, \$100.

21 (2) In the event a holder of a valid special grizzly
22 bear license kills a grizzly bear, he must purchase a trophy
23 license for a fee of \$25 within 10 days after date of kill.
24 Such trophy license shall authorize the holder to possess
25 and transport said trophy.

1 (3) Special licenses shall be issued in a manner
2 prescribed by the department."

3 Section 18--Section 87-2-711-MCA-is-amended-to-read:
4 "87-2-711--Class---AAA--sportsman's---license---Any
5 resident-as-defined-by-87-2-102, who will be--12--years--of
6 age--or--older--prior--to--September--15--of--the--season--for--which
7 the--license--is--issued, upon payment of the sum of--\$35 ~~150~~,
8 shall--be--entitled--to--a--sportsman's--license--which--shall
9 permit the holder to exercise all rights granted to holders
10 of--Class--A--A-1-A-3-A-5-A-6--and--resident--conservation
11 licenses--as--prescribed--in--87-2-202---The--department--shall
12 furnish--each--holder--of--a--sportsman's--license--an--appropriate
13 decal."

14 Section 11--Section 87-4-127-MCA-is-amended-to-read:
15 "87-4-127--Fees---(1)---Applications---shall---be
16 accompanied--by--a--license--fee--as--herein--stipulated, which
17 will--be--refunded--if--and--when--the--application--is--denied:

18 (a)--resident--outfitter's--license--fee-----\$50 ~~115~~

19 (b)--resident--professional--guide's--fee-----\$15 ~~125~~

20 (c)--nonresident--outfitter's--license--fee--\$150 ~~115~~

21 (d)--nonresident--professional--guide's--fee--\$100 ~~115~~

22 (2)--If--the--nonresident--resides--in--a--state--requiring
23 residents--of--the--state--of--Montana--to--pay--in--excess--of--such
24 amounts--for--a--similar--license, the fee for such--nonresident
25 outfitter's--or--professional--guide's--license--shall--be--the

1 some amount as the higher fee charged in the state where the
2 nonresident resides. All fees collected under this part
3 shall be deposited as provided in 87-1-601.

4 (3) The license fee shall be used to investigate the
5 applicant to enforce this part and for administrative
6 costs."

7 Section 12. Section 87-4-201, MCA, is amended to read:

8 "87-4-201. Taxidermist's license fee and penalty. A
9 person who engages in conducting any taxidermy business as
10 the term is generally understood or any person who conducts
11 a business for the purpose of mounting, preserving, or
12 preparing any of the dead bodies of any wildlife or any part
13 thereof must first obtain from the director a taxidermist's
14 license and pay an annual license fee of \$15 ~~25~~ therefor.
15 Such person shall keep a written record of all the articles
16 of wildlife in his possession or control, the kind and
17 number of each, by whom owned, and the residence of owner
18 of all the articles of wildlife shipped and to whom and where
19 shipped. The above record shall be kept for as long as such
20 articles remain in the possession of the licensee but in any
21 event at least 5 years. These records shall be open to
22 inspection by any state game warden at any reasonable time
23 in all cases of conviction of violation of this section, the
24 license of the person convicted may be revoked by the
25 courts."

1 Section 13. Section 87-4-304, MCA, is amended to read:
2 "87-4-304. License classification and fees. (1) The
3 following classes of licenses shall be issued and the
4 following fees charged therefor:

5 (a) resident fur dealer's license \$10 ~~20~~

6 (b) nonresident fur dealer's license \$50 ~~75~~

7 (c) fur dealer's agent's license \$10 ~~20~~

8 (2) Any person who is employed by a resident or
9 nonresident fur dealer as a traveling fur buyer shall be
10 deemed a fur dealer's agent. A fur dealer's agent's license
11 may be issued to any person who is employed as a fur buyer
12 by a licensed resident or licensed nonresident fur dealer
13 providing that it shall be the responsibility of each and
14 every fur dealer and fur dealer's agent to have the proper
15 license before buying or dealing in furs as defined by
16 87-4-301."

17 Section 14. Section 87-4-503, MCA, is amended to read:

18 "87-4-503. Fees. Fees for shooting preserve licenses
19 or permits shall be \$50 ~~15~~ per year for the first 160 acres
20 of shooting preserve area plus \$20 ~~15~~ per year for each
21 additional 160 acres or parts thereof."

