

HOUSE BILL NO. 535

INTRODUCED BY ELLISON, HIRSCH, DEVLIN, GIACOMETTO, THOMAS,
CAMPBELL, LYBECK, PETERSON, THOFT, BECK, SWIFT, THAYER,
COBB, BRANDEWIE, SEVERSON, TVEIT, MANUEL, GOULD

IN THE HOUSE

JANUARY 30, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON FISH & GAME.

FEBRUARY 19, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 20, 1987 PRINTING REPORT.

FEBRUARY 21, 1987 SECOND READING, DO PASS.

FEBRUARY 23, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 67; NOES, 32.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON FISH & GAME.

MARCH 27, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 30, 1987 ON MOTION, CONSIDERATION PASSED
FOR THE DAY.

MARCH 31, 1987 SECOND READING, CONCURRED IN AS
AMENDED.

APRIL 1, 1987 THIRD READING, CONCURRED IN.
AYES, 34; NOES, 16.

 RETURNED TO HOUSE.

IN THE HOUSE

APRIL 1, 1987

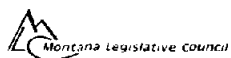
RECEIVED FROM SENATE.

SENT TO ENROLLING.

1 House BILL NO. 535
 2 INTRODUCED BY Ellison, Hagedorn, Doolin, Dugan, Thomas
 3 Coffey, Lybeck, Peterson, Wolf, Beck, Smith, Taylor, Cobb
 4 Bass, Luvie A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE NUMBER AND Severson
 5 ALLOCATION OF NONRESIDENT COMBINATION HUNTING AND FISHING Trust
 6 LICENSES; CREATING A CLASS B-11 NONRESIDENT COMBINATION Mann
 7 LICENSE THAT INCLUDES A FISHING, GAME BIRD, AND DEER Jill
 8 LICENSE; LIMITING THE NUMBER OF AUTHORIZED CLASS B-11
 9 LICENSES TO 6,000; PROVIDING A METHOD FOR ALLOCATING ALL
 10 NONRESIDENT COMBINATION LICENSES AMONG HUNTERS WITH LICENSED
 11 OUTFITTERS, HUNTERS WITH RESIDENT SPONSORS, AND OTHER
 12 HUNTERS; AMENDING SECTION 87-2-504, MCA; AND PROVIDING A
 13 DELAYED EFFECTIVE DATE."

14
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 16 NEW SECTION. Section 1. Class B-11--nonresident deer
 17 combination license. (1) Except as otherwise provided in
 18 this chapter, a person not a resident, as defined in
 19 87-2-102, but who will be 12 years of age or older prior to
 20 September 15 of the season for which the license is issued
 21 may, upon payment of a fee of \$175 and subject to the
 22 limitations prescribed by law and department regulation,
 23 apply to the fish and game office, Helena, Montana, to
 24 purchase a Class B-11 nonresident deer combination license
 25 that entitles the holder to all the privileges of the Class

1 B, Class B-1, and Class B-7 licenses. This license includes
 2 the nonresident wildlife conservation license as prescribed
 3 in 87-2-202.
 4 (2) Not more than 6,000 Class B-11 licenses may be
 5 sold in any one license year.
 6 NEW SECTION. Section 2. Sale of Class B-10 and Class
 7 B-11 licenses. (1) The department shall offer the Class B-10
 8 and Class B-11 licenses for sale on April 1, with one-half
 9 the authorized licenses of each class reserved for
 10 applicants indicating their intent to use the services of a
 11 licensed outfitter and one-half reserved for applicants
 12 indicating their intent to hunt with a resident sponsor, as
 13 provided in subsection (2).
 14 (2) Each application must contain a written
 15 affirmation that the applicant intends to hunt with a
 16 licensed outfitter or a resident sponsor and must indicate
 17 the name of the licensed outfitter or resident sponsor with
 18 whom the applicant intends to hunt. In addition, the
 19 application must be accompanied by a certificate that is
 20 signed by a licensed outfitter or other resident of the
 21 state, as defined in 87-2-102, and which affirms that the
 22 outfitter or resident will:
 23 (a) direct the applicant's hunting and advise the
 24 applicant of game and trespass laws of the state;
 25 (b) submit to the department, in a manner prescribed



