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INTRODUCED BY Ream Cusumano House BILL NO. 384

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

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATED TO MANAGEMENT AND HUNTING OF BLACK BEARS; ESTABLISHING A FEE FOR A COMBINATION SPORTS LICENSE THAT INCLUDES A BLACK BEAR TAG; CLARIFYING THAT THE MEAT OF A BEAR INFECTED WITH TRICHINOSIS IS NOT CONSIDERED SUITABLE FOR FOOD; AMENDING SECTIONS 87-2-501, 87-2-701, 87-2-711, AND 87-3-102, 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 -- special Class A-7 resident and nonresident license requirements and preference. (1) Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, or a nonresident who wishes to purchase a Class A-7 elk license only, 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 is~~ 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, ~~\$11 beginning March 1, 1992, and \$13 beginning March 1, 1994;~~
- (b) Class A-4, deer B tag, ~~\$7 beginning March 1, 1992, and \$8 beginning March 1, 1994;~~
- (c) Class A-5, elk tag, ~~\$13 beginning March 1, 1992, and \$16 beginning March 1, 1994;~~
- (d) Class A-6, black ~~or brown~~ bear tag, ~~\$11 beginning March 1, 1992, and \$15 beginning March 1, 1994;~~
- (e) Class A-7, antlerless elk tag, ~~\$13 beginning March 1, 1992, and \$16 beginning March 1, 1994.~~

(2) (a) The holder of a Class A-7 antlerless elk license is entitled to take antlerless elk in areas designated by the commission and at ~~such~~ times and upon ~~such~~ terms that are as set forth by the commission.

1 (b) ~~No~~ A person may not take more than one elk during any license year, and a person holding a
 2 Class A-7 antlerless elk tag may not take an elk during the same license year with a Class A-5 license or
 3 nonresident elk tag. The use of Class A-7 antlerless elk licenses does not preclude the department's use
 4 of special elk permits.

5 (c) A nonresident shall hold a nonresident Class B-10 license as a prerequisite to application for
 6 a Class A-7 license.

7 (3) Subject to the limitation of subsection (5), a person who owns or is contracting to purchase
 8 640 acres or more of contiguous land, at least some of which is used by elk, in a hunting district where
 9 Class A-7 licenses are awarded under this section ~~shall~~ must be issued, upon application, a Class A-7
 10 license.

11 (4) An applicant who receives a Class A-7 license under subsection (3) may designate that the
 12 license be issued to an immediate family member or a person employed by the landowner. A corporation
 13 owning qualifying land under subsection (3) may designate one of its shareholders to receive the license.

14 (5) Fifteen percent of the Class A-7 licenses available each year under this section in a hunting
 15 district must be available to landowners under subsection (3)."

16

17 **Section 2.** Section 87-2-701, MCA, is amended to read:

18 **"87-2-701. (Temporary) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years of age or
 19 older prior to September 15 of the season for which the license is issued and is the holder of a resident
 20 wildlife conservation license or a nonresident wildlife conservation license may apply for a special license
 21 ~~which that~~, in the judgment of the department, is to be issued and shall pay the following fees ~~therefor~~:

22 (a) moose--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 23 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

24 (b) mountain goat--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 25 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

26 (c) mountain sheep--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 27 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

28 (d) antelope--resident, ~~\$9 beginning March 1, 1992, and \$11 beginning March 1, 1994;~~
 29 nonresident, ~~\$145 beginning March 1, 1992, and \$150 beginning March 1, 1994;~~

30 (e) grizzly bear--resident, \$50; nonresident, \$300;

1 (f) black ~~or brown~~ bear--nonresident, \$120.

2 (2) ~~In the event~~ If a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
3 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
4 authorizes the holder to possess and transport the trophy.

5 (3) Special licenses must be issued in a manner prescribed by the department. (Terminates March
6 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

7 **87-2-701. (Effective March 1, 2006) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years
8 of age or older prior to September 15 of the season for which the license is issued and is the holder of a
9 resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special
10 license ~~which that~~, in the judgment of the department, is to be issued and shall pay the following fees
11 ~~therefor~~:

12 (a) moose--resident, \$75; nonresident, \$455;

13 (b) mountain goat--resident, \$75; nonresident, \$455;

14 (c) mountain sheep--resident, \$75; nonresident, \$455;

15 (d) antelope--resident, \$11; nonresident, \$130;

16 (e) grizzly bear--resident, \$50; nonresident, \$300;

17 (f) black ~~or brown~~ bear--nonresident, \$100.