22 Section 15. Section 87-4-602, MCA, is amended to read:

23 "87-4-602. Setting licenses. (1) The director shall
24 keep a record of all licenses issued by him for the use of a
25 net for the taking of fish, showing the name of the

1 apply after the date of issue, the waters to be used in, and
2 the date of revocation, if the license is revoked. The
3 director shall pay all fees received for those licenses into
4 the state treasury to the credit of the fish and game moneys
5 in the earmarked revenue fund. A license may not be issued
6 to a person whose license has been revoked for cause.

7 ~~§21--The fee for a license for the use of a net in the~~
8 ~~taking of fish is \$20.~~

9 Section 16--Section 87-4-603, MCA, is amended to read:

10 "87-4-603--Fish pond--license--for artificial take or
11 ponds--(1)--A person who owns or lawfully controls an
12 artificial take or pond may apply to the director for a fish
13 pond license. The holder of a private fish pond license may
14 stock his fish pond with fry procured from any lawful
15 source. The department may designate the species of fish
16 which may be released in the pond when there is a
17 possibility of fish escaping from the pond into adjacent
18 streams or lakes. The license holder may take fish from the
19 take or pond in any manner. Before a license holder may sell
20 fish or eggs or fry from the take or pond, he shall furnish
21 a corporate surety bond to the state for \$500, conditioned
22 to the effect that he will not sell fish or spawn from any
23 of the public waters of this state and also conditioned to
24 the effect that he will report to the director the quantity
25 of fish, fish eggs and spawn taken from the take or ponds.

1 This report shall be made under oath annually during the
2 month of January. A record of all transactions must be kept
3 showing the species and numbers or pounds of fish sold,
4 number and species of eggs sold, number and species of fry
5 sold, name of person or persons to whom sold, and the date
6 of transaction.

7 (2)--"Artificial take or pond" as used in this section
8 does not include a natural pond or body of water created by
9 nature means or any portion of the streambed or lakebed
10 thereof. It includes only bodies of water created by
11 artificial means or diversion of water which do not exceed
12 500 acres of surface area.

13 ~~§22--The license fee for the operation of a commercial~~
14 ~~fish pond is \$100.~~

15 ~~§23--The fee for annual renewal of a commercial fish~~
16 ~~pond license is \$25.~~

17 Section 17--Section 87-4-803, MCA, is amended to read:

18 "87-4-803--Permits--(1)--The department shall grant
19 permits for roadside menageries or zoos. It is unlawful for
20 any person to operate a roadside menagerie without a permit.
21 Application for a permit shall be made to the director on a
22 form prescribed by him. The annual permit fee for five or
23 less animals shall be \$10. The annual permit fee for
24 more than five animals shall be \$25. Permits shall
25 expire on December 31 but may be renewed upon payment of the

1 onnaat fees this section shall not apply to the United
 2 States the state of Montana or any county or city. Any
 3 person who shall subscribe to any false statement in
 4 application for a permit shall be guilty of a misdemeanor.
 5 (2) No permit shall be granted by the department until
 6 it has satisfactorily verified that the provisions for
 7 housing and caring for such animals and for protecting the
 8 public are proper and adequate and in accordance with the
 9 standards established by the department.

10 (3) A permit is not transferable to another person
 11 unless the roadside menagerie or zoo to which it pertains is
 12 also transferred to the same person. The director's approval
 13 must be obtained prior to such permit transfer and prior to
 14 a transfer of any wild animals held under the permits.

15 Section 18, Section 87-5-204, MCA is amended to read:
 16 "87-5-204. License and rules for falconry. (1) The
 17 department may adopt specific rules for the keeping of
 18 records and for the trapping, taking, possession, or
 19 training of raptors used in the practice of falconry and may
 20 authorize the issuance of licenses to persons for the
 21 practice of falconry. It is unlawful for any person to
 22 possess a raptor or to train a raptor in the practice of
 23 falconry without a license.

24 (2) The fee for a falconry license is \$320 a year or
 25 any part of a year. A license expires April 30 each year.

1 (3) A license may not be issued to a person under the
 2 age of 12 years.