-2- INTRODUCED BILL
 HB 535

1 by the department, complete records of who hunted with him,
2 where they hunted, and what game was taken; and

3 (c) accept no monetary consideration for enabling the
4 nonresident applicant to obtain a license or for providing
5 any services or assistance to the nonresident applicant,
6 except as provided in this title.

7 (3) The department shall offer the Class B-10 and
8 Class B-11 licenses that remain unsold on May 1 to
9 nonresident applicants without restriction as to hunting
10 with a licensed outfitter or resident sponsor. These
11 licenses must be offered for sale on May 15 and must be
12 available until all licenses are sold.

13 Section 3. Section 87-2-504, MCA, is amended to read:

14 "87-2-504. Class B-7 and B-8--nonresident deer
15 licenses. Except as otherwise provided in this chapter, a
16 person not a resident, as defined in 87-2-102, but who will
17 be 12 years of age or older prior to September 15 of the
18 season for which the license is issued and is a holder of a
19 nonresident conservation license may, upon payment of the
20 proper fee or fees and subject to the limitations prescribed
21 by law and department regulation, be entitled to apply to
22 the fish and game office, Helena, Montana, to purchase one
23 each of the following licenses: Class B-7, deer A tag,
24 \$100; Class B-8, deer B tag, \$50; and will entitle the
25 holder to pursue, hunt, shoot, and kill the game animal or

1 animals authorized by the license held and to possess the
2 carcasses of those animals as authorized by department
3 rules. Unless purchased as part of a B-10 or B-11 license, a
4 Class B-7 license must be assigned for use in a specific
5 administrative region or portion thereof. If purchased as
6 part of a Class B-11 license, the Class B-7 license is valid
7 throughout administrative regions 4, 5, 6, and 7."

8 NEW SECTION. Section 4. Extension of authority. Any
9 existing authority of the department of fish, wildlife, and
10 parks to make rules on the subject of the provisions of this
11 act is extended to the provisions of this act.

12 NEW SECTION. Section 5. Codification instruction.
13 Sections 1 and 2 are intended to be codified as an integral
14 part of Title 87, chapter 2, part 1, and the provisions of
15 Title 87 apply to sections 1 and 2.

16 NEW SECTION. Section 6. Effective date. This act is
17 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 HB535, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the number and allocation of nonresident combination hunting and fishing licenses; creating a class B-11 nonresident combination license that includes a fishing, game bird, and deer license; limiting the number of authorized class B-11 licenses to 6,000; providing a method for allocating all nonresident combination licenses among hunters with licensed outfitters, hunters with resident sponsors, and other hunters.

ASSUMPTIONS:

1. We will sell all 17,000 of \$350 combination licenses and all 6,000 of \$175 combination licenses each fiscal year.
2. 1/3 of B-10 plus B-11 will be sold to guides and outfitters, 1/3 of B-10 and B-11 will be sold to resident sponsors, and 1/3 sold to nonresidents without restrictions.
3. It costs the department \$1.80 to process each application for a license and \$1.00 for each written affirmation of a hunt.
4. The 6,000 B-11 licenses would replace our estimated sales of 2,500 deer A licenses.
5. 10% of the 6,000 sportsmen that purchase B-11 licenses currently purchase bird and fishing licenses. This would reduce our bird license sales and fish license sales by 600 each.