18 (2) ~~In the event~~ If a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
19 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
20 authorizes the holder to possess and transport the trophy.

21 (3) Special licenses must be issued in a manner prescribed by the department."
22

23 **Section 3.** Section 87-2-711, MCA, is amended to read:

24 **"87-2-711. (Temporary) Class AAA--~~sportsman's~~ combination sports license.** (1) ~~Any~~ A resident,
25 as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which
26 the license is issued, is entitled to:

27 (a) upon payment of the sum of \$54, ~~beginning March 1, 1992, and \$64 beginning March 1, 1994,~~
28 ~~shall be entitled to a sportsman's~~ a combination sports license ~~which shall permit that permits~~ the holder
29 to exercise all rights granted to holders of Class A, A-1, A-3, A-5, ~~A-6,~~ and resident conservation licenses
30 as prescribed in 87-2-202; or

1 **(b) upon payment of the sum of \$64, a combination sports license that permits the holder to**
 2 **exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6**
 3 **license.**

4 **(2) The department shall furnish each holder of a ~~sportsman's~~ combination sports license an**
 5 **appropriate decal. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)**

6 **87-2-711. (Effective March 1, 2006) Class AAA--~~sportsman's~~ combination sports license. (1) Any**
 7 **A resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the**
 8 **season for which the license is issued, is entitled to:**

9 **(a) upon payment of the sum of ~~\$64~~ \$54, shall be entitled to a ~~sportsman's~~ a combination sports**
 10 **license ~~which shall permit~~ that permits the holder to exercise all rights granted to holders of Class A, A-1,**
 11 **A-3, A-5, ~~A-6~~, and resident conservation licenses as prescribed in 87-2-202; or**

12 **(b) upon payment of the sum of \$64, a combination sports license that permits the holder to**
 13 **exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6**
 14 **license.**

15 **(2) The department shall furnish each holder of a ~~sportsman's~~ combination sports license an**
 16 **appropriate decal."**

17

18 **Section 4. Section 87-3-102, MCA, is amended to read:**

19 **"87-3-102. Waste of fish or game. (1) A person who is responsible for the death of a ~~black or~~**
 20 **~~brown bear~~ or a mountain lion commits the offense of waste of game if ~~he~~ the person abandons the head**
 21 **or hide in the field.**

22 **(2) A person who is responsible for the death of a grizzly bear commits the offense of waste of**
 23 **game if ~~he~~ the person abandons the head or hide or any parts required by department or commission**
 24 **regulation for scientific purposes. All parts of a grizzly bear required by department or commission**
 25 **regulation for scientific purposes must be delivered to an officer or employee of the department for**
 26 **inspection as soon as possible after removal, and the department shall return to the licensee any bone**
 27 **structure and skull within 1 year upon written request. The hide must be returned immediately.**

28 **(3) A person responsible for the death of any game animal, except ~~grizzly, black, and brown bear~~**
 29 **~~and~~ a mountain lion, commits the offense of waste of game if ~~he~~ the person:**

30 **(a) detaches or removes from the carcass only the head, hide, antlers, tusks, or teeth or any or all**

1 ~~of aforesaid~~ these parts;

2 (b) wastes any part of any game animal, game bird, or game fish suitable for food by transporting,
3 hanging, or storing the carcass in a manner that renders it unfit for human consumption; or

4 (c) abandons in the field the carcass of any game animal or any portion of the carcass suitable for
5 food.

6 (4) A person in possession of a game animal or game animal parts, game bird, or game fish suitable
7 for food commits the offense of waste of game if ~~he~~ the person:

8 (a) purposely or knowingly transports, stores, or hangs the animal, bird, or fish in a manner that
9 renders it unfit for human consumption; or

10 (b) disposes of or abandons any portion of a game animal, game bird, or game fish that is suitable
11 for food.

12 (5) For the purposes of this section, the meat of a grizzly or a black bear that is found to be
13 infected with trichinosis is not considered to be suitable for food.

14 (6) A person convicted of waste of game ~~shall~~ may be fined not less than \$50 or more than \$1,000
15 or imprisoned in the county jail for a term not to exceed 6 months, or both."

16

17 **NEW SECTION. Section 5. Code commissioner instruction.** Wherever the term "sportsman's
18 license", meaning the license provided for in 87-2-111, appears in the Montana Code Annotated or in
19 legislation enacted by the 1995 legislature, the code commissioner is directed to change the term to
20 "combination sports license".