3 (4) Licensees shall have in possession a valid
 4 falconer's license when engaged in the practice of falconry
 5 in addition, falconers training raptors or game birds shall
 6 have in possession a valid resident or nonresident game bird
 7 license.

8 (5) Falconry licenses or permits are not transferable
 9 and may be revoked for due cause at any time by the
 10 department.

11 NEW SECTION. Section 9. Effective dates. (1) Sections
 12 1 through 4, 2, and 6 through 10 are effective March
 13 1, 1984.

14 (2) Section 5 is effective as follows:

15 (a) The amendment raising the fees for the Class A-3,
 16 deer A tag and Class A-5, elk tag is effective May 1, 1983.

17 (b) The amendment raising the fee for the Class A-4,
 18 deer A tag and Class A-6, black or brown bear tag is
 19 effective March 1, 1984.

-End-

April 16, 1983

19

FREE CONFERENCE COMMITTEE
HOUSE BILL 335
(Report No. 1, 8:00 A.M.)

Mr. Speaker:

We, your Free Conference Committee on House Bill 335, met and considered:

Senate Fish and Game Committee amendments to House Bill 335, dated March 18, 1983.

We respectfully recommend as follows:

That the House accede to all Senate Fish and Game Committee amendments of March 18, 1983.

That House Bill 335 and the statement of intent attached to it be further amended as specified in Clerical Instructions 1 through 6; and

That this Free Conference Committee report be adopted.

CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)

1. Statement of Intent, lines 6, 7, 9, 10, 11, 13, 14, 15, 17, 18, 20, and 22.

Strike: "cow"

Insert: "antlerless"

2. Statement of Intent, line 19.

Strike: "cow"

Insert: "antlerless or either sex"

3. Title, line 7.

Strike: "COW"

Insert: "ANTLERLESS"

4. Page 4, lines 5, 6, and 7.

Strike: "cow"

Insert: "antlerless"

5. Page 4, line 9.

Following: "COMMISSION."

Insert: "However, no person may take more than one elk during any license year, and a person taking an antlerless elk as provided in this subsection may not take another elk during the same license year with a Class A-5 elk tag."

FREE CONFERENCE COMMITTEE
HOUSE BILL 335
April 16, 1983

19.....

6. Page 14, line 18.

Following: "tag"

Insert: "and creating the Class A-7 antlerless elk tag"

FOR THE HOUSE

FOR THE SENATE

Lee Nilson
NILSON, CHAIR

Ed Smith
SMITH, CHAIR

Glen Mueller
MUELLER

J. Jacobson
JACOBSON

Robert R. Ream
REAM

Gay Lee
LEE

1 STATEMENT OF INTENT

2 HOUSE BILL 335

1 elk, particularly on private land.

3
4 A statement of intent is required for House Bill 335
5 because section 3 provides that the Fish and Game Commission
6 will designate the areas in which surplus ~~cow~~ ANTLERLESS elk
7 may be taken with a Class A-7 ~~cow~~ ANTLERLESS elk license. In
8 addition, the Commission may set times during the regular
9 big game season for the taking of surplus ~~cow~~ ANTLERLESS elk
10 in designated areas.

11 The intent of the Class A-7 ~~cow~~ ANTLERLESS elk license
12 is to provide the Commission with the option to issue ~~cow~~
13 ANTLERLESS elk licenses. The Commission would, with
14 appropriate public comment, authorize ~~cow~~ ANTLERLESS elk
15 licenses to be used in problem areas where additional ~~cow~~
16 ANTLERLESS elk need to be harvested. Class A-7 ~~cow~~
17 ANTLERLESS elk license holders would not be allowed to
18 harvest a bull elk in the designated areas for the time
19 period authorized by the Commission for the ~~cow~~ ANTLERLESS
20 elk license.