FISCAL IMPACT:

	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Operating	\$ 0	\$ 17,680	\$ 17,680	\$ 0	\$ 17,680	\$ 17,680
<u>Revenues:</u>						
B-11	\$ 0	\$ 1,050,000	\$ 1,050,000	\$ 0	\$ 1,050,000	\$ 1,050,000
Deer A	250,000	0	(250,000)	250,000	0	(250,000)
Bird	144,000	126,000	(18,000)	147,000	129,000	(18,000)
Fish	560,000	539,000	(21,000)	560,000	539,000	(21,000)
TOTAL	\$ 954,000	\$ 1,715,000	\$ 761,000	\$ 957,000	\$ 1,718,000	\$ 761,000

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

The time frames specified in the bill are not compatible with other department functions. Our special drawing deadline is June 1. In order for nonresidents to apply for elk and deer permits in the June 1 special drawings, they must know if they have been issued a combination license. There is not adequate time between May 15 as specified by this bill and June 1 for us to process the application and issue the license.

David L. Hunter DATE 2/4/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

Orval Ellison DATE Feb 4
 ORVAL ELLISON, PRIMARY SPONSOR

Fiscal Note for HB535, as introduced.

HB 535

APPROVED BY COMM.
ON FISH AND GAME

HOUSE BILL NO. 535

INTRODUCED BY ELLISON, HIRSCH, DEVLIN, GIACOMETTO, THOMAS,
CAMPBELL, LYBECK, PETERSON, THOPT, BECK, SWIFT, THAYER,
COBB, BRANDEWIE, SEVERSON, TVEIT, MANUEL, GOULD

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE NUMBER AND
ALLOCATION OF ALLOCATING CLASS B-10 NONRESIDENT COMBINATION
HUNTING AND FISHING LICENSES BETWEEN APPLICANTS INTENDING TO
EMPLOY LICENSED OUTFITTERS AND ALL OTHER APPLICANTS;
CREATING A CLASS B-11 NONRESIDENT COMBINATION LICENSE THAT
INCLUDES A FISHING, GAME BIRD, AND DEER LICENSE; LIMITING
THE NUMBER OF AUTHORIZED CLASS B-11 LICENSES TO 6,000;
PROVIDING A METHOD FOR ALLOCATING ~~ALL~~ CLASS B-11 NONRESIDENT
COMBINATION LICENSES AMONG HUNTERS WITH LICENSED OUTFITTERS,
HUNTERS WITH RESIDENT LANDOWNER SPONSORS, AND OTHER HUNTERS;
AMENDING SECTION 87-2-504, MCA; AND PROVIDING A DELAYED
EFFECTIVE DATE."

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

NEW SECTION. Section 1. Class B-11--nonresident deer
combination license. (1) 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 a fee of \$175 and subject to the

limitations prescribed by law and department regulation,
apply to the fish and game office, Helena, Montana, to
purchase a Class B-11 nonresident deer combination license
that entitles the holder to all the privileges of the Class
B, Class B-1, and Class B-7 licenses. This license includes
the nonresident wildlife conservation license as prescribed
in 87-2-202.

(2) ~~Not more than 6,000~~ SIX THOUSAND Class B-11
licenses ~~may be sold in any one~~ ARE AUTHORIZED FOR SALE EACH
license year.

NEW SECTION. Section 2. Sale of Class B-10 and Class
B-11 licenses. (1) The department shall offer the Class B-10
and Class B-11 licenses for sale on ~~April 1~~ MARCH 15, with
~~one-half 5,600~~ OF the authorized CLASS B-10 licenses ~~of each~~
~~class~~ AND 2,000 CLASS B-11 LICENSES reserved for applicants
indicating their intent to use the services of a licensed
outfitter, and ~~one-half 2,000~~ OF THE AUTHORIZED CLASS B-11
LICENSES reserved for applicants indicating their intent to
hunt with a resident sponsor ON LAND OWNED BY THAT SPONSOR,
as provided in ~~subsection~~ SUBSECTIONS (2) AND (3).

