

SENATE BILL NO. 281

INTRODUCED BY P. FLOWERS, W. CURDY, J. ELLIS, M. FOX, B. GILLESPIE, J. GROSS, G. HERTZ, K. KELKER, R. LYNCH, E. MCCLAFFERTY, R. MINER, S. O'BRIEN, A. OLSEN, C. POPE, S. WEBBER, J. WELBORN, P. FIELDER, R. FITZGERALD, S. GIST, J. KARLEN, E. MATTHEWS, G. NIKOLAKAKOS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE ISSUANCE OF CLASS B-8 NONRESIDENT DEER B TAGS; AMENDING SECTIONS 87-2-104 AND 87-2-504, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-2-104, MCA, is amended to read:

"87-2-104. Number of licenses, permits, or tags allowed -- fees. (1) The department may prescribe rules and regulations for the issuance or sale of a replacement license, permit, or tag if the original license, permit, or tag is lost, stolen, or destroyed upon payment of a fee not to exceed \$5.

(2) The department shall issue a replacement license, permit, or tag to a person who lawfully harvested a game animal but the meat of the animal was determined by the department to be unfit for human consumption due to disease or prior injury. To obtain a replacement license, permit, or tag pursuant to this subsection, the person:

- (a) shall surrender the entire animal determined to be unfit for human consumption; and
(b) may choose to be issued the replacement for the same license year or the next license year.
(3) When authorized by the commission for game management purposes, the department may:
(a) issue more than one Class A-3 resident deer A, Class A-4 resident deer B, Class B-7 nonresident deer A, Class B-8 nonresident deer B, Class E-1 resident wolf, Class E-2 nonresident wolf, or special antelope license to an applicant;
(b) issue a special antlerless moose license, a special cow or calf bison license, or one or more special adult ewe mountain sheep licenses to an applicant; and
(c) issue one or more Class A-9 resident antlerless elk B tag licenses or Class B-12 nonresident

1 antlerless elk B tag licenses to an applicant. Unless otherwise reduced pursuant to subsection ~~(5)~~ (6), the fee
2 for a Class B-12 license is \$270.

3 (4) For all of the game management licenses issued under subsection (3), the commission shall
4 determine the hunting districts or portions of hunting districts for which the licenses are to be issued, the
5 number of licenses to be issued, and all terms and conditions for the use of the licenses.

6 (5) Unless otherwise determined by the commission, a holder of a valid Class B-10 nonresident big
7 game combination license or a valid Class B-11 nonresident deer combination license may purchase up to two
8 Class B-8 nonresident deer B tags while other eligible persons may purchase only one. The commission shall
9 determine the hunting districts or portions of hunting districts for which the tags are valid and all terms and
10 conditions for the use of the tags.

11 ~~(5)(6)~~ The fee for a resident or nonresident license of any class issued under ~~subsection~~ subsections
12 (3) and (5) may be reduced annually by the department."
13

14 **Section 2.** Section 87-2-504, MCA, is amended to read:

15 **"87-2-504. Class B-7 and B-8--nonresident deer licenses.** (1) (a) Except as otherwise provided in
16 this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older or who
17 will turn 12 years old before or during the season for which the license is issued may, upon payment of the
18 proper fee or fees and subject to the limitations prescribed by law and department regulation, be entitled to
19 apply to the fish, wildlife, and parks office, Helena, Montana, to purchase one each of the following licenses:

20 (i) Class B-7, deer A tag, \$250;

21 (ii) Class B-8, deer B tag, \$75.

22 (b) The license entitles a holder who is 12 years of age or older to hunt the game animal or
23 animals authorized by the license and to possess the carcasses of those animals as authorized by commission
24 rules.

25 (2) Unless purchased as part of a Class B-10 or Class B-11 license, a Class B-7 license may be
26 assigned for use in a specific administrative region or regions or a portion of a specific administrative region or
27 regions or in a specific hunting district or districts or a portion of a specific hunting district or districts. If
28 purchased as part of a Class B-10 or Class B-11 license, the Class B-7 license is valid throughout the state,

1 except as provided in 87-2-512(1)(d). Not more than 5,000 Class B-7 licenses may be sold in any license year.

2 (3) ~~The~~Subject to the provisions of 87-2-104, the commission may prescribe the use of and set
3 quotas for the sale of Class B-8 licenses by hunting districts, portions of a hunting district, groups of districts, or
4 administrative regions."

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6 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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