

HOUSE BILL NO. 398
INTRODUCED BY G. HENDRICK

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A HUNTER FROM TAKING MORE THAN ONE ANTLERED MOOSE, MOUNTAIN GOAT, CERTAIN MOUNTAIN SHEEP, OR BISON; ALLOWING EXCEPTIONS; AMENDING SECTIONS 87-2-702 AND 87-2-730, MCA; AND PROVIDING AN APPLICABILITY DATE."

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 killed or taken any game animal, except a deer, an elk, 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.

(2) 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.

(3) A person may take only one grizzly bear in Montana with a license authorized by 87-2-701.

(4) (a) Except as provided in 87-1-271(2), a person who receives a moose, mountain goat, or limited mountain sheep license, with the exception of an adult ewe license, as authorized by 87-2-701, is not eligible to receive another special license for that species for the next 7 years. For the purposes of this subsection ~~(4)(a)~~ (4), "limited mountain sheep license" means a license that is valid for an area in which the number of licenses issued is restricted.

(b) Except as provided in 87-1-271(2), a person who takes an antlered moose, a mountain goat, or a mountain sheep with a limited mountain sheep license, with the exception of an adult ewe license, as authorized by 87-2-701, is not eligible to receive another special license for that species. The restriction in this subsection (4)(b) does not apply to licenses obtained through an auction conducted pursuant to 87-2-722, 87-2-724, or 87-2-725.

~~(b)(c)~~ Except as provided in 87-1-271(2), a person who takes a mountain sheep using an unlimited mountain sheep license, with the exception of a mountain sheep taken pursuant to an adult ewe license, as authorized by 87-2-701, is not eligible to receive another special license for that species ~~for the next 7 years. The restriction does not apply to licenses obtained through an auction conducted pursuant to 87-2-722.~~ For the

purposes of this subsection ~~(4)(b)~~ (4)(c), "unlimited mountain sheep license" means a license that is valid for an area in which the number of licenses issued is not restricted."

Section 2. Section 87-2-730, MCA, is amended to read:

"87-2-730. Special wild buffalo license -- regulation. (1) The public hunting of wild buffalo or bison that have been designated as a species in need of disease control under 81-2-120 is permitted only when authorized by the department of livestock under the provisions set forth in 81-2-120.

(2) The department may issue special licenses to hunt wild buffalo or bison designated as a species in need of disease control when authorized by the department of livestock.

(3) The department shall adopt rules in cooperation with the department of livestock. The rules must provide for:

(a) license drawing procedures;

(b) drawing and application fees consistent with 87-2-113;

(c) notification of license recipients as to when and where they may hunt, but notification may not include information regarding the actual physical location of a wild buffalo or bison other than the prescribed hunting district where the animal may be taken;

(d) fair chase hunting of wild buffalo or bison, including requirements that hunting be conducted on foot and away from public roads and that there be no designation of specific wild buffalo or bison to be hunted;

(e) means of taking and handling of carcasses in the field, which must include provisions for public safety because of the potential for the spread of infectious disease;

(f) tagging requirements for carcasses, skulls, and hides;

(g) possession limits;

(h) requirements for transportation and exportation; ~~and~~

(i) requirements and criteria for authorization by the state veterinarian and the department of livestock of any public hunting; and

(j) a requirement that a person who takes a wild buffalo or bison is prohibited from receiving another license to hunt wild buffalo or bison. This restriction does not apply to licenses issued pursuant to 87-2-731."

NEW SECTION. **Section 3. Applicability.** [This act] applies to licenses issued on or after January 1, 2008.

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