(2) Each application FOR A RESERVED LICENSE UNDER
SUBSECTION (1) must contain a written affirmation that the
applicant intends to hunt with a licensed outfitter or a
resident sponsor and must indicate the name of the licensed
outfitter or resident sponsor with whom the applicant

1 intends to hunt. In addition, the application must be
 2 accompanied by a certificate that is signed by a licensed
 3 outfitter or other resident of--the--state,--as--defined--in
 4 87-2-102; SPONSOR and which affirms that the outfitter or
 5 resident will:

6 (a) direct the applicant's hunting and advise the
 7 applicant of game and trespass laws of the state;

8 (b) submit to the department, in a manner prescribed
 9 by the department, complete records of who hunted with him,
 10 where they hunted, and what game was taken; and

11 (c) accept no monetary consideration for enabling the
 12 nonresident applicant to obtain a license or for providing
 13 any services or assistance to the nonresident applicant,
 14 except as provided in this title.

15 (3) THE CERTIFICATE SIGNED BY THE RESIDENT SPONSOR
 16 PURSUANT TO SUBSECTION (2) MUST ALSO AFFIRM THAT THE SPONSOR
 17 IS A LANDOWNER AND THAT THE APPLICANT UNDER THE CERTIFICATE
 18 WILL HUNT ONLY ON LAND OWNED BY THE SPONSOR.

19 ~~(3)(4)~~ (4) The department shall ~~offer--the~~ MAKE THE
 20 RESERVED Class B-10 and Class B-11 licenses that remain
 21 unsold on ~~May-1~~ APRIL 15 AVAILABLE to nonresident applicants
 22 without restriction as to hunting with a licensed outfitter
 23 or resident sponsor. ~~These licenses must be offered for sale~~
 24 ~~on May-15 and must be available until all licenses are sold.~~

25 (5) ALL CLASS B-10 AND CLASS B-11 LICENSES NOT

1 RESERVED UNDER SUBSECTION (1) AND ALL UNSOLD RESERVED
 2 LICENSES AVAILABLE UNDER SUBSECTION (4) MUST BE ISSUED BY A
 3 DRAWING AMONG ALL APPLICANTS FOR THE RESPECTIVE UNRESERVED
 4 LICENSES.

5 Section 3. Section 87-2-504, MCA, is amended to read:

6 "87-2-504. Class B-7 and B-8--nonresident deer
 7 licenses. Except as otherwise provided in this chapter, a
 8 person not a resident, as defined in 87-2-102, but who will
 9 be 12 years of age or older prior to September 15 of the
 10 season for which the license is issued and is a holder of a
 11 nonresident conservation license may, upon payment of the
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 14 the fish and game office, Helena, Montana, to purchase one
 15 each of the following licenses: Class B-7, deer A tag,
 16 \$100; Class B-8, deer B tag, \$50; and will entitle the
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 21 Class B-7 license must be assigned for use in a specific
 22 administrative region or portion thereof. If purchased as
 23 part of a Class B-11 license, the Class B-7 license is valid
 24 throughout administrative regions-4, 5, 6, and 7 THE STATE."

25 NEW SECTION. Section 4. Extension of authority. Any

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

4 NEW SECTION. Section 5. Codification instruction.
5 Sections 1 and 2 are intended to be codified as an integral
6 part of Title 87, chapter 2, ~~part-17~~ and the provisions of
7 Title 87 apply to sections 1 and 2.

8 NEW SECTION. Section 6. Effective date. This act is
9 effective March 1, 1988.

-End-

HOUSE BILL NO. 535

INTRODUCED BY ELLISON, HIRSCH, DEVLIN, GIACOMETTO, THOMAS,
 CAMPBELL, LYBECK, PETERSON, THOFT, BECK, SWIFT, THAYER,
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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE NUMBER AND
 ALLOCATION OF ALLOCATING CLASS B-10 NONRESIDENT COMBINATION
 HUNTING AND FISHING LICENSES BETWEEN APPLICANTS INTENDING TO
EMPLOY LICENSED OUTFITTERS AND ALL OTHER APPLICANTS;
 CREATING A CLASS B-11 NONRESIDENT COMBINATION LICENSE THAT
 INCLUDES A FISHING, GAME BIRD, AND DEER LICENSE; LIMITING
 THE NUMBER OF AUTHORIZED CLASS B-11 LICENSES TO 6,000;
 PROVIDING A METHOD FOR ALLOCATING ALL CLASS B-11 NONRESIDENT
 COMBINATION LICENSES AMONG HUNTERS WITH LICENSED OUTFITTERS,
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 September 15 of the season for which the license is issued
 may, upon payment of a fee of \$175 and subject to the

