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SENATE BILL NO. 70

INTRODUCED BY

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

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A MIGRATORY BIRD STAMP FOR THE HUNTING OF ALL MIGRATORY GAME BIRDS; AMENDING SECTIONS 87-2-401, 87-2-402, 87-2-411, AND 87-2-412, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 87-2-401, MCA, is amended to read:

"**87-2-401. Class A-1--resident upland game bird license.** Except as otherwise provided, a resident, as defined by 87-2-102, who is 12 years of age or older may, upon payment of a fee of \$6, receive a Class A-1 license ~~which will entitle~~ that entitles the holder to pursue, hunt, shoot, and kill upland game birds, ~~cranes, rails, snipes, and mourning doves~~ and possess the carcasses of upland game birds, ~~cranes, rails, snipes, and mourning doves~~ as authorized by department rules."

Section 2. Section 87-2-402, MCA, is amended to read:

"**87-2-402. Class B-1--nonresident upland game bird license.** Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of \$55 may receive a Class B-1 license ~~which shall entitle~~ that entitles the holder ~~thereof~~ to pursue, hunt, shoot, and kill upland game birds, ~~cranes, rails, snipes, and mourning doves~~ and possess the carcasses of upland game birds, ~~cranes, rails, snipes, and mourning doves~~ as authorized by department rules."

Section 3. Section 87-2-411, MCA, is amended to read:

"**87-2-411. Stamp required to hunt ~~waterfowl~~ migratory game birds.** (4) It is unlawful for any person 15 years of age or older to pursue, hunt, shoot, or kill ~~waterfowl~~ migratory game birds without first having obtained a valid ~~waterfowl~~ migratory bird stamp from the department. The fee for ~~such~~ the stamp is \$5.

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

3

4 **Section 4.** Section 87-2-412, MCA, is amended to read:

5 **"87-2-412. Procurement and sale of artwork for ~~waterfowl~~ migratory bird stamp -- disposition of**
6 **proceeds.** (1) The department shall contract with an art publisher for the selection, by contest or other
7 method, of a design for the annual ~~waterfowl~~ migratory bird stamp required by 87-2-411 and for the
8 production of the stamp and related artwork. The contract must provide that only designs submitted by
9 Montana artists may be selected. The department shall provide for the sale of stamps exclusively by the
10 department or its license agents, but may make ~~such~~ other arrangements for the sale of related artwork as
11 that it determines appropriate. The procurement and sale of the stamps and artwork are exempt from the
12 provisions of Title 18, chapter 4, part 3.

13 (2) Money received from the sale of stamps and related artwork must be deposited in the state
14 special revenue fund for the use of the department and may be expended only for the protection,
15 conservation, and development of wetlands in Montana."

16

17 **NEW SECTION. Section 5. Effective date.** [This act] is effective March 1, 1996.

18

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0070, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the purchase of a migratory bird stamp for the hunting of all migratory game birds.

ASSUMPTIONS:

1. There are approximately 80,000 upland game bird hunters and 16,000 waterfowl hunters.
2. To meet federal requirements under the current law, license agents and the Department of Fish, Wildlife and Parks would have to gather information on 96,000 hunters.
3. Under the proposed law, information would have to gathered on only 18,100 hunters.
4. It costs \$0.70 to gather information on each hunter. This includes license agent commissions, postage, and printing.

FISCAL IMPACT:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
<u>Expenditures:</u>		
Operating Expenses	0	(54,530)
<u>Funding:</u>		
General License (02)	0	(27,265)
Pittman-Robertson (03)	0	(27,265)

Dave Lewis 1-11-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Mack Cole 1-17-95
MACK COLE, PRIMARY SPONSOR DATE

Fiscal Note for SB0070, as introduced

SB70

APPROVED BY COMM.
ON FISH AND GAME

1 SENATE BILL NO. 70
2 INTRODUCED BY *John Hays* *Griffith*
3 BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A MIGRATORY BIRD STAMP FOR
6 THE HUNTING OF ALL MIGRATORY GAME BIRDS; AMENDING SECTIONS 87-2-401, 87-2-402, 87-2-411,
7 AND 87-2-412, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."
8

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

10
11 Section 1. Section 87-2-401, MCA, is amended to read:

12 "87-2-401. Class A-1--resident upland game bird license. Except as otherwise provided, a resident,
13 as defined by 87-2-102, who is 12 years of age or older may, upon payment of a fee of \$6, receive a Class
14 A-1 license ~~which will entitle~~ that entitles the holder to pursue, hunt, shoot, and kill upland game birds,
15 ~~cranes, rails, snipes, and mourning doves~~ and possess the carcasses of upland game birds, ~~cranes, rails,~~
16 ~~snipes, and mourning doves~~ as authorized by department rules."
17

18 Section 2. Section 87-2-402, MCA, is amended to read:

19 "87-2-402. Class B-1--nonresident upland game bird license. Except as otherwise provided in this
20 chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon
21 payment of a fee of \$55 may receive a Class B-1 license ~~which shall entitle~~ that entitles the holder ~~thereof~~
22 to pursue, hunt, shoot, and kill upland game birds, ~~cranes, rails, snipes, and mourning doves~~ and possess
23 the carcasses of upland game birds, ~~cranes, rails, snipes, and mourning doves~~ as authorized by department
24 rules."
25

26 Section 3. Section 87-2-411, MCA, is amended to read:

27 "87-2-411. Stamp required to hunt ~~waterfowl~~ migratory game birds. ~~(1)~~ It is unlawful for any
28 person 15 years of age or older to pursue, hunt, shoot, or kill ~~waterfowl~~ migratory game birds without first
29 having obtained a valid ~~waterfowl~~ migratory bird stamp from the department. The fee for ~~such~~ the stamp
30 is \$5.