21

22 **NEW SECTION. Section 6. Effective date.** [This act] is effective March 1, 1996.

23

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0384, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the laws relating to management and hunting of black bears; establishing a fee for a combination sports license that includes a black bear tag; clarifying that the meat of a bear infected with trichinosis is not suitable for food; and providing an effective date of March 1, 1996.

ASSUMPTIONS:

1. Based on harvest survey results, approximately 3,300 of the 17,630 hunters who purchased a resident wildlife conservation license in license year 1993 hunted black bear.
2. Hunters who purchased a resident license and did not hunt black bears (approximately 14,330) will purchase a wildlife conservation license at the reduced cost.
3. Expenditures to develop and print a new hunting license will not significantly exceed the costs to continue printing the current license. Any additional costs will be absorbed by the Department of Fish, Wildlife and Parks.

FISCAL IMPACT:

1. License revenue generated from the sale of resident licenses will decrease by \$143,300 each year (state special revenue).
2. Hunters who wish to purchase a resident license, but who do not hunt black bear, will be able to do so at a reduced cost of \$54, thereby saving \$10.

Dave Lewis 2-3-95

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Bob Ream 2/6/95

BOB REAM, PRIMARY SPONSOR DATE

Fiscal Note for HB0384, as introduced

HB 384

1 (b) ~~No~~ A person may not take more than one elk during any license year, and a person holding a
 2 Class A-7 antlerless elk tag may not take an elk during the same license year with a Class A-5 license or
 3 nonresident elk tag. The use of Class A-7 antlerless elk licenses does not preclude the department's use
 4 of special elk permits.

5 (c) A nonresident shall hold a nonresident Class B-10 license as a prerequisite to application for
 6 a Class A-7 license.

7 (3) Subject to the limitation of subsection (5), a person who owns or is contracting to purchase
 8 640 acres or more of contiguous land, at least some of which is used by elk, in a hunting district where
 9 Class A-7 licenses are awarded under this section ~~shall~~ must be issued, upon application, a Class A-7
 10 license.

11 (4) An applicant who receives a Class A-7 license under subsection (3) may designate that the
 12 license be issued to an immediate family member or a person employed by the landowner. A corporation
 13 owning qualifying land under subsection (3) may designate one of its shareholders to receive the license.

14 (5) Fifteen percent of the Class A-7 licenses available each year under this section in a hunting
 15 district must be available to landowners under subsection (3)."

16
 17 **Section 2.** Section 87-2-701, MCA, is amended to read:

18 **"87-2-701. (Temporary) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years of age or
 19 older prior to September 15 of the season for which the license is issued and is the holder of a resident
 20 wildlife conservation license or a nonresident wildlife conservation license may apply for a special license
 21 ~~which that~~, in the judgment of the department, is to be issued and shall pay the following fees ~~therefor~~:

22 (a) moose--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 23 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

24 (b) mountain goat--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 25 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

26 (c) mountain sheep--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 27 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

28 (d) antelope--resident, ~~\$9 beginning March 1, 1992, and \$11 beginning March 1, 1994;~~
 29 nonresident, ~~\$145 beginning March 1, 1992, and \$150 beginning March 1, 1994;~~

30 (e) grizzly bear--resident, \$50; nonresident, \$300;

1 (f) black ~~or brown~~ bear--nonresident, \$120.

2 (2) ~~In the event~~ If a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
3 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
4 authorizes the holder to possess and transport the trophy.

5 (3) Special licenses must be issued in a manner prescribed by the department. (Terminates March
6 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

7 **87-2-701. (Effective March 1, 2006) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years
8 of age or older prior to September 15 of the season for which the license is issued and is the holder of a
9 resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special
10 license ~~which~~ that, in the judgment of the department, is to be issued and shall pay the following fees
11 ~~therefor~~:

12 (a) moose--resident, \$75; nonresident, \$455;

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18 (2) ~~In the event~~ If a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
19 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
20 authorizes the holder to possess and transport the trophy.

