

SENATE BILL 48

Introduced by Pipinich

1/03	Introduced
1/03	Referred to Fish & Game
1/03	Fiscal Note Requested
1/10	Fiscal Note Received
1/10	Fiscal Note Printed
1/17	Hearing
2/02	Committee Report--Bill Passed as Amended
2/04	2nd Reading Passed
2/07	3rd Reading Passed

Transmitted to House

2/21	Referred to Fish & Game
3/07	Hearing
3/08	Committee Report--Bill Not Concurred
3/09	Adverse Committee Report Adopted

SENATE BILL NO. 48

INTRODUCED BY PIPINICH

A BILL FOR AN ACT ENTITLED: "AN ACT ADDING A 10-YEAR RESTRICTION TO THE ISSUANCE OF SPECIAL LICENSES FOR PERSONS WHO SUCCESSFULLY HUNT CERTAIN GAME ANIMALS; AMENDING SECTION 87-2-702, MCA."

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

Section 1. 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.

(5) (a) A person who lawfully takes a mountain sheep, mountain goat, bull moose, or wild buffalo under a special permit may not reapply for a permit to hunt the same species for 10 years following the successful hunt. A person who receives a special permit to hunt the animals listed in this subsection but who is unsuccessful in taking the animal in the year the permit is drawn may reapply for a similar permit the following year.

(b) Subsection (5)(a) does not apply to licenses issued by competitive bidding under 87-2-722 and 87-2-724."

Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB048, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

SB48 amends section 87-2-702, MCA, to add a ten-year restriction to the issuance of special licenses for persons who successfully hunt a mountain sheep, mountain goat, bull moose or wild buffalo under a permit.

ASSUMPTIONS:

1. The Department of Fish, Wildlife and Parks issues 1,700 special licenses per year which will generate 17,000 names to track over a ten-year period.
2. Persons who are unsuccessful will be required to return their unused tag with their next special drawing application to prove eligibility.
3. Ten percent of the hunters will lose their tags between hunting season and the June 1 drawing deadline.
4. Design and development of the computer system to monitor tag returns and applicant pool will cost \$8,500.
5. Operating costs will be \$6,530 per year (0.25 FTE at \$4,000 and \$2,530 for operating expenses).

FISCAL IMPACT:

	<u>Current</u> <u>Law</u>	<u>FY90</u> <u>Proposed</u> <u>Law</u>	<u>Difference</u>		<u>FY91</u> <u>Proposed</u> <u>Law</u>	<u>Difference</u>
Expenditures:	\$ -0-	\$15,030	\$15,030	\$ -0-	\$ 6,530	\$ 6,530
State Special Revenue Net Impact			(\$15,530)			(\$ 6,530)

TECHNICAL or MECHANICAL DEFECTS:

SB48 specifies that the ten-year waiting period applies to "bull" moose, but moose, sheep and goat special licenses currently are issued for either sex. As written, this legislation would allow a hunter taking a cow moose to reapply for a moose permit without a waiting period.



RAY SHACKLEFORD, BUDGET DIRECTOR
Office of Budget and Program Planning

1/9/89
DATE



BOB PIPINICH, PRIMARY SPONSOR
DATE

1/9/89
DATE

Fiscal Note for SB048, as introduced

APPROVED BY COMM.
ON FISH AND GAME

SENATE BILL NO. 48

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RESTRICTION TO THE ISSUANCE OF SPECIAL LICENSES FOR PERSONS
WHO SUCCESSFULLY HUNT CERTAIN GAME ANIMALS; AMENDING SECTION
87-2-702, MCA."

STATEMENT OF INTENT

The department of fish, wildlife, and parks shall
implement this bill by adopting rules to require that an
applicant for a special license under the provisions of
Title 87, chapter 2, shall include on the required
application form a statement that the applicant has not been
successful in taking the applicable game animal in the
previous 7 years. The written statement must be adjacent on
the form to a notice in bold lettering that states that an
unsworn falsification of the statement is punishable by 6
months in the county jail or by a fine of not more than
\$500, or both, as provided in 45-7-203.

The department may not implement this bill by adopting
rules that would require an unsuccessful hunter to return
any unused license tags to the department or would provide
for maintenance of lists of successful or unsuccessful
hunters, including any maintenance of computer records on

the subject of this bill.

The legislature intends that this bill be enforced
through voluntary compliance and selected prosecutions for
unsworn falsifications.

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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.

(5) (a) A person who lawfully takes a mountain sheep, mountain goat, bull moose, or wild buffalo under a special permit may not reapply for a permit to hunt the same species for 10 7 years following the successful hunt. A person who receives a special permit to hunt the animals listed in this subsection but who is unsuccessful in taking the animal in the year the permit is drawn may reapply for a similar permit the following year.

(b) Subsection (5)(a) does not apply to licenses issued by competitive bidding under 87-2-722 and 87-2-724."

NEW SECTION. Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

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The department may not implement this bill by adopting rules that would require an unsuccessful hunter to return any unused license tags to the department or would provide for maintenance of lists of successful or unsuccessful hunters, including any maintenance of computer records on

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