SB 70
SECOND READING

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

3

4 **Section 4.** Section 87-2-412, MCA, is amended to read:

5 **"87-2-412. Procurement and sale of artwork for ~~waterfowl~~ migratory bird stamp -- disposition of**
6 **proceeds.** (1) The department shall contract with an art publisher for the selection, by contest or other
7 method, of a design for the annual ~~waterfowl~~ migratory bird stamp required by 87-2-411 and for the
8 production of the stamp and related artwork. The contract must provide that only designs submitted by
9 Montana artists may be selected. The department shall provide for the sale of stamps exclusively by the
10 department or its license agents, but may make ~~such~~ other arrangements for the sale of related artwork as
11 that it determines appropriate. The procurement and sale of the stamps and artwork are exempt from the
12 provisions of Title 18, chapter 4, part 3.

13 (2) Money received from the sale of stamps and related artwork must be deposited in the state
14 special revenue fund for the use of the department and may be expended only for the protection,
15 conservation, and development of wetlands in Montana."

16

17 NEW SECTION. **Section 5. Effective date.** [This act] is effective March 1, 1996.

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INTRODUCED BY

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

Section 1. Section 87-2-401, MCA, is amended to read:

"87-2-401. **Class A-1--resident upland game bird license.** Except as otherwise provided, a resident, as defined by 87-2-102, who is 12 years of age or older may, upon payment of a fee of \$6, receive a Class A-1 license ~~which will entitle~~ that entitles the holder to pursue, hunt, shoot, and kill upland game birds, ~~cranes, rails, snipes, and mourning doves~~ and possess the carcasses of upland game birds, ~~cranes, rails, snipes, and mourning doves~~ as authorized by department rules."

Section 2. Section 87-2-402, MCA, is amended to read:

"87-2-402. **Class B-1--nonresident upland game bird license.** Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon payment of a fee of \$55 may receive a Class B-1 license ~~which shall entitle~~ that entitles the holder thereof to pursue, hunt, shoot, and kill upland game birds, ~~cranes, rails, snipes, and mourning doves~~ and possess the carcasses of upland game birds, ~~cranes, rails, snipes, and mourning doves~~ as authorized by department rules."

Section 3. Section 87-2-411, MCA, is amended to read:

"87-2-411. **Stamp required to hunt ~~waterfowl~~ migratory game birds.** ~~It is unlawful for any person 15 years of age or older to pursue, hunt, shoot, or kill ~~waterfowl~~ migratory game birds without first having obtained a valid ~~waterfowl~~ migratory bird stamp from the department. The fee for ~~each~~ the stamp is \$5.~~

1 SENATE BILL NO. 70

2 INTRODUCED BY COLE, HARPER, GROSFIELD

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

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A MIGRATORY BIRD STAMP FOR
6 THE HUNTING OF ALL MIGRATORY GAME BIRDS; AMENDING SECTIONS 87-2-401, 87-2-402, 87-2-411,
7 AND 87-2-412, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

8

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

10

11 Section 1. Section 87-2-401, MCA, is amended to read:

12 "87-2-401. **Class A-1--resident upland game bird license.** Except as otherwise provided, a resident,
13 as defined by 87-2-102, who is 12 years of age or older may, upon payment of a fee of \$6, receive a Class
14 A-1 license ~~which will entitle~~ that entitles the holder to pursue, hunt, shoot, and kill upland game birds,
15 ~~cranes, rails, snipes, and mourning doves~~ and possess the carcasses of upland game birds, ~~cranes, rails,~~
16 ~~snipes, and mourning doves~~ as authorized by department rules."

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18 Section 2. Section 87-2-402, MCA, is amended to read:

19 "87-2-402. **Class B-1--nonresident upland game bird license.** Except as otherwise provided in this
20 chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older, upon
21 payment of a fee of \$55 may receive a Class B-1 license ~~which shall entitle~~ that entitles the holder ~~thereof~~
22 to pursue, hunt, shoot, and kill upland game birds, ~~cranes, rails, snipes, and mourning doves~~ and possess
23 the carcasses of upland game birds, ~~cranes, rails, snipes, and mourning doves~~ as authorized by department
24 rules."

25

26 Section 3. Section 87-2-411, MCA, is amended to read:

27 "87-2-411. **Stamp required to hunt ~~waterfowl~~ migratory game birds.** ~~(†)~~ It is unlawful for any
28 person 15 years of age or older to pursue, hunt, shoot, or kill ~~waterfowl~~ migratory game birds without first
29 having obtained a valid ~~waterfowl~~ migratory bird stamp from the department. The fee for ~~such~~ the stamp
30 is \$5.

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4 **Section 4.** Section 87-2-412, MCA, is amended to read:

5 **"87-2-412. Procurement and sale of artwork for ~~waterfowl~~ migratory bird stamp -- disposition of**
6 **proceeds.** (1) The department shall contract with an art publisher for the selection, by contest or other
7 method, of a design for the annual ~~waterfowl~~ migratory bird stamp required by 87-2-411 and for the
8 production of the stamp and related artwork. The contract must provide that only designs submitted by
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10 department or its license agents, but may make ~~such~~ other arrangements for the sale of related artwork as
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15 conservation, and development of wetlands in Montana."

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17 NEW SECTION. **Section 5. Effective date.** [This act] is effective March 1, 1996.

18

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