

HOUSE BILL NO. 244

INTRODUCED BY S. GIST, J. SECKINGER, G. OVERSTREET, T. SHARP, C. COCHRAN, T. MILLETT, E. TILLEMAN, R. MARSHALL, B. LER, D. BAUM, L. BREWSTER, P. FIELDER, T. FRANCE, J. KARLEN, K.

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LICENSES ISSUED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR DEPLOYED ARMED SERVICE MEMBERS; AND AMENDING SECTION 87-2-817, MCA."

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

Section 1. Section 87-2-817, MCA, is amended to read:

"87-2-817. Licenses for service members. (1) A veteran or a disabled member of the armed forces who meets the qualifications in 87-2-803(9) as a result of a combat-connected injury may apply at a fish, wildlife, and parks office for a regular Class A-3 deer A tag, a Class A-4 deer B tag, a Class B-7 deer A tag, a Class B-8 deer B tag, and a special antelope license made available under 87-2-506(3) for one-half of the license fee. Licenses issued to veterans or disabled members of the armed forces under this part do not count against the number of special antelope licenses reserved for people with permanent disabilities, as provided in 87-2-706.

(2) (a) A Montana resident who is a member of the Montana national guard or the federal reserve as provided in 10 U.S.C. 10101 or who was otherwise engaged in active duty and who participated in a contingency operation as provided in 10 U.S.C. 101(a)(13) that required the member to serve at least 2 months outside of the state, upon request and upon presentation of the documentation described in subsection (2)(c), must be issued a free resident conservation license and a Class A resident fishing license or a Class AAA resident combination sports license, which may not include a Class A-6 black bear tag, upon payment of the resident base hunting license fee in 87-2-116 and the purchase of the resident aquatic invasive species prevention pass pursuant to 87-2-130, in the license year that the member returns from military service or in the year following the member's return, based on the member's election, and in any of the 4 years after the

1 member's election.

2 (b) If a Montana resident who meets the service qualifications of subsection (2)(a) is subsequently
3 required to serve another 2 months or more outside of the state under the same service qualifications, the
4 entitlement to free licenses provided pursuant to subsection (2)(a) resets and the member may start a new 5-
5 year entitlement period beginning in the license year that the member returns from the subsequent military
6 service or in the year following the member's return, based on the member's election. There is no limit on the
7 number of times the entitlement period may be reset if the Montana resident repeatedly meets the service
8 qualifications of subsection (2)(a).

9 (c) To be eligible for the free licenses provided for in subsection (2)(a) or (2)(b), an applicant shall,
10 in addition to the written application and proof of residency required in 87-2-202(1), provide to any regional
11 department office or to the department headquarters in Helena, by mail or in person, the member's DD form
12 214 verifying the member's release or discharge from active duty. The applicant is responsible for providing
13 documentation showing that the applicant participated in a contingency operation as provided in 10 U.S.C.
14 101(a)(13).

15 (d) The department's general license account must be reimbursed by a quarterly transfer of funds
16 from the general fund to the general license account for costs associated with the free licenses granted
17 pursuant to this subsection (2) during the preceding calendar quarter. Reimbursement costs must be
18 designated as license revenue.

19 (3) A member of the armed forces who forfeited a license or permit issued through a drawing as a
20 result of deployment ~~outside of the continental United States for at least 2 months outside of the state~~ in
21 support of a contingency operation as provided in 10 U.S.C. 101(a)(13) is guaranteed the same license or
22 permit, without additional fee, upon application in the year of the member's return from deployment or in the first
23 year that the license or permit is made available after the member's return."

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