

HOUSE BILL NO. 383

INTRODUCED BY ELLISON, REAM

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

IN THE HOUSE

JANUARY 24, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
JANUARY 25, 1989	FIRST READING.
FEBRUARY 15, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 16, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 87; NOES, 7.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
MARCH 15, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 17, 1989	SECOND READING, CONCURRED IN.
MARCH 20, 1989	THIRD READING, CONCURRED IN. AYES, 46; NOES, 2.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 21, 1989	RECEIVED FROM SENATE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 383  
2 INTRODUCED BY Edwin Ream  
3 BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS  
4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
6 HUNTING LICENSING STATUTES; LOWERING THE AGE LIMIT OF  
7 PERSONS WHO MUST OBTAIN A WATERFOWL STAMP TO HUNT WATERFOWL;  
8 PROHIBITING A PERSON FROM APPLYING FOR, OBTAINING, OR  
9 POSSESSING MORE THAN ONE LICENSE OF A CLASS UNLESS  
10 AUTHORIZED BY THE FISH AND GAME COMMISSION; INCREASING THE  
11 TROPHY FEE FOR A FEMALE MOUNTAIN LION TO \$150; AMENDING  
12 SECTIONS 87-2-104, 87-2-411, 87-2-507, 87-2-508, AND  
13 87-2-702, MCA; AND PROVIDING EFFECTIVE DATES."  
14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
16 **Section 1.** Section 87-2-411, MCA, is amended to read:  
17 "87-2-411. Stamp required to hunt waterfowl. (1) It is  
18 unlawful for any person ~~16~~ 15 years of age or older to  
19 pursue, hunt, shoot, or kill waterfowl without first having  
20 obtained a valid waterfowl stamp from the department. The  
21 fee for such stamp is \$5.  
22 (2) For the purpose of this section, the term  
23 "waterfowl" means wild ducks, wild geese, brant, and swans."  
24 **Section 2.** Section 87-2-104, MCA, is amended to read:  
25 "87-2-104. Number of licenses allowed -- fees. (1)

1 ~~Except--as-authorized-by-the-commission-and-except-for-class~~  
2 ~~B-4-licenses, only one license of any one class shall be~~  
3 ~~issued--to--any-one-person. It is unlawful for any person to~~  
4 ~~apply for, purchase, or possess more than one license of any~~  
5 ~~one class or more than one special license for any one~~  
6 ~~species listed in 87-2-701. This provision does not apply to~~  
7 ~~Class B-4 licenses or to licenses issued under subsection~~  
8 ~~(3) for game management purposes. However, when more than~~  
9 ~~one license is authorized by the commission, it is unlawful~~  
10 ~~to apply for, purchase, or possess more licenses than are~~  
11 ~~authorized.~~

12 (2) The department may prescribe rules and regulations  
13 for the issuance or sale of a replacement license ~~of the~~  
14 ~~same class~~ in the event the original license is lost,  
15 stolen, or destroyed upon payment of ~~the original price of~~  
16 ~~the lost, stolen, or destroyed license, not to exceed \$5.~~

17 ~~(2)(3)~~ When authorized by the commission for game  
18 management purposes, the department may issue more than one  
19 Class A-3, Class A-4, Class B-7, Class B-8, or special  
20 antelope license to an applicant. An applicant for these  
21 game management licenses is not at the time of application  
22 required to hold any license or permit of that class.

23 ~~(3)(4)~~ The fee for any resident or nonresident license  
24 of any class issued under subsection ~~(2)~~ (3) must be set  
25 annually by the department and may not exceed the regular

1 fee provided by law for that class or species."