limitations prescribed by law and department regulation,
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 that entitles the holder to all the privileges of the Class
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(2) ~~Not more than 6,000~~ SIX THOUSAND Class B-11
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 indicating their intent to use the services of a licensed
 outfitter, and one-half 2,000 OF THE AUTHORIZED CLASS B-11
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 as provided in subsection SUBSECTIONS (2) AND (3).

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 24 ~~on May-15 and must be available until all licenses are sold.~~

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 9 ~~EMPLOY LICENSED OUTFITTERS AND ALL OTHER APPLICANTS,~~
 10 ~~REVISING THE NUMBER OF NONRESIDENT COMBINATION HUNTING AND~~
 11 ~~FISHING LICENSES AUTHORIZED FOR SALE,~~ ALLOCATING CLASS B-10
 12 NONRESIDENT COMBINATION HUNTING AND FISHING LICENSES BETWEEN
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 16 DEER LICENSE; LIMITING THE NUMBER OF AUTHORIZED CLASS B-11
 17 LICENSES TO ~~6,000~~ ~~3,000~~ 6,000; ~~PROVIDING A METHOD FOR~~
 18 ~~ALLOCATING ALL CLASS B-11~~ NONRESIDENT COMBINATION LICENSES
 19 ~~AMONG HUNTERS WITH LICENSED OUTFITTERS, HUNTERS WITH~~
 20 ~~RESIDENT LANDOWNER SPONSORS, AND OTHER HUNTERS, PROVIDING~~
 21 ~~FOR ISSUANCE OF LICENSES TO APPLICANTS BY A RANDOM DRAWING,~~
 22 ~~AND PROVIDING A METHOD FOR ALLOCATING CLASS B-11 NONRESIDENT~~
 23 ~~COMBINATION LICENSES AMONG HUNTERS WITH LICENSED OUTFITTERS,~~
 24 ~~HUNTERS WITH RESIDENT LANDOWNER SPONSORS, AND OTHER HUNTERS;~~
 25 AMENDING SECTION 87-2-504, MCA, ~~AND PROVIDING A DELAYED~~

1 ~~EFFECTIVE DATE; AND PROVIDING A DELAYED EFFECTIVE DATE."~~
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 14 B, Class B-1, and Class B-7 licenses. This license includes
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 17 ~~{2} Not more than 6,000~~ SIX THOUSAND Class B-11
 18 ~~licenses may be sold in any one~~ ARE AUTHORIZED FOR SALE EACH
 19 ~~license year.~~
 20 ~~{2} THE COMMISSION SHALL ESTABLISH THE NUMBER OF CLASS~~
 21 ~~B-11 LICENSES THAT MAY BE SOLD EACH YEAR. THE NUMBER MAY NOT~~
 22 ~~EXCEED 3,000 IN ANY LICENSE YEAR.~~
 23 {2} SIX THOUSAND CLASS B-11 LICENSES ARE AUTHORIZED
 24 FOR SALE EACH LICENSE YEAR.
 25 NEW SECTION. Section 2. Sale of Class B-10 and Class