21 (3) Special licenses must be issued in a manner prescribed by the department."
22

23 **Section 3.** Section 87-2-711, MCA, is amended to read:

24 **"87-2-711. (Temporary) Class AAA--~~sportsman's~~ combination sports license.** (1) ~~Any~~ A resident,
25 as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which
26 the license is issued, is entitled to:

27 (a) upon payment of the sum of \$54, ~~beginning March 1, 1992, and \$64 beginning March 1, 1994,~~
28 ~~shall be entitled to a sportsman's~~ a combination sports license ~~which shall permit~~ that permits the holder
29 to exercise all rights granted to holders of Class A, A-1, A-3, A-5, ~~A-6,~~ and resident conservation licenses
30 as prescribed in 87-2-202; or

1 (b) upon payment of the sum of \$64, a combination sports license that permits the holder to
 2 exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6
 3 license.

4 (2) The department shall furnish each holder of a ~~sportsman's~~ combination sports license an
 5 appropriate decal. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

6 **87-2-711. (Effective March 1, 2006) Class AAA--~~sportsman's~~ combination sports license.** (1) Any
 7 A resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the
 8 season for which the license is issued, is entitled to:

9 (a) upon payment of the sum of ~~\$64~~ \$54, shall be entitled to a ~~sportsman's~~ a combination sports
 10 license which shall permit that permits the holder to exercise all rights granted to holders of Class A, A-1,
 11 A-3, A-5, ~~A-6~~, and resident conservation licenses as prescribed in 87-2-202; or

12 (b) upon payment of the sum of \$64, a combination sports license that permits the holder to
 13 exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6
 14 license.

15 (2) The department shall furnish each holder of a ~~sportsman's~~ combination sports license an
 16 appropriate decal."

17
 18 **Section 4.** Section 87-3-102, MCA, is amended to read:

19 **"87-3-102. Waste of fish or game.** (1) A person who is responsible for the death of ~~a black or~~
 20 ~~brown bear or~~ a mountain lion commits the offense of waste of game if ~~he~~ the person abandons the head
 21 or hide in the field.

22 (2) A person who is responsible for the death of a grizzly bear commits the offense of waste of
 23 game if ~~he~~ the person abandons the head or hide or any parts required by department or commission
 24 regulation for scientific purposes. All parts of a grizzly bear required by department or commission
 25 regulation for scientific purposes must be delivered to an officer or employee of the department for
 26 inspection as soon as possible after removal, and the department shall return to the licensee any bone
 27 structure and skull within 1 year upon written request. The hide must be returned immediately.

28 (3) A person responsible for the death of any game animal, except ~~grizzly, black, and brown bear~~
 29 ~~and~~ a mountain lion, commits the offense of waste of game if ~~he~~ the person:

30 (a) detaches or removes from the carcass only the head, hide, antlers, tusks, or teeth or any or all

1 ~~of aforesaid~~ these parts;

2 (b) wastes any part of any game animal, game bird, or game fish suitable for food by transporting,
3 hanging, or storing the carcass in a manner that renders it unfit for human consumption; or

4 (c) abandons in the field the carcass of any game animal or any portion of the carcass suitable for
5 food.

6 (4) A person in possession of a game animal or game animal parts, game bird, or game fish suitable
7 for food commits the offense of waste of game if ~~he~~ the person:

8 (a) purposely or knowingly transports, stores, or hangs the animal, bird, or fish in a manner that
9 renders it unfit for human consumption; or

10 (b) disposes of or abandons any portion of a game animal, game bird, or game fish that is suitable
11 for food.

12 (5) For the purposes of this section, the meat of a grizzly or a black bear that is found to be
13 infected with trichinosis is not considered to be suitable for food.

14 (6) A person convicted of waste of game ~~shall~~ may be fined not less than \$50 or more than \$1,000
15 or imprisoned in the county jail for a term not to exceed 6 months, or both."

16
17 NEW SECTION. Section 5. Code commissioner instruction. Wherever the term "sportsman's
18 license", meaning the license provided for in 87-2-111, appears in the Montana Code Annotated or in
19 legislation enacted by the 1995 legislature, the code commissioner is directed to change the term to
20 "combination sports license".

21
22 NEW SECTION. Section 6. Effective date. [This act] is effective March 1, 1996.