21 The Class A-7 ~~cow~~ ANTLERLESS elk license would not
22 replace the need for or use of the ~~cow~~ ANTLERLESS OR EITHER
23 SEX elk permits now in place. The Class A-7 ~~cow~~ ANTLERLESS
24 elk license would provide additional flexibility for the
25 Commission to deal with problems of surplus ~~cow~~ ANTLERLESS

REFERENCE BILL: Includes Free Joint
Conference Committee Report
Dated 4-16-83

HOUSE BILL NO. 335

INTRODUCED BY NILSON

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

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE LICENSE FEES FOR ACTIVITIES REGULATED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; TO ESTABLISH A CLASS A-7 BOW ANILERLESS ELK LICENSE; AMENDING SECTIONS 87-2-202, 87-2-301, 87-2-304, 87-2-403, 87-2-501, 87-2-505, 87-2-505, 87-2-507, 87-2-508, 87-2-601, AND 87-2-701, 87-2-711, 87-4-227, 87-4-281, 87-4-304, 87-4-503, 87-4-602, 87-4-603, 87-4-803, AND 87-5-204, MCA; AND PROVIDING EFFECTIVE DATES."

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

Section 1. Section 87-2-202, MCA, is amended to read:

"87-2-202. Application--stamp attachment--fee--expiration--(1)--A--wildlife-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-to-substantiate-the-information--

(2)--Hunting, fishing, or trapping licenses in the form

of--tags--or--stamps--issued--to-a-holder-of-a--wildlife conservation--license--must-be-affixed-to-or-recorded-on-the wildlife-conservation-license-according-to-such-rules-as-the department-may-prescribe

(3)--Resident--and--nonresident--wildlife--conservation licenses--may--be--purchased--for--a--fee--of--\$2 ~~23~~ and nonresident-wildlife-conservation-licenses-may-be-purchased for-a-fee-of-~~11~~

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

Section 1. 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 \$7 ~~12~~ 18, 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 2. Section 87-2-304, MCA, is amended to read:

"87-2-304. Class B-4--two-day ~~B-4--five-day~~ B-4--two-day nonresident fishing license. Any person not a resident, as defined in 87-2-102, who is a holder of a valid wildlife conservation license, upon payment of the sum of \$4 ~~10~~ 12 to any agent of the department authorized to issue fishing and hunting licenses, shall be entitled to a 2-day ~~5-day~~ 2-day nonresident fishing license which shall authorize the holder to fish with hook and line as

1 prescribed by rules and regulations of the department for 2
2 2 calendar days as indicated on the license."

3 Section 4. Section 87-2-403, MCA, is amended to read:
4 "87-2-403. Wild turkey tags and fees. (1) The
5 department may issue wild turkey tags to the holder of a
6 valid Class A-1 or Class B-1 license. Each tag shall entitle
7 the holder to pursue, hunt, shoot, and kill one wild turkey
8 and possess the carcass thereof during such times and such
9 places as the department shall authorize an open season on
10 wild turkey.

11 (2) The fee for a wild turkey tag shall be \$3 25.
12 Turkey tags shall be issued either by a drawing system or in
13 unlimited number as authorized by department rules."

14 Section 3. Section 87-2-501, MCA, is amended to read:

15 "87-2-501. Class A-3, A-4, A-5, A-6, A-7 resident
16 deer, elk, and bear licenses. (1) Except as otherwise
17 provided in this chapter, a resident, as defined by
18 87-2-102, who will be 12 years of age or older prior to
19 September 15 of the season for which the license is issued
20 may, upon payment of the proper fee or fees, be entitled to
21 purchase one each of the following licenses which will
22 entitle the holder to pursue, hunt, shoot, and kill the game
23 animal or animals authorized by the license held and to
24 possess the carcasses of those game animals as authorized by
25 department rules:

1 (1)(A) Class A-3, deer A tag, \$8 22 22;
2 (2)(B) Class A-4, deer B tag, \$5 10;
3 (3)(C) Class A-5, elk tag, \$9 22 10;
4 (4)(D) Class A-6, black or brown bear tag, \$8 12 12;
5 (E) Class A-7, 600 ANTLERLESS ELK TAG, 12;
6 (2) THE HOLDER OF A CLASS A-1 600 ANTLERLESS ELK
7 LICENSE IS ENTITLED TO TAKE SURPLUS 600 ANTLERLESS ELK IN
8 AREAS DESIGNATED BY THE COMMISSION AND AT SUCH TIMES DURING
9 THE REGULAR BIG GAME SEASON AS SET FORTH BY THE COMMISSION.
10 HOWEVER, NO PERSON MAY TAKE MORE THAN ONE ELK DURING ANY
11 LICENSE YEAR, AND A PERSON TAKING AN ANTLERLESS ELK AS
12 PROVIDED IN THIS SUBSECTION MAY NOT TAKE ANOTHER ELK DURING
13 THE SAME LICENSE YEAR WITH A CLASS A-5 ELK TAG."