2 **Section 3.** Section 87-2-702, MCA, is amended to read:

3 "87-2-702. Restrictions on special licenses. ~~(1) A~~  
4 ~~person who has received a special permit for elk is not~~  
5 ~~eligible to receive a second special permit for elk during~~  
6 ~~any license year. However, in the event the number of~~  
7 ~~applications received is not equal to the number of elk~~  
8 ~~desired to be killed by the department, reapplication may be~~  
9 ~~made by those valid license holders of the current year who~~  
10 ~~may fall within these limitations.~~

11 ~~(2)~~ (1) A person who has killed or taken any game  
12 animal, except a deer or an antelope, during the current  
13 license year is not permitted to receive a special license  
14 under this chapter to hunt or kill a second game animal of  
15 the same species.

16 ~~(3)~~ (2) The commission may require applicants for  
17 special permits authorized by this chapter to obtain a valid  
18 big game license for that species for the current year prior  
19 to applying for a special permit.

20 ~~(4)~~ (3) After March 27, 1987, a person may, during his  
21 lifetime, lawfully take only one grizzly bear in Montana  
22 with a license authorized by 87-2-701."

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

24 "87-2-507. (Effective March 1, 1988, to March 1, 1994)  
25 Class D-1--nonresident mountain lion license. Except as

1 otherwise provided in this chapter, a person not a resident,  
2 as defined in 87-2-102, but who is 12 years of age or older,  
3 upon payment of a fee of \$320 may receive a Class D-1  
4 license which shall entitle the holder thereof to pursue,  
5 hunt, shoot, and kill mountain lion and possess the carcass  
6 thereof of the mountain lion as authorized by department  
7 rules. If a holder of a valid mountain lion license under  
8 this section kills a mountain lion, he must purchase a  
9 trophy license ~~for a fee of \$50~~ within 10 days after the  
10 date of kill. The fee for a trophy license is \$50 for a  
11 male mountain lion and \$150 for a female mountain lion. The  
12 trophy license authorizes the holder to possess and  
13 transport such the trophy. (Terminates March 1, 1994--sec.  
14 12, Ch. 598, L. 1987.)

15 **87-2-507.** (Effective prior to March 1, 1988, and after  
16 March 1, 1994) Class D-1--nonresident mountain lion license.  
17 Except as otherwise provided in this chapter, a person not a  
18 resident, as defined in 87-2-102, but who is 12 years of age  
19 or older, upon payment of a fee of \$300 may receive a Class  
20 D-1 license which shall entitle the holder thereof to  
21 pursue, hunt, shoot, and kill mountain lion and possess the  
22 carcass thereof of the mountain lion as authorized by  
23 department rules. If a holder of a valid mountain lion  
24 license under this section kills a mountain lion, he must  
25 purchase a trophy license ~~for a fee of \$50~~ within 10 days

1 after the date of kill. The fee for a trophy license is \$50  
 2 for a male mountain lion and \$150 for a female mountain  
 3 lion. The trophy license authorizes the holder to possess  
 4 and transport such the trophy."

5 **Section 5.** 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 \$10 may receive a  
 10 Class D-2 license which shall entitle the holder thereof to  
 11 pursue, hunt, shoot, and kill mountain lion and possess the  
 12 carcass thereof of the mountain lion as authorized by  
 13 department rules. If a holder of a valid mountain lion  
 14 license under this section kills a mountain lion, he must  
 15 purchase a trophy license ~~for a fee of \$50~~ within 10 days  
 16 after the date of kill. The fee for a trophy license is \$50  
 17 for a male mountain lion and \$150 for a female mountain  
 18 lion. The trophy license authorizes the holder to possess  
 19 and transport such the trophy."

20 **NEW SECTION. Section 6. Extension of authority.** Any  
 21 existing authority to make rules on the subject of the  
 22 provisions of [this act] is extended to the provisions of  
 23 [this act].

24 **NEW SECTION. Section 7. Effective dates.** (1)  
 25 [Sections 1 through 3 and this section] are effective on

1 passage and approval.

2 (2) [Sections 4 and 5] are effective March 1, 1990.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB383, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

HB383 proposes requiring persons 15 years of age and older to obtain a waterfowl stamp before hunting; makes it unlawful for any person to apply for, purchase or possess more than one license of any one class or more than one special license for any one species except for specific instances provided for in statute; establishes a \$5 fee for the issuance of a duplicate license; and provides for a \$150 female mountain lion trophy fee.