23 -END-

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House BILL NO. 384

INTRODUCED BY Ream Cismore

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

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATED TO MANAGEMENT AND HUNTING OF BLACK BEARS; ESTABLISHING A FEE FOR A COMBINATION SPORTS LICENSE THAT INCLUDES A BLACK BEAR TAG; CLARIFYING THAT THE MEAT OF A BEAR INFECTED WITH TRICHINOSIS IS NOT CONSIDERED SUITABLE FOR FOOD; AMENDING SECTIONS 87-2-501, 87-2-701, 87-2-711, AND 87-3-102, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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- (a) Class A-3, deer A tag, ~~\$11 beginning March 1, 1992, and \$13 beginning March 1, 1994;~~
- (b) Class A-4, deer B tag, ~~\$7 beginning March 1, 1992, and \$8 beginning March 1, 1994;~~
- (c) Class A-5, elk tag, ~~\$13 beginning March 1, 1992, and \$16 beginning March 1, 1994;~~
- (d) Class A-6, black or brown bear tag, ~~\$11 beginning March 1, 1992, and \$15 beginning March 1, 1994;~~
- (e) Class A-7, antlerless elk tag, ~~\$13 beginning March 1, 1992, and \$16 beginning March 1, 1994.~~

(2) (a) The holder of a Class A-7 antlerless elk license is entitled to take antlerless elk in areas designated by the commission and at such times and upon such terms that are as set forth by the commission.



HB384
THIRD READING

1 (b) ~~No~~ A person may not take more than one elk during any license year, and a person holding a
 2 Class A-7 antlerless elk tag may not take an elk during the same license year with a Class A-5 license or
 3 nonresident elk tag. The use of Class A-7 antlerless elk licenses does not preclude the department's use
 4 of special elk permits.

5 (c) A nonresident shall hold a nonresident Class B-10 license as a prerequisite to application for
 6 a Class A-7 license.

7 (3) Subject to the limitation of subsection (5), a person who owns or is contracting to purchase
 8 640 acres or more of contiguous land, at least some of which is used by elk, in a hunting district where
 9 Class A-7 licenses are awarded under this section ~~shall~~ must be issued, upon application, a Class A-7
 10 license.

11 (4) An applicant who receives a Class A-7 license under subsection (3) may designate that the
 12 license be issued to an immediate family member or a person employed by the landowner. A corporation
 13 owning qualifying land under subsection (3) may designate one of its shareholders to receive the license.

14 (5) Fifteen percent of the Class A-7 licenses available each year under this section in a hunting
 15 district must be available to landowners under subsection (3)."

16
 17 **Section 2.** Section 87-2-701, MCA, is amended to read:

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 19 older prior to September 15 of the season for which the license is issued and is the holder of a resident
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22 (a) moose--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 23 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

24 (b) mountain goat--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 25 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

26 (c) mountain sheep--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 27 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

28 (d) antelope--resident, ~~\$9 beginning March 1, 1992, and \$11 beginning March 1, 1994;~~
 29 nonresident, ~~\$145 beginning March 1, 1992, and \$150 beginning March 1, 1994;~~

30 (e) grizzly bear--resident, \$50; nonresident, \$300;

1 (f) black ~~or brown~~ bear--nonresident, \$120.

2 (2) ~~In the event~~ if a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
3 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
4 authorizes the holder to possess and transport the trophy.

5 (3) Special licenses must be issued in a manner prescribed by the department. (Terminates March
6 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

7 **87-2-701. (Effective March 1, 2006) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years
8 of age or older prior to September 15 of the season for which the license is issued and is the holder of a
9 resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special
10 license ~~which~~ that, in the judgment of the department, is to be issued and shall pay the following fees
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13 (b) mountain goat--resident, \$75; nonresident, \$455;
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16 (e) grizzly bear--resident, \$50; nonresident, \$300;
17 (f) black ~~or brown~~ bear--nonresident, \$100.

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20 authorizes the holder to possess and transport the trophy.

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22

23 **Section 3.** Section 87-2-711, MCA, is amended to read:

24 **"87-2-711. (Temporary) Class AAA--~~sportsman's~~ combination sports license.** (1) ~~Any~~ A resident,
25 as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which
26 the license is issued, is entitled to:

27 (a) upon payment of the sum of \$54, ~~beginning March 1, 1992, and \$64 beginning March 1, 1994,~~
28 ~~shall be entitled to a sportsman's~~ a combination sports license ~~which shall permit~~ that permits the holder
29 to exercise all rights granted to holders of Class A, A-1, A-3, A-5, ~~A-6,~~ and resident conservation licenses
30 as prescribed in 87-2-202; or

1 **(b) upon payment of the sum of \$64, a combination sports license that permits the holder to**
 2 **exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6**
 3 **license.**