14 Section 6. Section 87-2-505, MCA, is amended to read:

15 "87-2-505. Class B-10 nonresident big game
16 combination license. Except as otherwise provided in this
17 chapter, a person not a resident as defined in 87-2-102,
18 but who will be 12 years of age or older prior to September
19 15 of the season for which the license is issued may, upon
20 payment of the fee of \$275 22 22 and subject to the
21 limitations prescribed by law and department regulations,
22 apply to the fish and game officer, Helena, Montana, to
23 purchase a B-10 nonresident big game combination license
24 which shall entitle the holder to all the privileges of
25 Class B-1, Class B-2, Class B-7, and black bear licenses and

an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year."

SECTION 4. SECTION 87-2-505, 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 September 15 of the season for which the license is issued may, upon payment of the fee of \$275 ~~\$300~~ 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 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year."

Section 5. Section 87-2-507, MCA, 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 87-2-102, but who is 12 years of age or older, upon payment of a fee of \$188 ~~\$300~~

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. IF A HOLDER OF A VALID MOUNTAIN LION LICENSE UNDER THIS SECTION KILLS A MOUNTAIN LION, HE MUST PURCHASE A TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS AFTER THE DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE HOLDER TO POSSESS AND TRANSPORT SUCH TROPHY."

Section 6. Section 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 \$5 ~~\$50~~ ~~\$10~~ may receive a Class D-2 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. IF A HOLDER OF A VALID MOUNTAIN LION LICENSE UNDER THIS SECTION KILLS A MOUNTAIN LION, HE MUST PURCHASE A TROPHY LICENSE FOR A FEE OF \$50 WITHIN 10 DAYS AFTER THE DATE OF KILL. THE TROPHY LICENSE AUTHORIZES THE HOLDER TO POSSESS AND TRANSPORT SUCH TROPHY."

SECTION 7. SECTION 87-2-601, MCA, IS AMENDED TO READ:

"87-2-601. Class C--trapper's license. Except as otherwise provided in this chapter, a resident, as defined in 87-2-102, upon making application and payment of a fee of

1 ~~\$10~~ ~~\$20~~ to the department, may receive a Class C license
2 which shall authorize the holder thereof to trap fur-bearing
3 animals and hunt bobcat, wolverine, and Canada lynx within
4 the state of Montana at such times and in such manner as may
5 be lawful so to do under the laws of the state and the
6 regulations of the department and at such places as may be
7 designated in said license."

8 Section B. Section 87-2-701, MCA, is amended to read:

9 "87-2-701. Special licenses. (1) Any applicant who
10 will be 12 years of age or older prior to September 15 of
11 the season for which the license is issued and is the holder
12 of a resident wildlife conservation license or a nonresident
13 wildlife conservation license may apply for a special
14 license which, in the judgment of the department, is to be
15 issued and shall pay the following fees therefor:

16 (a) moose--resident, ~~\$25~~ ~~\$50~~; nonresident, ~~\$175~~ ~~\$300~~;

17 (b) mountain goat--resident, ~~\$15~~ ~~\$50~~; nonresident,
18 ~~\$175~~ ~~\$300~~;

19 (c) mountain sheep--resident, ~~\$25~~ ~~\$50~~; nonresident,
20 ~~\$175~~ ~~\$300~~;

21 (d) antelope--resident, ~~\$5~~ ~~\$10~~ ~~\$6~~; nonresident, \$100;

22 (e) grizzly bear--resident, ~~\$25~~ ~~\$50~~; nonresident, ~~\$175~~
23 ~~\$300~~;

24 (f) black or brown bear--nonresident, \$100.

25 (2) In the event a holder of a valid special grizzly

1 bear license kills a grizzly bear, he must purchase a trophy
2 license for a fee of \$25 within 10 days after date of kill.
3 Such Trophy license shall authorize the holder to possess
4 and transport said trophy.

