

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO CLASS D-5 LICENSES FOR
6 TRAINING BIRD HUNTING DOGS; REQUIRING AN APPLICANT FOR A CLASS D-5 LICENSE TO REPORT
7 THE NUMBER OF DOGS THAT WILL BE TRAINED; ALLOWING THE FISH AND WILDLIFE COMMISSION
8 TO REGULATE THE NUMBER OF CLASS D-5 LICENSES; PROVIDING RULEMAKING AUTHORITY; AND
9 AMENDING SECTION-SECTIONS 87-3-602 AND 87-3-604, MCA."

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

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

14 **"87-3-602. Training bird hunting dogs -- Class D-5 license --RULEMAKING.** (1) (a) Training of bird
15 hunting dogs using game birds not raised in captivity is allowed with the purchase of a Class D-5 license and
16 pursuant to the requirements of this part.

17 (b) A Class D-5 license is required for training bird dogs using game birds not raised in captivity. A
18 person who is at least 18 years of age or older or who will turn 18 years of age during the season for which the
19 license is issued may purchase a license for a fee of \$5 for residents and \$10 for nonresidents. The department
20 may issue a free resident or nonresident Class D-5 license to a youth who is 12 to 18 years of age.

21 (c) An applicant for a Class D-5 license shall report on the application the number of dogs to be
22 trained. The number of dogs must be printed on the license issued by the department.

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

27 (3) A person who takes an untagged or unmarked game bird while training a bird hunting dog
28 outside of the established season for that species or who is not licensed to take that species shall immediately

1 report the taking to a representative of the department.

2 (4) ~~The commission may make rules limiting the number of Class D-5 licenses issued under this~~
3 ~~section.~~"

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5 **SECTION 2. SECTION 87-3-604, MCA, IS AMENDED TO READ:**

6 **"87-3-604. Rulemaking authority.** The commission ~~shall~~may adopt rules to implement the
7 provisions of this part, including ~~but not limited to~~ limiting the number of Class D-5 licenses issued to
8 nonresidents and limiting the number of dogs that may be trained under a Class D-5 license."

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10 - END -