4 **(2) The department shall furnish each holder of a sportsman's combination sports license an**
 5 **appropriate decal. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)**

6 **87-2-711. (Effective March 1, 2006) Class AAA--~~sportsman's combination sports~~ license. (1) Any**
 7 **A resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the**
 8 **season for which the license is issued, is entitled to:**

9 **(a) upon payment of the sum of ~~\$64~~ \$54, shall be entitled to a sportsman's a combination sports**
 10 **license which shall permit that permits the holder to exercise all rights granted to holders of Class A, A-1,**
 11 **A-3, A-5, ~~A-6~~, and resident conservation licenses as prescribed in 87-2-202; or**

12 **(b) upon payment of the sum of \$64, a combination sports license that permits the holder to**
 13 **exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6**
 14 **license.**

15 **(2) The department shall furnish each holder of a ~~sportsman's combination sports~~ license an**
 16 **appropriate decal."**

17
 18 **Section 4. Section 87-3-102, MCA, is amended to read:**

19 **"87-3-102. Waste of fish or game. (1) A person who is responsible for the death of a ~~black or~~**
 20 **~~brown bear~~ or a mountain lion commits the offense of waste of game if ~~he~~ the person abandons the head**
 21 **or hide in the field.**

22 **(2) A person who is responsible for the death of a grizzly bear commits the offense of waste of**
 23 **game if ~~he~~ the person abandons the head or hide or any parts required by department or commission**
 24 **regulation for scientific purposes. All parts of a grizzly bear required by department or commission**
 25 **regulation for scientific purposes must be delivered to an officer or employee of the department for**
 26 **inspection as soon as possible after removal, and the department shall return to the licensee any bone**
 27 **structure and skull within 1 year upon written request. The hide must be returned immediately.**

28 **(3) A person responsible for the death of any game animal, except ~~grizzly, black, and brown bear~~**
 29 **~~and a~~ mountain lion, commits the offense of waste of game if ~~he~~ the person:**

30 **(a) detaches or removes from the carcass only the head, hide, antlers, tusks, or teeth or any or all**

1 ~~of aforesaid~~ these parts;

2 (b) wastes any part of any game animal, game bird, or game fish suitable for food by transporting,
3 hanging, or storing the carcass in a manner that renders it unfit for human consumption; or

4 (c) abandons in the field the carcass of any game animal or any portion of the carcass suitable for
5 food.

6 (4) A person in possession of a game animal or game animal parts, game bird, or game fish suitable
7 for food commits the offense of waste of game if ~~he~~ the person:

8 (a) purposely or knowingly transports, stores, or hangs the animal, bird, or fish in a manner that
9 renders it unfit for human consumption; or

10 (b) disposes of or abandons any portion of a game animal, game bird, or game fish that is suitable
11 for food.

12 (5) For the purposes of this section, the meat of a grizzly or a black bear that is found to be
13 infected with trichinosis is not considered to be suitable for food.

14 (6) A person convicted of waste of game ~~shall~~ may be fined not less than \$50 or more than \$1,000
15 or imprisoned in the county jail for a term not to exceed 6 months, or both."

16
17 **NEW SECTION.** Section 5. Code commissioner instruction. Wherever the term "sportsman's
18 license", meaning the license provided for in 87-2-111, appears in the Montana Code Annotated or in
19 legislation enacted by the 1995 legislature, the code commissioner is directed to change the term to
20 "combination sports license".

21
22 **NEW SECTION.** Section 6. Effective date. [This act] is effective March 1, 1996.

23 -END-

1 HOUSE BILL NO. 384

2 INTRODUCED BY REAM, CRISMORE

3 BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATED TO MANAGEMENT AND
6 HUNTING OF BLACK BEARS; ESTABLISHING A FEE FOR A COMBINATION SPORTS LICENSE THAT
7 INCLUDES A BLACK BEAR TAG; CLARIFYING THAT THE MEAT OF A BEAR INFECTED WITH TRICHINOSIS
8 IS NOT CONSIDERED SUITABLE FOR FOOD; AMENDING SECTIONS 87-2-501, 87-2-701, 87-2-711, AND
9 87-3-102, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
1213 **Section 1.** Section 87-2-501, MCA, is amended to read:

14 **"87-2-501. Class A-3, A-4, A-5, A-6, A-7--resident deer, elk, and bear licenses -- special Class A-7**
15 **resident and nonresident license requirements and preference.** (1) Except as otherwise provided in this
16 chapter, a resident, as defined by 87-2-102, or a nonresident who wishes to purchase a Class A-7 elk
17 license only, who will be 12 years of age or older prior to September 15 of the season for which the license
18 is issued ~~may~~, upon payment of the proper fee or fees, ~~be is~~ entitled to purchase one each of the following
19 licenses at the prescribed cost, which will entitle the holder to pursue, hunt, shoot, and kill the game animal
20 or animals authorized by the license held and to possess the carcasses of those game animals as authorized
21 by department rules:

22 (a) Class A-3, deer A tag, ~~\$11 beginning March 1, 1992, and \$13 beginning March 1, 1994;~~23 (b) Class A-4, deer B tag, ~~\$7 beginning March 1, 1992, and \$8 beginning March 1, 1994;~~24 (c) Class A-5, elk tag, ~~\$13 beginning March 1, 1992, and \$16 beginning March 1, 1994;~~25 (d) Class A-6, black ~~or brown~~ bear tag, ~~\$11 beginning March 1, 1992, and \$15 beginning March~~
26 ~~1, 1994;~~27 (e) Class A-7, antlerless elk tag, ~~\$13 beginning March 1, 1992, and \$16 beginning March 1, 1994.~~28 (2) (a) The holder of a Class A-7 antlerless elk license is entitled to take antlerless elk in areas
29 designated by the commission and at ~~such~~ times and upon ~~such~~ terms that are ~~as~~ set forth by the
30 commission.

1 (b) ~~No~~ A person may not take more than one elk during any license year, and a person holding a
 2 Class A-7 antlerless elk tag may not take an elk during the same license year with a Class A-5 license or
 3 nonresident elk tag. The use of Class A-7 antlerless elk licenses does not preclude the department's use
 4 of special elk permits.

5 (c) A nonresident shall hold a nonresident Class B-10 license as a prerequisite to application for
 6 a Class A-7 license.

7 (3) Subject to the limitation of subsection (5), a person who owns or is contracting to purchase
 8 640 acres or more of contiguous land, at least some of which is used by elk, in a hunting district where
 9 Class A-7 licenses are awarded under this section ~~shall~~ must be issued, upon application, a Class A-7
 10 license.

11 (4) An applicant who receives a Class A-7 license under subsection (3) may designate that the
 12 license be issued to an immediate family member or a person employed by the landowner. A corporation
 13 owning qualifying land under subsection (3) may designate one of its shareholders to receive the license.

14 (5) Fifteen percent of the Class A-7 licenses available each year under this section in a hunting
 15 district must be available to landowners under subsection (3)."

16

17 **Section 2.** Section 87-2-701, MCA, is amended to read:

18 "**87-2-701. (Temporary) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years of age or
 19 older prior to September 15 of the season for which the license is issued and is the holder of a resident
 20 wildlife conservation license or a nonresident wildlife conservation license may apply for a special license
 21 ~~which that~~, in the judgment of the department, is to be issued and shall pay the following fees ~~therefor~~:

22 (a) moose--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 23 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

24 (b) mountain goat--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 25 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

26 (c) mountain sheep--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 27 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

28 (d) antelope--resident, ~~\$9 beginning March 1, 1992, and \$11 beginning March 1, 1994;~~
 29 nonresident, ~~\$145 beginning March 1, 1992, and \$150 beginning March 1, 1994;~~

30 (e) grizzly bear--resident, \$50; nonresident, \$300;

1 (f) black ~~or brown~~ bear--nonresident, \$120.

2 (2) ~~In the event~~ If a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
3 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
4 authorizes the holder to possess and transport the trophy.

5 (3) Special licenses must be issued in a manner prescribed by the department. (Terminates March
6 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

7 **87-2-701. (Effective March 1, 2006) Special licenses.** (1) ~~Any~~ An applicant who will be 12 years
8 of age or older prior to September 15 of the season for which the license is issued and is the holder of a
9 resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special
10 license ~~which~~ that, in the judgment of the department, is to be issued and shall pay the following fees
11 ~~therefor~~:

- 12 (a) moose--resident, \$75; nonresident, \$455;
- 13 (b) mountain goat--resident, \$75; nonresident, \$455;
- 14 (c) mountain sheep--resident, \$75; nonresident, \$455;
- 15 (d) antelope--resident, \$11; nonresident, \$130;
- 16 (e) grizzly bear--resident, \$50; nonresident, \$300;
- 17 (f) black ~~or brown~~ bear--nonresident, \$100.