ASSUMPTIONS:

1. The legislation clarifies current statutes pertaining to whether persons 15 years of age must purchase a waterfowl stamp prior to hunting waterfowl. This results in no fiscal impact.
2. Making it unlawful for a person to apply for, purchase or possess more than one license of any one class or more than one special license for any one species listed in 87-2-701, MCA, except specific situations, reflects current department policy and, therefore, has no fiscal impact.
3. Assume that 50% of the hunters will purchase a new license instead of a duplicate license if the cost of the original license is less than the \$5. Further assume that the number of duplicate licenses sold in 1988 is representative of future years.
4. Only the sale of duplicate conservation licenses is in a high enough volume to result in a fiscal impact from the proposed duplicate license fee change. This will result in increased revenue of \$1,650 per annum.
5. A 10% decrease will occur in the number of resident and nonresident Mountain Lion hunters as a result of the establishment of a \$150 female lion trophy fee, resulting in a revenue loss of \$4,430.
6. The number of Mountain Lion licenses sold in 1988 is representative of the number that would be sold in future years under the current statutes.
7. On the average 170 Mountain Lions are harvested each year and approximately 30% or 51 are female. Therefore, the \$100 trophy fee increase will result in a \$5,100 revenue increase.
8. The change is the female Mountain Lion trophy fee is effective March 1, 1990.
9. The change in the duplicate license fee is effective upon passage of this legislation.

FISCAL IMPACT:

Dept. of Fish, Wildlife and Parks						
Revenues:	FY90		Difference	FY91		Difference
	Current Law	Proposed Law		Current Law	Proposed Law	
State Special Revenue						
Duplicate Licenses	\$2,200	\$3,850	\$1,650	\$ 2,200	\$ 3,850	\$1,650
Mountain Lion Licenses				46,930	42,500	(4,430)
Mountain Lion Trophy Fees				8,500	13,600	5,100
Total	\$2,200	\$3,850	\$1,650	\$57,630	\$59,950	\$2,320

Ray Shackelford 1/31/89  
 RAY SHACKLEFORD, BUDGET DIRECTOR DATE  
 OFFICE OF BUDGET AND PROGRAM PLANNING

Orval S. Ellison 1-31-89  
 ORVAL S. ELLISON, PRIMARY SPONSOR DATE

Fiscal Note for HB383, as introduced

**HB 383**

APPROVED BY COMM.  
ON FISH AND GAME

HOUSE BILL NO. 383

INTRODUCED BY ELLISON, REAM

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

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE HUNTING LICENSING STATUTES; LOWERING THE AGE LIMIT OF PERSONS WHO MUST OBTAIN A WATERFOWL STAMP TO HUNT WATERFOWL; PROHIBITING A PERSON FROM APPLYING FOR, OBTAINING, OR POSSESSING MORE THAN ONE LICENSE OF A CLASS UNLESS AUTHORIZED BY THE FISH AND GAME COMMISSION; INCREASING THE TROPHY-FEE-FOR-A-FEMALE--MOUNTAIN--LION--TO--\$150; AMENDING SECTIONS 87-2-104, 87-2-411, 87-2-507, 87-2-508, AND 87-2-702, MCA; AND PROVIDING AN EFFECTIVE DATES DATE."

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

**Section 1.** Section 87-2-411, MCA, is amended to read:

"87-2-411. Stamp required to hunt waterfowl. (1) It is unlawful for any person ~~16~~ 15 years of age or older to pursue, hunt, shoot, or kill waterfowl without first having obtained a valid waterfowl stamp from the department. The fee for such stamp is \$5.

(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans."

