

1 SENATE BILL NO. 280

2 INTRODUCED BY M. LANG, R. KNUDSEN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING BIRD DOG TRAINING LAWS; REQUIRING A LICENSE  
5 TO USE WILD GAME BIRDS; REVISING RULEMAKING AUTHORITY; AMENDING SECTIONS 87-3-602 AND  
6 87-3-604, MCA; AND PROVIDING AN IMMEDIATE ~~A DELAYED AN IMMEDIATE~~ EFFECTIVE DATE."

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

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10 **Section 1.** Section 87-3-602, MCA, is amended to read:

11 **"87-3-602. Training bird hunting dogs -- Class D-5 license.** (1) (a) Training of bird hunting dogs  
12 using game birds not raised in captivity is allowed with the purchase of a Class D-5 license and pursuant to the  
13 requirements of this part.

14 (b) A Class D-5 license is required for training bird dogs using game birds not raised in captivity. A  
15 PERSON WHO IS AT LEAST 18 YEARS OF AGE OR OLDER OR WHO WILL TURN 18 YEARS OF AGE DURING THE SEASON FOR  
16 WHICH THE LICENSE IS ISSUED MAY PURCHASE A LICENSE FOR A FEE OF Licenses cost \$5 for residents and \$10 for  
17 nonresidents. THE DEPARTMENT MAY ISSUE A FREE RESIDENT OR NONRESIDENT CLASS D-5 LICENSE TO A YOUTH WHO  
18 IS 12 TO 18 YEARS OF AGE. A person must be at least 18 years of age before or during the license season.

19 (2) A Class D-5 license is not required for a person training bird hunting dogs with a method that  
20 kills game birds raised in captivity. A person shall tag or mark the captive game bird prior to release. Game  
21 Captive game birds must be obtained from a game bird farm licensed under 87-4-903 or from a source of game  
22 birds approved by the department.

23 (3) A person who takes an untagged or unmarked game bird while training a bird hunting dog  
24 outside of the established season for that species or who is not licensed to take that species shall immediately  
25 report the taking to a representative of the department."  
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27 **Section 2.** Section 87-3-604, MCA, is amended to read:

**Amendment - 1st Reading/2nd House-blue - Requested by: Marilyn Marler - (H) Fish, Wildlife and Parks**

- 2023

68th Legislature 2023

Drafter: Toni Henneman, 406-444-3593

SB0280.002.002

1           **"87-3-604. Rulemaking authority.** The ~~department~~commission ~~may~~SHALL adopt rules to implement  
2 the provisions of this part, including limiting the number of Class D-5 licenses."

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4           NEW SECTION. Section 3. Effective date. [This act] is effective ~~on passage and approval~~ MARCH 1,  
5 2024 on passage and approval.

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- END -

AMENDED