18 (2) ~~In the event~~ If a holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the person
19 shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy license
20 authorizes the holder to possess and transport the trophy.

21 (3) Special licenses must be issued in a manner prescribed by the department."
22

23 **Section 3.** Section 87-2-711, MCA, is amended to read:

24 **"87-2-711. (Temporary) Class AAA--~~sportsman's~~ combination sports license.** (1) ~~Any~~ A resident,
25 as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which
26 the license is issued, is entitled to:

- 27 (a) upon payment of the sum of \$54, ~~beginning March 1, 1992, and \$64 beginning March 1, 1994,~~
28 ~~shall be entitled to a sportsman's~~ a combination sports license ~~which shall permit~~ that permits the holder
29 to exercise all rights granted to holders of Class A, A-1, A-3, A-5, ~~A-6,~~ and resident conservation licenses
30 as prescribed in 87-2-202; or

1 (b) upon payment of the sum of \$64, a combination sports license that permits the holder to
 2 exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6
 3 license.

4 (2) The department shall furnish each holder of a sportsman's combination sports license an
 5 appropriate decal. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

6 **87-2-711. (Effective March 1, 2006) Class AAA--sportsman's combination sports license. (1) Any**
 7 **A resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the**
 8 **season for which the license is issued, is entitled to:**

9 (a) upon payment of the sum of \$64 \$54, shall be entitled to a sportsman's a combination sports
 10 license which shall permit that permits the holder to exercise all rights granted to holders of Class A, A-1,
 11 A-3, A-5, A-6, and resident conservation licenses as prescribed in 87-2-202; or

12 (b) upon payment of the sum of \$64, a combination sports license that permits the holder to
 13 exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6
 14 license.

15 (2) The department shall furnish each holder of a sportsman's combination sports license an
 16 appropriate decal."

17
 18 **Section 4.** Section 87-3-102, MCA, is amended to read:

19 **"87-3-102. Waste of fish or game. (1) A person who is responsible for the death of a black or**
 20 **brown bear or a mountain lion commits the offense of waste of game if he the person abandons the head**
 21 **or hide in the field.**

22 **(2) A person who is responsible for the death of a grizzly bear commits the offense of waste of**
 23 **game if he the person abandons the head or hide or any parts required by department or commission**
 24 **regulation for scientific purposes. All parts of a grizzly bear required by department or commission**
 25 **regulation for scientific purposes must be delivered to an officer or employee of the department for**
 26 **inspection as soon as possible after removal, and the department shall return to the licensee any bone**
 27 **structure and skull within 1 year upon written request. The hide must be returned immediately.**

28 **(3) A person responsible for the death of any game animal, except grizzly, black, and brown bear**
 29 **and a mountain lion, commits the offense of waste of game if he the person:**

30 **(a) detaches or removes from the carcass only the head, hide, antlers, tusks, or teeth or any or all**

1 ~~of aforesaid~~ these parts;

2 (b) wastes any part of any game animal, game bird, or game fish suitable for food by transporting,
3 hanging, or storing the carcass in a manner that renders it unfit for human consumption; or

4 (c) abandons in the field the carcass of any game animal or any portion of the carcass suitable for
5 food.

6 (4) A person in possession of a game animal or game animal parts, game bird, or game fish suitable
7 for food commits the offense of waste of game if ~~he~~ the person:

8 (a) purposely or knowingly transports, stores, or hangs the animal, bird, or fish in a manner that
9 renders it unfit for human consumption; or

10 (b) disposes of or abandons any portion of a game animal, game bird, or game fish that is suitable
11 for food.

12 (5) For the purposes of this section, the meat of a grizzly or a black bear that is found to be
13 infected with trichinosis is not considered to be suitable for food.

14 (6) A person convicted of waste of game ~~shall~~ may be fined not less than \$50 or more than \$1,000
15 or imprisoned in the county jail for a term not to exceed 6 months, or both."

16

17 NEW SECTION. Section 5. Code commissioner instruction. Wherever the term "sportsman's
18 license", meaning the license provided for in 87-2-111, appears in the Montana Code Annotated or in
19 legislation enacted by the 1995 legislature, the code commissioner is directed to change the term to
20 "combination sports license".

21

22 NEW SECTION. Section 6. Effective date. [This act] is effective March 1, 1996.

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