**Section 2.** Section 87-2-104, MCA, is amended to read:

"87-2-104. Number of licenses allowed -- fees. (1)

~~Except--as--authorized--by--the--commission--and--except--for--class B-4--licenses,--only--one--license--of--any--one--class--shall--be issued--to--any--one--person. It is unlawful for any person to apply for, purchase, or possess more than one license of any one class or more than one special license for any one species listed in 87-2-701. This provision does not apply to Class B-4 licenses or to licenses issued under subsection (3) for game management purposes. However, when more than one license is authorized by the commission, it is unlawful to apply for, purchase, or possess more licenses than are authorized.~~

(2) The department may prescribe rules and regulations for the issuance or sale of a replacement license ~~of the same class~~ in the event the original license is lost, stolen, or destroyed upon payment of ~~the original price of the lost, stolen, or destroyed license, not to exceed A FEE~~ NOT TO EXCEED \$5.

~~(2)(3)~~ When authorized by the commission for game management purposes, the department may issue more than one Class A-3, Class A-4, Class B-7, Class B-8, or special antelope license to an applicant. An applicant for these game management licenses is not at the time of application required to hold any license or permit of that class.

~~(3)(4)~~ The fee for any resident or nonresident license of any class issued under subsection ~~(2)~~ (3) must be set

annually by the department and may not exceed the regular fee provided by law for that class or species."

**Section 3.** Section 87-2-702, MCA, is amended to read:

"87-2-702. Restrictions on special licenses. (1) A person who has received a special permit for elk is not eligible to receive a second special permit for elk during any license year. However, in the event the number of applications received is not equal to the number of elk desired to be killed by the department, reapplication may be made by those valid license holders of the current year who may fall within these limitations.

(2) A person who has killed or taken any game animal, except a deer or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species.

(3) The commission may require applicants for special permits authorized by this chapter to obtain a valid big game license for that species for the current year prior to applying for a special permit.

(4) After March 27, 1987, a person may, during his lifetime, lawfully take only one grizzly bear in Montana with a license authorized by 87-2-701."

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

"87-2-507. (Effective March 17, 1988, to March 17, 1994)

Class B-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 \$320 may receive a Class B-1 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof of the mountain lion 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 fee for a trophy license is \$50 for a male mountain lion and \$150 for a female mountain lion. The trophy license authorizes the holder to possess and transport such the trophy. (Terminates March 17, 1994 sec. 12, Ch. 598, B, 1987.)

87-2-507. (Effective prior to March 17, 1988, and after March 17, 1994) Class B-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 \$300 may receive a Class B-1 license which shall entitle the holder thereof to pursue, hunt, shoot, and kill mountain lion and possess the carcass thereof of the mountain lion as authorized by department rules. If a holder of a valid mountain lion license under this section kills a mountain lion, he must



1 purchase-a-trophy-license for-a-fee-of-\$50 within--10--days  
 2 after--the-date-of-kill. The-fee-for-a-trophy-license-is-\$50  
 3 for-a-male-mountain-lion-and--\$150--for--a--female--mountain  
 4 lion. The--trophy--license-authorizes-the-holder-to-possess  
 5 and-transport such the trophy."

6 **Section 5.** ~~Section 87-2-508, MCA, is amended to read:~~  
 7 "87-2-508. ~~Class--B-2--resident-mountain-lion-license.~~  
 8 Except-as-otherwise-provided-in-this-chapter, a--person--who  
 9 is--a--resident, as-defined-in-87-2-102, and-who-is-12-years  
 10 of-age-or-older, upon-payment-of-a-fee-of-\$10 may-receive--a  
 11 Class--B-2-license-which-shall-entitle-the-holder-thereof-to  
 12 pursue, hunt, shoot, and-kill-mountain-lion-and-possess--the  
 13 carcass thereof of--the--mountain--lion as--authorized-by  
 14 department-rules, if-a--holder--of--a--valid--mountain--lion  
 15 license--under--this--section-kills-a-mountain-lion, he-must  
 16 purchase-a-trophy-license for-a-fee-of-\$50 within--10--days  
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 18 for-a-male-mountain-lion-and--\$150--for--a--female--mountain  
 19 lion. The--trophy--license-authorizes-the-holder-to-possess  
 20 and-transport such the trophy."

