

HOUSE BILL NO. 734

INTRODUCED BY GRADY, COBB, THOFT,
JENKINS, HARPER, ELLISON, E. SMITH,
ASAY, SPAETH, HOWE, CONOVER, BOYLAN,
LANE, MAZUREK, FARRELL, SEVERSON,
CAMPBELL, KOEHNKE, C. SMITH, JONES,
COMPTON, THAYER, TVEIT, HANSON,
J. BROWN, RAPP-SVRCEK, HIRSCH, MOHAR

IN THE HOUSE

February 8, 1985	Introduced and referred to Committee on Fish and Game.
February 9, 1985	Fiscal Note requested.
February 14, 1985	Fiscal Note returned.
February 15, 1985	Committee recommend bill do pass as amended. Report adopted. Bill printed and placed on members' desks.
February 16, 1985	Second reading, do pass.
February 18, 1985	Considered correctly engrossed.
February 19, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 21, 1985	Introduced and referred to Committee on Fish and Game.
March 20, 1985	Committee recommend bill be concurrred in. Report adopted.
March 22, 1985	Second reading, concurrred in.

March 25, 1985

Third reading, concurred in.
Ayes, 48; Noes, 1.

Returned to House.

IN THE HOUSE

March 26, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 734

INTRODUCED BY

Dwight Cobb *Staff* *Legis* *House*
Abellison *E. Smith* *Ray* *Spackel* *House* *Comptroller*

A BILL FOR AN ACT ENTITLED: AN ACT TO PROHIBIT THE

POSSESSION OF BOTH A CLASS A-5 AND A CLASS A-7 ELK LICENSE

IN THE SAME YEAR; INCREASING THE FEE FOR THE CLASS A-7 TAG

TO \$10; AMENDING SECTION 87-2-501, MCA; AND PROVIDING A

DELAYED EFFECTIVE DATE.

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

Section 1. Section 87-2-501, MCA, is amended to read:

"87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident

deer, elk, and bear licenses. (1) 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 at the

prescribed cost 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:

(a) Class A-3, deer A tag, \$9;

(b) Class A-4, deer B tag, \$6;

(c) Class A-5, elk tag, \$10;

(d) Class A-6, black or brown bear tag, \$8;

(e) Class A-7, antlerless elk tag, \$8 \$10.

(2) The holder of a Class A-7 antlerless elk license

is entitled to take surplus antlerless elk in areas

designated by the commission and at such times during the

regular-big-game-season and upon such terms as set forth by

the commission but may not simultaneously possess a Class

A-5 and a Class A-7 license in the same year. The

commission shall include in the terms of issuance of the

Class A-7 license a requirement for surrender of a current

Class A-5 license held by a person at the time he purchases

a Class A-7 license in the same year. 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 holding a Class A-7 antlerless elk tag may not

take another elk during the same license year with a

Class A-5 elk tag."

NEW SECTION. Section 2. Extension of authority. Any

existing authority of the department of fish, wildlife, and

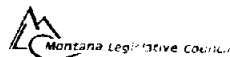
parks to make rules on the subject of the provisions of this

act is extended to the provisions of this act.

NEW SECTION. Section 3. Effective date. This act is

effective March 1, 1986.

-End-



-2- INTRODUCED BILL
HB 734

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN376-85

Form BD-15

In compliance with a written request received February 9 19 85, there is hereby submitted a Fiscal Note for H.B. 734 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:

To prohibit the possession of both a class A-5 and class A-7 elk license in the same year and increase the class A-7 tag to \$10.00.

ASSUMPTIONS:

1. The A-7 tag will be issued to harvest elk causing game damage.
2. The issuance of the A-7 license will replace current department procedures for damage caused by elk.
3. The administrative costs for the A-7 tag will be absorbed in current level.
4. The A-7 license will be issued in exchange for the A-5 license, therefore no revenue impact will occur.

FISCAL IMPACT:

If the above assumptions are used there is no fiscal impact to the bill as written.

AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXOENDITURES:

None

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

None

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

None

David L Hunter

BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb. 14, 1985

APPROVED BY COMM.
ON FISH AND GAME

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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 at the
prescribed cost 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:

- (a) Class A-3, deer A tag, \$9;
- (b) Class A-4, deer B tag, \$6;
- (c) Class A-5, elk tag, \$10;
- (d) Class A-6, black or brown bear tag, \$8;
- (e) Class A-7, antlerless elk tag, ~~\$8~~ \$10.

(2) The holder of a Class A-7 antlerless elk license
is entitled to take surplus antlerless elk in areas
designated by the commission and at such times ~~during-the~~
~~regular-big-game-season~~ and upon such terms as set forth by
the commission but may not simultaneously possess a Class
A-5 and a Class A-7 license in the same year. The
commission shall include in the terms of issuance of the
Class A-7 license a requirement for surrender of a current
Class A-5 license IF held by a person at the time he
purchases a Class A-7 license in-the-same-year. IF A CURRENT
CLASS A-5 LICENSE IS SURRENDERED, AS REQUIRED BY THIS
SECTION, THE CLASS A-7 LICENSE MUST BE ISSUED WITHOUT COST
TO THE HOLDER. ~~However, no~~ No person may take more than one
elk during any license year, and a person ~~taking--an~~
~~antierless-elk-as-provided--in--this--subsection~~ holding a
Class A-7 antlerless elk tag may not take another an elk
during the same license year with a Class A-5 elk tag."



1 NEW SECTION. Section 2. Extension of authority. Any
2 existing authority of the department of fish, wildlife, and
3 parks to make rules on the subject of the provisions of this
4 act is extended to the provisions of this act.

5 NEW SECTION. Section 3. Effective date. This act is
6 effective March 1, 1986.

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 game animals as authorized by department rules:

- (a) Class A-3, deer A tag, \$9;
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- (e) Class A-7, antlerless elk tag, \$8 \$10.

(2) The holder of a Class A-7 antlerless elk license
 is entitled to take surplus antlerless elk in areas
 designated by the commission and at such times during the
 regular-big-game-season and upon such terms as set forth by
 the commission but may not simultaneously possess a Class
A-5 and a Class A-7 license in the same year. The
commission shall include in the terms of issuance of the
Class A-7 license a requirement for surrender of a current
Class A-5 license IF held by a person at the time he
purchases a Class A-7 license in-the-same-year. IF A CURRENT
CLASS A-5 LICENSE IS SURRENDERED, AS REQUIRED BY THIS
SECTION, THE CLASS A-7 LICENSE MUST BE ISSUED WITHOUT COST
TO THE HOLDER. However, no No person may take more than one
elk during any license year, and a person taking--an
antlerless-elk-as-provided--in--this--subsection holding a
Class A-7 antlerless elk tag may not take another an elk
 during the same license year with a Class A-5 elk tag."

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 24 purchase one each of the following licenses at the
 25 prescribed cost which will entitle the holder to pursue,

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 5 (b) Class A-4, deer B tag, \$6;
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