1 B-11 licenses, ~~{1} The department shall offer the Class~~
 2 ~~B-10 and Class B-11 licenses for sale on April 1 MARCH 15,~~
 3 ~~with one-half 5,600 OF the authorized CLASS-B-10 licenses of~~
 4 ~~each class AND 2,000 CLASS-B-11 LICENSES reserved for~~
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 6 ~~licensed outfitter, and one-half 2,000 OF THE AUTHORIZED~~
 7 ~~CLASS-B-11 LICENSES reserved for applicants indicating their~~
 8 ~~intent to hunt with a resident sponsor ON LAND OWNED BY THAT~~
 9 ~~SPONSOR, as provided in subsection SUBSECTIONS {2} AND {3}:~~
 10 {2} Each application FOR A RESERVED LICENSE UNDER
 11 SUBSECTION {1} must contain a written affirmation that the
 12 applicant intends to hunt with a licensed outfitter or a
 13 resident sponsor and must indicate the name of the licensed
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 5 PURSUANT TO SUBSECTION {2} MUST ALSO AFFIRM THAT THE SPONSOR
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 12 or resident sponsor. These licenses must be offered for sale
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 14 {5} ALL CLASS-B-10 AND CLASS-B-11 LICENSES NOT
 15 RESERVED UNDER SUBSECTION {1} AND ALL UNSOLD RESERVED
 16 LICENSES AVAILABLE UNDER SUBSECTION {4} MUST BE ISSUED BY A
 17 DRAWING AMONG ALL APPLICANTS FOR THE RESPECTIVE UNRESERVED
 18 LICENSES.
 19 NEW SECTION, SECTION 2, ISSUANCE OF CLASS-B-10 AND
 20 CLASS-B-11 LICENSES: {1} APPLICATION FOR CLASS-B-10 AND
 21 CLASS-B-11 LICENSES MAY BE MADE TO THE DEPARTMENT COMMENCING
 22 ON THE FIRST TUESDAY OF JANUARY OF THE YEAR FOR WHICH THE
 23 LICENSES ARE ISSUED, EXCEPT AS PROVIDED IN SUBSECTION {4},
 24 SUCH LICENSES MUST BE ISSUED BY A RANDOM DRAWING AMONG ALL
 25 APPLICANTS TO BE HELD ON THE FIRST TUESDAY OF THE FOLLOWING

1 FEBRUARY.
 2 (2) THE DEPARTMENT SHALL PROVIDE FOR PARTY DRAWINGS
 3 FOR APPLICANTS SO REQUESTING, WITH NOT MORE THAN FOUR
 4 APPLICANTS DRAWN TOGETHER.
 5 (3) THE NAMES AND ADDRESSES OF SUCCESSFUL LICENSE
 6 APPLICANTS MUST BE MADE AVAILABLE TO THE PUBLIC WITHIN A
 7 WEEK AFTER THE DRAWING.
 8 (4) IF THE NUMBER OF AUTHORIZED LICENSES EXCEEDS THE
 9 NUMBER OF APPLICATIONS RECEIVED BY THE DATE OF THE DRAWING,
 10 THE REMAINING LICENSES MUST BE SOLD THEREAFTER BY THE
 11 DEPARTMENT IN THE ORDER THAT APPLICATIONS ARE RECEIVED.
 12 NEW SECTION. SECTION 2. SALE OF CLASS B-10 AND CLASS
 13 B-11 LICENSES. (1) THE DEPARTMENT SHALL OFFER THE CLASS B-10
 14 AND CLASS B-11 LICENSES FOR SALE ON MARCH 15, WITH 5,600 OF
 15 THE AUTHORIZED CLASS B-10 LICENSES AND 2,000 CLASS B-11
 16 LICENSES RESERVED FOR APPLICANTS INDICATING THEIR INTENT TO
 17 USE THE SERVICES OF A LICENSED OUTFITTER, AND 2,000 OF THE
 18 AUTHORIZED CLASS B-11 LICENSES RESERVED FOR APPLICANTS
 19 INDICATING THEIR INTENT TO HUNT WITH A RESIDENT SPONSOR ON
 20 LAND OWNED BY THAT SPONSOR, AS PROVIDED IN SUBSECTIONS (2)
 21 AND (3).
 22 (2) EACH APPLICATION FOR A RESERVED LICENSE UNDER
 23 SUBSECTION (1) MUST CONTAIN A WRITTEN AFFIRMATION THAT THE
 24 APPLICANT INTENDS TO HUNT WITH A LICENSED OUTFITTER OR A
 25 RESIDENT SPONSOR AND MUST INDICATE THE NAME OF THE LICENSED