21 **NEW SECTION. Section 4.** Extension of authority. Any  
 22 existing authority to make rules on the subject of the  
 23 provisions of [this act] is extended to the provisions of  
 24 [this act].

25 **NEW SECTION. Section 5.** Effective dates. (1)

1 {Sections-1-through-3-and-this-section}-are [THIS ACT] IS  
 2 effective on passage and approval.

3 {2}-{Sections-4-and-5}-are-effective-March-1, 1990.

-End-

## 1 HOUSE BILL NO. 383

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

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
6 HUNTING LICENSING STATUTES; LOWERING THE AGE LIMIT OF  
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10 AUTHORIZED BY THE FISH AND GAME COMMISSION; ~~INCREASING THE~~  
11 ~~TROPHY-FEE-FOR-A-FEMALE-MOUNTAIN-LION-TO-\$150~~; AMENDING  
12 SECTIONS 87-2-104, 87-2-411, ~~87-2-507~~; ~~87-2-500~~; AND  
13 87-2-702, MCA; AND PROVIDING AN EFFECTIVE DATES DATE."

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21 fee for such stamp is \$5.

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23 "waterfowl" means wild ducks, wild geese, brant, and swans."

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2 ~~B-4-licenses, only one license of any one class shall be~~  
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13 for the issuance or sale of a replacement license ~~of the~~  
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16 ~~the lost, stolen, or destroyed license, not to exceed A FEE~~  
17 ~~NOT TO EXCEED \$5.~~

18 ~~{2}{3}~~ When authorized by the commission for game  
19 management purposes, the department may issue more than one  
20 Class A-3, Class A-4, Class B-7, Class B-8, or special  
21 antelope license to an applicant. An applicant for these  
22 game management licenses is not at the time of application  
23 required to hold any license or permit of that class.

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25 of any class issued under subsection ~~{2}~~ (3) must be set

1 annually by the department and may not exceed the regular  
2 fee provided by law for that class or species."

3 **Section 3.** Section 87-2-702, MCA, is amended to read:

4 "87-2-702. Restrictions on special licenses. ~~{1}~~-A  
5 person who has received a special permit for elk is not  
6 eligible to receive a second special permit for elk during  
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8 applications received is not equal to the number of elk  
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10 made by those valid license holders of the current year who  
11 may fail within these limitations:

12 ~~{2}~~(1) A person who has killed or taken any game  
13 animal, except a deer or an antelope, during the current  
14 license year is not permitted to receive a special license  
15 under this chapter to hunt or kill a second game animal of  
16 the same species.

17 ~~{3}~~(2) The commission may require applicants for  
18 special permits authorized by this chapter to obtain a valid  
19 big game license for that species for the current year prior  
20 to applying for a special permit.

21 ~~{4}~~(3) After March 27, 1987, a person may, during his  
22 lifetime, lawfully take only one grizzly bear in Montana  
23 with a license authorized by 87-2-701."

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

25 "87-2-507. ~~{Effective March 17, 1988, to March 17, 1994}~~

1 ~~Class-B-1--nonresident--mountain--lion--license--Except-as~~  
2 ~~otherwise-provided-in-this-chapter, a person not a resident,~~  
3 ~~as-defined-in-87-2-102, but who is 12 years of age or older,~~  
4 ~~upon payment of a fee of \$320 may receive a Class-B-1~~  
5 ~~license which shall entitle the holder thereof to pursue,~~  
6 ~~hunt, shoot, and kill mountain lion and possess the carcass~~  
7 ~~thereof of the mountain lion as authorized by department~~  
8 ~~rules. If a holder of a valid mountain lion license under~~  
9 ~~this section kills a mountain lion, he must purchase a~~  
10 ~~trophy license for a fee of \$50 within 10 days after the~~  
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14 ~~transport such the trophy. {Terminates March 17, 1994--sec-~~  
15 ~~12, Ch. 598, L. 1987.}~~

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

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existing authority to make rules on the subject of the  
provisions of [this act] is extended to the provisions of  
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**NEW SECTION. Section 5.** Effective dates. (1)

{Sections-1-through-3-and-this-section} are [THIS ACT] IS  
effective on passage and approval.  
(2)--{Sections-4-and-5} are effective March-1, 1990.