5 (3) Special licenses shall be issued in a manner
6 prescribed by the department."

7 ~~Section 10--Section 87-2-711, MCA, is amended to read:~~

8 ~~"87-2-711--Class--AAA--sportsman's--license--Any~~
9 ~~resident--as-defined-by-87-2-102--who-will-be--12--years--of~~
10 ~~age--or--older--prior-to-September-15-of-the-season-for-which~~
11 ~~the-license-is-issued--upon-payment-of-the-sum-of--\$35~~ ~~\$50~~
12 ~~shall-be-entitled-to--a--sportsman's--license-which-shall~~
13 ~~permit-the-holder-to-exercise-all-rights-granted-to--holders~~
14 ~~of--Class--A--A-1--A-3--A-5--A-6--and-resident-conservation~~
15 ~~licenses--as-prescribed-in-87-2-202--The--department--shall~~
16 ~~furnish--each-holder-of-a-sportsman's-license-an-appropriate~~
17 ~~decals"~~

18 ~~Section 11--Section 87-4-127, MCA, is amended to read:~~

19 ~~"87-4-127--Fees--(1)--Applications--shall--be~~
20 ~~accompanied--by--a--license--fee--as--herein-stipulated--which~~
21 ~~will-be-refunded-if-and-when-the-application-is-denied:~~

22 ~~(a)--resident-outfitter's-license-fee-----\$50~~ ~~\$125~~

23 ~~(b)--resident-professional-guide's-fee-----\$15~~ ~~\$225~~

24 ~~(c)--nonresident-outfitter's-license-fee--\$150~~ ~~\$175~~

25 ~~(d)--nonresident-professional-guide's-fee--\$100~~ ~~\$175~~

{2}--If the nonresident resides in a state requiring residents of the state of Montana to pay in excess of such amounts for a similar license, the fee for such nonresident outfitter's or professional guide's license shall be the same amount as the higher fee charged in the state where the nonresident resides. All fees collected under this part shall be deposited as provided in 87-1-601.

{3}--The license fee shall be used to investigate the applicant to enforce this part and for administrative costs.

Section 12--Section 87-4-201-MCA is amended to read:

"87-4-201--Taxidermist's license fee and penalty--A person who engages in conducting any taxidermy business as the term is generally understood or any person who conducts a business for the purpose of mounting, preserving or preparing any of the dead bodies of any wildlife or any part thereof must first obtain from the director a taxidermist's license and pay an annual license fee of \$15 ~~225~~ therefor. Such person shall keep a written record of all the articles of wildlife in his possession or control, the kind and number of each, by whom owned, and the residence of owner, all the articles of wildlife shipped and to whom and where shipped. The above record shall be kept for as long as such articles remain in the possession of the licensee but in any event at least 5 years. These records shall be open to

inspection by any state game warden at any reasonable time. In all cases of conviction of violation of this section, the license of the person convicted may be revoked by the courts."

Section 13--Section 87-4-304-MCA is amended to read:

"87-4-304--License classification and fees--(1) The following classes of licenses shall be issued and the following fees charged therefor:

(a)--resident fur dealer's license--\$10 ~~225~~

(b)--nonresident fur dealer's license--\$50 ~~225~~

(c)--fur dealer's agent's license--\$10 ~~225~~

(2)--Any person who is employed by a resident or nonresident fur dealer as a traveling fur buyer shall be deemed a fur dealer's agent. A fur dealer's agent's license may be issued to any person who is employed as a fur buyer by a licensed resident or licensed nonresident fur dealer, providing that it shall be the responsibility of each and every fur dealer and fur dealer's agent to have the proper license before buying or dealing in furs as defined by 87-4-301."

Section 14--Section 87-4-503-MCA is amended to read:

"87-4-503--Fees--Fees for shooting preserve licenses or permits shall be \$50 ~~225~~ per year for the first 160 acres of shooting preserve or park plus \$20 ~~225~~ per year for each additional 160 acres or parts thereof."

