

SENATE BILL NO. 270

INTRODUCED BY D. LOGE, W. GALT, C. COCHRAN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO ELK LICENSES; PROVIDING FOR THE ISSUANCE AND PURCHASE OF ANTLERLESS ELK TAGS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 87-2-104 AND 87-2-501, MCA; AND PROVIDING A DELAYED 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 A-9 RESIDENT ANTLERLESS ELK B, Class B-7 nonresident deer A, Class E-1 resident wolf, Class E-2 nonresident wolf, or special antelope license to an applicant; AND

(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 antlerless elk B tag licenses to an applicant. Unless otherwise reduced pursuant to subsection (6), the fee for~~

1 aClass B-12 license is \$270.

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

5 (5) Unless otherwise determined by the commission, a holder of a valid Class B-10 nonresident big  
6 game combination license or a valid Class B-11 nonresident deer combination license may purchase ~~up to no~~  
7 more than two Class B-8 nonresident deer B tags while other eligible persons may purchase only one. A holder  
8 of a Class B-10 nonresident big game combination license may purchase no more than two Class B-12  
9 nonresident antlerless elk B tag licenses while other eligible persons may purchase only one. The commission  
10 shall determine the hunting districts or portions of hunting districts for which the tags are valid and all terms and  
11 conditions for the use of the tags.

12 (6) Unless otherwise reduced pursuant to subsection (8), the fee for a Class B-12 nonresident  
13 antlerless elk B tag license is \$270.

14 (7) In accordance with rules determined by the commission, a resident as defined in 87-2-102 may  
15 be issued:

16 (a) a tag that allows the resident to harvest one antlered elk during a license year; and

17 (b) one or more NO MORE THAN ~~FOUR~~ two Class A-9 antlerless elk B tag licenses during a license  
18 year, except that the department may develop a rule that describes variable license structures for antlerless elk  
19 based on management goals.

20 (6)(8) The fee for a resident or nonresident license of any class issued under subsections (3) and (5)  
21 may be reduced annually by the department."

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23 **Section 2.** Section 87-2-501, MCA, is amended to read:

24 **"87-2-501. Class A-3, A-4, A-5, A-6, and A-9 resident deer, elk, and bear licenses -- fees. (4)**

25 Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who is 12 years of age or  
26 older or who will turn 12 years old before or during the season for which the license is issued, ~~upon~~ on payment  
27 of the proper fee or fees, is entitled to purchase one of each of the following licenses at the prescribed cost that  
28 will entitle a holder who is 12 years of age or older to hunt the game animal or animals authorized by the