-End-

## HOUSE BILL NO. 383

INTRODUCED BY ELLISON, REAM

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

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE HUNTING LICENSING STATUTES; LOWERING THE AGE LIMIT OF PERSONS WHO MUST OBTAIN A WATERFOWL STAMP TO HUNT WATERFOWL; PROHIBITING A PERSON FROM APPLYING FOR, OBTAINING, OR POSSESSING MORE THAN ONE LICENSE OF A CLASS UNLESS AUTHORIZED BY THE FISH AND GAME COMMISSION; ~~INCREASING THE TROPHY-FEE FOR A FEMALE MOUNTAIN LION TO \$150~~; AMENDING SECTIONS 87-2-104, 87-2-411, ~~87-2-507~~, ~~87-2-508~~, AND 87-2-702, MCA; AND PROVIDING AN EFFECTIVE DATES DATE."

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

**Section 1.** Section 87-2-411, MCA, is amended to read:

"87-2-411. Stamp required to hunt waterfowl. (1) It is unlawful for any person ~~16~~ 15 years of age or older to pursue, hunt, shoot, or kill waterfowl without first having obtained a valid waterfowl stamp from the department. The fee for such stamp is \$5.

(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans."

**Section 2.** Section 87-2-104, MCA, is amended to read:

"87-2-104. Number of licenses allowed -- fees. (1)

~~Except as authorized by the commission and except for class B-4 licenses, only one license of any one class shall be issued to any one person. It is unlawful for any person to apply for, purchase, or possess more than one license of any one class or more than one special license for any one species listed in 87-2-701. This provision does not apply to Class B-4 licenses or to licenses issued under subsection (3) for game management purposes. However, when more than one license is authorized by the commission, it is unlawful to apply for, purchase, or possess more licenses than are authorized.~~

(2) The department may prescribe rules and regulations for the issuance or sale of a replacement license ~~of the same class~~ in the event the original license is lost, stolen, or destroyed upon payment of ~~the original price of the lost, stolen, or destroyed license, not to exceed A FEE~~ NOT TO EXCEED \$5.

{2}{3} When authorized by the commission for game management purposes, the department may issue more than one Class A-3, Class A-4, Class B-7, Class B-8, or special antelope license to an applicant. An applicant for these game management licenses is not at the time of application required to hold any license or permit of that class.

{3}{4} The fee for any resident or nonresident license of any class issued under subsection {2} {3} must be set

1 annually by the department and may not exceed the regular  
2 fee provided by law for that class or species."

3 **Section 3.** Section 87-2-702, MCA, is amended to read:

4 "87-2-702. Restrictions on special licenses. ~~{1}~~-A  
5 person who has received a special permit for elk is not  
6 eligible to receive a second special permit for elk during  
7 any license year. However, in the event the number of  
8 applications received is not equal to the number of elk  
9 desired to be killed by the department, reapplication may be  
10 made by those valid license holders of the current year who  
11 may fail within these limitations:

12 ~~{2}~~{1} A person who has killed or taken any game  
13 animal, except a deer or an antelope, during the current  
14 license year is not permitted to receive a special license  
15 under this chapter to hunt or kill a second game animal of  
16 the same species.

17 ~~{3}~~{2} The commission may require applicants for  
18 special permits authorized by this chapter to obtain a valid  
19 big game license for that species for the current year prior  
20 to applying for a special permit.

21 ~~{4}~~{3} After March 27, 1987, a person may, during his  
22 lifetime, lawfully take only one grizzly bear in Montana  
23 with a license authorized by 87-2-701."