1 OUTFITTER OR RESIDENT SPONSOR WITH WHOM THE APPLICANT
 2 INTENDS TO HUNT. IN ADDITION, THE APPLICATION MUST BE
 3 ACCOMPANIED BY A CERTIFICATE THAT IS SIGNED BY A LICENSED
 4 OUTFITTER OR RESIDENT SPONSOR AND WHICH AFFIRMS THAT THE
 5 OUTFITTER OR RESIDENT WILL:
 6 (A) DIRECT THE APPLICANT'S HUNTING AND ADVISE THE
 7 APPLICANT OF GAME AND TRESPASS LAWS OF THE STATE;
 8 (B) SUBMIT TO THE DEPARTMENT, IN A MANNER PRESCRIBED
 9 BY THE DEPARTMENT, COMPLETE RECORDS OF WHO HUNTED WITH HIM,
 10 WHERE THEY HUNTED, AND WHAT GAME WAS TAKEN; AND
 11 (C) ACCEPT NO MONETARY CONSIDERATION FOR ENABLING THE
 12 NONRESIDENT APPLICANT TO OBTAIN A LICENSE OR FOR PROVIDING
 13 ANY SERVICES OR ASSISTANCE TO THE NONRESIDENT APPLICANT,
 14 EXCEPT AS PROVIDED IN THIS TITLE.
 15 (3) THE CERTIFICATE SIGNED BY THE RESIDENT SPONSOR
 16 PURSUANT TO SUBSECTION (2) MUST ALSO AFFIRM THAT THE SPONSOR
 17 IS A LANDOWNER AND THAT THE APPLICANT UNDER THE CERTIFICATE
 18 WILL HUNT ONLY ON LAND OWNED BY THE SPONSOR.
 19 (4) THE DEPARTMENT SHALL MAKE THE RESERVED CLASS B-10
 20 AND CLASS B-11 LICENSES THAT REMAIN UNSOLD ON APRIL 15
 21 AVAILABLE TO NONRESIDENT APPLICANTS WITHOUT RESTRICTION AS
 22 TO HUNTING WITH A LICENSED OUTFITTER OR RESIDENT SPONSOR.
 23 (5) ALL CLASS B-10 AND CLASS B-11 LICENSES NOT
 24 RESERVED UNDER SUBSECTION (1) AND ALL UNSOLD RESERVED
 25 LICENSES AVAILABLE UNDER SUBSECTION (4) MUST BE ISSUED BY A

1 DRAWING AMONG ALL APPLICANTS FOR THE RESPECTIVE UNRESERVED
 2 LICENSES.

3 Section 3. Section 87-2-504, MCA, is amended to read:

4 "87-2-504. Class B-7 and B-8--nonresident deer
 5 licenses. Except as otherwise provided in this chapter, a
 6 person not a resident, as defined in 87-2-102, but who will
 7 be 12 years of age or older prior to September 15 of the
 8 season for which the license is issued and is a holder of a
 9 nonresident conservation license may, upon payment of the
 10 proper fee or fees and subject to the limitations prescribed
 11 by law and department regulation, be entitled to apply to
 12 the fish and game office, Helena, Montana, to purchase one
 13 each of the following licenses: Class B-7, deer A tag,
 14 \$100; Class B-8, deer B tag, \$50; and will entitle the
 15 holder to pursue, hunt, shoot, and kill the game animal or
 16 animals authorized by the license held and to possess the
 17 carcasses of those animals as authorized by department
 18 rules. Unless purchased as part of a B-10 or B-11 license, a
 19 Class B-7 license must be assigned for use in a specific
 20 administrative region or portion thereof. If purchased as
 21 part of a Class B-11 license, the Class B-7 license is valid
 22 throughout administrative regions-4, 5, 6, and 7 THE STATE."