1 Section 15--Section 87-4-602-MCA-is amended to read:
 2 "87-4-602--Setting--licenses: (1) The director shall
 3 keep a record of all licenses issued by him for the use of a
 4 net for the taking of fish, showing the name of the
 5 applicant, the date of issue, the waters to be used in, and
 6 the date of revocation, if the license is revoked. The
 7 director shall pay all fees received for those licenses into
 8 the state treasury to the credit of the fish and game moneys
 9 in the earmarked revenue funds. A license may not be issued
 10 to a person whose license has been revoked for cause.

11 (2) The fee for a license for the use of a net in the
 12 taking of fish is \$20."

13 Section 16--Section 87-4-603-MCA-is amended to read:
 14 "87-4-603--Fish-pond--license--for-artificial-take-or-
 15 ponds: (1) A person who owns or lawfully controls an
 16 artificial take or pond may apply to the director for a fish
 17 pond license. The holder of a private fish pond license may
 18 stock his fish pond with fry procured from any lawful
 19 sources. The department may designate the species of fish
 20 which may be released in the pond when there is a
 21 possibility of fish escaping from the pond into adjacent
 22 streams or lakes. The license holder may take fish from the
 23 take or pond in any manner. Before a license holder may sell
 24 fish or eggs or fry from the take or pond, he shall furnish
 25 a corporate surety bond to the state for \$500, conditioned

1 to the effect that he will not sell fish or spawn from any
 2 of the public waters of this state and also conditioned to
 3 the effect that he will report to the director the quantity
 4 of fish, fish eggs, and spawn taken from the take or ponds.
 5 This report shall be made under oath annually during the
 6 month of January. A record of all transactions must be kept
 7 showing the species and numbers or pounds of fish sold,
 8 number and species of eggs sold, number and species of fry
 9 sold, name of person or persons to whom sold, and the date
 10 of transactions.

11 (2) "Artificial take or pond" as used in this section
 12 does not include a natural pond or body of water created by
 13 natural means or any portion of the streambed or lakebed
 14 thereof. It includes only bodies of water created by
 15 artificial means or diversion of water which do not exceed
 16 500 acres of surface area.

17 (3) The license fee for the operation of a commercial
 18 fish pond is \$100.

19 (4) The fee for annual renewal of a commercial fish
 20 pond license is \$25."

21 Section 17--Section 87-4-803-MCA-is amended to read:
 22 "87-4-803--Permits: (1) The department shall grant
 23 permits for roadside menageries or zoos. It is unlawful for
 24 any person to operate a roadside menagerie without a permit.
 25 Application for a permit shall be made to the director on a

form--prescribed--by--him--the--annual--permit--fee--for--five--or
 less--animals--shall--be--\$10 ~~\$25~~--the--annual--permit--fee--for
 more--than--five--animals--shall--be--\$25 ~~\$50~~--Permits--shall
 expire--on--December--31--but--may--be--renewed--upon--payment--of--the
 annual--fees--this--section--shall--not--apply--to--the--United
 States--the--state--of--Montana--or--any--county--or--city--Any
 person--who--shall--subscribe--to--any--false--statement--in
 application--for--a--permit--shall--be--guilty--of--a--misdemeanor--
 (2)--No--permit--shall--be--granted--by--the--department--until
 it--has--satisfactorily--verified--that--the--provisions--for
 housing--and--caring--for--such--animals--and--for--protecting--the
 public--are--proper--and--adequate--and--in--accordance--with--the
 standards--established--by--the--department--
 (3)--A--permit--is--not--transferable--to--another--person
 unless--the--roadside--menagerie--or--zoo--to--which--it--pertains--is
 also--transferred--to--the--same--person--The--director's--approval
 must--be--obtained--prior--to--such--permit--transfer--and--prior--to
 a--transfer--of--any--wild--animals--held--under--the--permit--
 Section--18--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--\$3 ~~\$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--
 NEW_SECTION: Section 9. Effective dates. (1) Sections
 1 through 4, 21 and 6 4 through 10 3 8 are effective March
 1, 1984.
 (2) Section 5 3 is effective as follows:
 (a) The amendment raising the fees for the Class A-3,
 deer A tag and Class A-5, elk tag is effective May 1, 1983.
 (b) The amendment raising the fee for the Class A-4,
 deer B tag and Class A-6, black or brown bear tag AND
 CREATING THE CLASS A-7 ANTLERLESS ELK TAG is effective March
 1, 1984.

-End-