

HOUSE FINAL STATUS

HB 33 INTRODUCED BY COBB

IMPOSE QUOTA FOR HUNTING BLACK BEAR AND MOUNTAIN  
LION

1/05 INTRODUCED

1/05 REFERRED TO FISH & GAME

1/05 FISCAL NOTE REQUESTED

1/08 HEARING

1/08 FISCAL NOTE RECEIVED

1/08 COMMITTEE REPORT--BILL NOT PASSED

1/09 ADVERSE COMMITTEE REPORT ADOPTED 82 12

1                                 HOUSE     BILL NO. 33  
 2     INTRODUCED BY COBB  
 3  
 4     A BILL FOR AN ACT ENTITLED:     "AN ACT TO REQUIRE  
 5     ESTABLISHMENT OF QUOTAS FOR HUNTING BLACK BEAR AND MOUNTAIN  
 6     LION; AMENDING SECTION 87-1-304, MCA; AND PROVIDING AN  
 7     EFFECTIVE DATE."  
 8  
 9     BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10        Section 1. Section 87-1-304, MCA, is amended to read:  
 11        "87-1-304. Fixing of seasons and bag and possession  
 12        limits. (1) The commission may fix seasons, bag limits,  
 13        possession limits, and season limits; open or close or  
 14        shorten or lengthen seasons on any species of game, bird,  
 15        fish, or fur-bearing animal as defined by 87-2-101; and  
 16        declare areas open to the hunting of deer, antelope, elk,  
 17        moose, sheep, and goat by bow and arrow permit holders and  
 18        designate times when only bows and arrows may be used to  
 19        hunt deer, antelope, elk, moose, sheep, and goat in those  
 20        areas. It may declare areas open to deer hunting where  
 21        shotguns only may be used to hunt or kill deer. In areas  
 22        where deer hunting is open to the use of shotguns only, the  
 23        commission may authorize the use of muzzleloaders (rifled or  
 24        smoothbore). It may declare areas open to special license  
 25        holders only and issue special licenses in a limited number

1     when it determines, after proper investigation, that such a  
 2     season is necessary to assure the maintenance of an adequate  
 3     supply of game birds, fish, or animals or fur-bearing  
 4     animals. It may declare a special season and issue special  
 5     licenses when game birds or animals or fur-bearing animals  
 6     are causing damage to private property or when written  
 7     complaint of such damage has been filed with the commission  
 8     by the owner of that property. In determining to whom those  
 9     licenses shall be issued, it may, when more applications are  
 10     received than the number of animals to be killed, award  
 11     permits to those chosen under a drawing system. The  
 12     procedures used for awarding the permits from the drawing  
 13     system shall be determined by the commission.  
 14        (2) The commission may adopt rules governing the use  
 15     of livestock and vehicles by archers during special archery  
 16     seasons.  
 17        (3) It may divide the state into fish and game  
 18     districts and create fish, game, or fur-bearing animal  
 19     districts throughout the state. It may declare closed season  
 20     for hunting, fishing, or trapping in any of those districts  
 21     and later may open those districts to hunting, fishing, or  
 22     trapping.  
 23        (4) It may declare a closed season on any species of  
 24     game, fish, game birds, or fur-bearing animals threatened  
 25     with undue depletion from any cause. It may close any area

1 or district of any stream, public lake, or public water or  
 2 portions thereof to hunting, trapping, or fishing for  
 3 limited periods of time, when necessary to protect a  
 4 recently stocked area, district, water, spawning waters,  
 5 spawn-taking waters, or spawn-taking stations or to prevent  
 6 the undue depletion of fish, game and fur-bearing animals,  
 7 and game and nongame birds. It later may open the area or  
 8 district upon consent of a majority of the property owners  
 9 affected.

10 (5) The commission may authorize the director to open  
 11 or close any special season upon 12 hours' notice to the  
 12 public.

13 (6) It may declare certain fishing waters closed to  
 14 fishing except by persons under 13 years of age. The purpose  
 15 of this subsection is to provide suitable fishing waters for  
 16 the exclusive use and enjoyment of juveniles under 13 years  
 17 of age, at times and in areas the commission in its  
 18 discretion considers advisable and consistent with its  
 19 policies relating to fishing.

20 (7) To ensure the survival of the black bear and  
 21 mountain lion species within the state, the commission shall  
 22 establish a quota for any area in which it permits the  
 23 pursuit, hunting, shooting, and killing of black bear or  
 24 mountain lion."

25 NEW SECTION. Section 2. Extension of authority. Any

1 existing authority of the fish and game commission to make  
 2 rules on the subject of the provisions of this act is  
 3 extended to the provisions of this act.

4 NEW SECTION. Section 3. Effective date. This act is  
 5 effective March 1, 1988.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB033, as originally introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act to require establishment of quotas for hunting black bear and mountain lion; amending Section 87-1-304, MCA; and providing an effective date."

ASSUMPTIONS:

1. The quotas will be administered similar to the way grizzly bear hunting is permitted. Quotas would be established based upon kill. Once the harvest is reached the season is closed.
2. Past history has shown that additional restrictions cause a reduction in license sales. Black bear licenses are projected to decrease 10%.
3. Since mountain lion licenses must be purchased by August 31st, there will be no reduction in mountain lion license sales.

FISCAL IMPACT:

	<u>Current Law</u>		<u>Proposed Law</u>		<u>Difference</u>
	<u>Number of Licenses/Cost</u>	<u>Revenue</u>	<u>Number of Licenses/Cost</u>	<u>Revenue</u>	
Resident Black Bear	5,617/\$ 8.00	\$ 45,000	5,056/\$ 8.00	\$ 40,448	\$ 4,552
Non-Resident Black Bear	1,081/ 100.00	108,000	973/100.00	97,300	\$ 10,700
Total		\$153,000		\$137,748	\$ 15,252

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

N/A

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The agency anticipates that reductions will continue into future years.

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

None are anticipated.

David L. Hunter DATE 1/8/87  
 DAVID L. HUNTER, BUDGET DIRECTOR  
 Office of Budget and Program Planning

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 JOHN COBB, PRIMARY SPONSOR

Fiscal Note for HB033, as originally introduced.

**HB 33**