23 NEW SECTION. Section 4. Extension of authority. Any
 24 existing authority of the department of fish, wildlife, and
 25 parks to make rules on the subject of the provisions of this

1 act is extended to the provisions of this act.

2 NEW SECTION. Section 5. Codification instruction.
 3 Sections 1 and 2 are intended to be codified as an integral
 4 part of Title 87, chapter 2, ~~part-1,~~ and the provisions of
 5 Title 87 apply to sections 1 and 2.

6 ~~NEW SECTION--Section-6--Effective--date--This-act-is~~
 7 ~~effective-March-1, 1988-~~

8 NEW SECTION. SECTION 6. EFFECTIVE DATE. THIS ACT IS
 9 EFFECTIVE MARCH 1, 1988.

-End-

COMMITTEE OF THE WHOLE AMENDMENT

3-27-87

DATE

SENATE

10:44

TIME

MR. CHAIRMAN: I MOVE TO AMEND House Bill

No. 535

third reading copy (blue) as follows:
Color

1. AMENDING SENATE FISH AND GAME STANDING COMMITTEE REPORT, DATED MARCH 27, 1987.

Strike: amendment nos. 1 through 7 in their entirety.

KMK
C

ADOPT
REJECT

Lee Hirsch

Senator Hirsch

STANDING COMMITTEE REPORT

SENATE

FISH AND GAME
H.B. 535
Page 2 of 2

March 27, 1987

March 27, 1987

MR. PRESIDENT

We, your committee on Fish and Game

having had under consideration House Bill No 535

Third reading copy (Blue color)

REVISE NUMBER AND ALLOCATION OF NONRESIDENT COMBINATION HUNTING LICENSES

Representative Orval Ellison (Senator Hirsch)

House Bill

535

Respectfully report as follows That No.

be amended as follows:

1. Title, lines 7 through 9.
Following: "OF"
Strike: remainder of line 7 through line 9
Insert: "REVISING THE NUMBER OF NONRESIDENT COMBINATION HUNTING AND FISHING LICENSES AUTHORIZED FOR SALE;"
2. Title, line 12.
Strike: "6,000"
Insert: "3,000"
3. Title, line 13.
Following: line 12
Strike: line 13 through line 15 in their entirety
Insert: "PROVIDING FOR ISSUANCE OF LICENSES TO APPLICANTS BY A RANDOM DRAWING; AND"
4. Title, lines 16 and 17.
Following: "MCA"
Strike: remainder of line 16 through "DATE" on line 17
5. Page 2, lines 8 through 10.
Strike: subsection (2) in its entirety
Insert: "(2) The commission shall establish the number of Class B-11 licenses that may be sold each year. The number may not exceed 3,000 in any license year."

6. Page 2, line 11 through line 4 on page 4.
Strike: section 2 in its entirety
Insert: "NEW SECTION. Section 2. Issuance of Class B-10 and Class B-11 licenses. (1) Application for Class B-10 and Class B-11 licenses may be made to the department commencing on the first Tuesday of January of the year for which the licenses are issued. Except as provided in subsection (4), such licenses must be issued by a random drawing among all applicants to be held on the first Tuesday of the following February.
(2) The department shall provide for party drawings for applicants so requesting, with not more than four applicants drawn together.
(3) The names and addresses of successful license applicants must be made available to the public within 1 week after the drawing.
(4) If the number of authorized licenses exceeds the number of applications received by the date of the drawing, the remaining licenses must be sold thereafter by the department in the order that applications are received."
7. Page 5, lines 8 and 9.
Strike: Section 6 in its entirety.

E:hb535.txt/hm

AND AS AMENDED
BE CONCURRED IN

XXXXXX

E.D.

3²

Chairman

E.D. Smith
Senator Ed Smith

5-1