24 **Section 4.** ~~Section 87-2-507, MCA, is amended to read:~~  
25 "87-2-507. ~~{Effective March 17, 1980, to March 17, 1994}~~

1 ~~Class B-1 nonresident mountain lion license. Except as~~  
2 ~~otherwise provided in this chapter, a person not a resident,~~  
3 ~~as defined in 87-2-102, but who is 12 years of age or older,~~  
4 ~~upon payment of a fee of \$320 may receive a Class B-1~~  
5 ~~license which shall entitle the holder thereof to pursue,~~  
6 ~~hunt, shoot, and kill mountain lion and possess the carcass~~  
7 ~~thereof of the mountain lion as authorized by department~~  
8 ~~rules. If a holder of a valid mountain lion license under~~  
9 ~~this section kills a mountain lion, he must purchase a~~  
10 ~~trophy license for a fee of \$50 within 10 days after the~~  
11 ~~date of kill. The fee for a trophy license is \$50 for a male~~  
12 ~~mountain lion and \$150 for a female mountain lion. The~~  
13 ~~trophy license authorizes the holder to possess and~~  
14 ~~transport such the trophy. {Terminates March 17, 1994 sec.~~  
15 ~~12, Ch. 598, B, 1987.}~~

16 ~~87-2-507. {Effective prior to March 17, 1980, and after~~  
17 ~~March 17, 1994} Class B-1 nonresident mountain lion license:~~  
18 ~~Except as otherwise provided in this chapter, a person not a~~  
19 ~~resident, as defined in 87-2-102, but who is 12 years of age~~  
20 ~~or older, upon payment of a fee of \$300 may receive a Class~~  
21 ~~B-1 license which shall entitle the holder thereof to~~  
22 ~~pursue, hunt, shoot, and kill mountain lion and possess the~~  
23 ~~carcass thereof of the mountain lion as authorized by~~  
24 ~~department rules. If a holder of a valid mountain lion~~  
25 ~~license under this section kills a mountain lion, he must~~

1 purchase-a trophy-license for-a fee-of-\$50 within--10--days  
 2 after--the-date-of-kill: The-fee-for-a trophy-license-is-\$50  
 3 for-a male-mountain-lion-and--\$150--for--a--female--mountain  
 4 lion. The--trophy--license-authorizes-the-holder-to-possess  
 5 and-transport such the trophy."

6 **Section 5.** ~~Section 87-2-500, MCA, is amended to read:~~  
 7 ~~"87-2-500. Class B-2 resident mountain lion license.~~  
 8 ~~Except as otherwise provided in this chapter, a person who~~  
 9 ~~is a resident, as defined in 87-2-102, and who is 12 years~~  
 10 ~~of age or older, upon payment of a fee of \$10 may receive a~~  
 11 ~~Class B-2 license which shall entitle the holder thereof to~~  
 12 ~~pursue, hunt, shoot, and kill mountain lion and possess the~~  
 13 ~~carcass thereof of the mountain lion as authorized by~~  
 14 ~~department rules. If a holder of a valid mountain lion~~  
 15 ~~license under this section kills a mountain lion, he must~~  
 16 ~~purchase a trophy license for a fee of \$50 within 10 days~~  
 17 ~~after the date of kill. The fee for a trophy license is \$50~~  
 18 ~~for a male mountain lion and \$150 for a female mountain~~  
 19 ~~lion. The trophy license authorizes the holder to possess~~  
 20 ~~and transport such the trophy."~~

21 **NEW SECTION. Section 4.** Extension of authority. Any  
 22 existing authority to make rules on the subject of the  
 23 provisions of [this act] is extended to the provisions of  
 24 [this act].

25 **NEW SECTION. Section 5.** Effective dates. (1)

1 {Sections 1 through 3 and this section} are [THIS ACT] IS  
 2 effective on passage and approval.  
 3 {2}--{Sections 4 and 5} are effective March 1, 1990.

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