

MINUTES
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

February 18, 1977

The sixteenth meeting of the Fish and Game Committee was called to order by Chairman Dunkle at 8:00 A.M., in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senators Warden and Manley, who were excused.

DISCUSSION OF SB 203, an act to generally revise the penalties for fish and game violations, and creating a point system for license revocation.

Debbie Schmidt, Legislative Researcher, went through the proposed amendments. (Attachment #1).

Mr. Orville Lewis, Chief of the Law Enforcement Division of the Montana Fish and Game Department, said he felt this bill would give judges more latitude.

Chairman Dunkle asked the committee if there were questions.

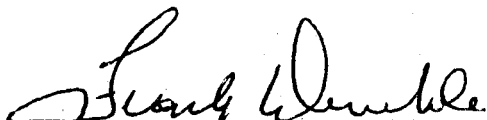
Senator Smith felt that on page 2, line 4 of the bill, the word "buffalo" should be changed to "bison."

Senator Smith made a motion that the proposed amendments, including his own, be adopted. The motion was seconded by Senator Lensink and carried unanimously..

DISPOSITION OF SB 203: Senator Lowe made a motion that SB 203 DO PASS, AS AMENDED. The motion was seconded by Senator Bergren, and passed unanimously.

ANNOUNCEMENTS: Chairman Dunkle stated that all Senate bills were now out of committee.

ADJOURNMENT: The meeting was adjourned by Chairman Dunkle at 8:50 A.M.


SENATOR FRANK DUNKLE, CHAIRMAN

DATE _____

COMMITTEE ON FISH AND GAME BILL NO. 1

FISH AND GAME BILL NO. 11

BILL NO. 107

VISITOR'S REGISTER

[illegible]

STANDING COMMITTEE REPORT

February 18, 19 77

MR. PRESIDENT

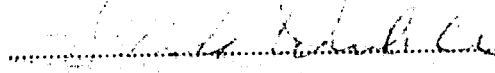
We, your committee on FISH AND GAME

having had under consideration SENATE Bill No. 203

Respectfully report as follows: That SENATE Bill No. 203.

Introduced bill, be amended as follows:

1. Amend title, line 6.
Following: "26-812,"
Insert: "and"
Following: "26-1211,"
Strike: "and 95-2206,"
2. Amend title, line 7.
Following: "1947"
Strike: "; and creating a point system for license revocation"
3. Amend page 1, section 1, line 20.
Following: line 19
Strike: "less than 2 days or"
4. Amend page 1, section 1, line 25 and line 1 on page 2.
Following: "conviction"
Strike: "according to the point system in (sections 7 and 9 of this act)"
BOPAKSX
Insert: "for a period of 16 months from the date of conviction"


Chairman.

5. Amend page 2, section 1, line 4.
Following: "moose,"
Insert: "wild bison, caribou, mountain goat,"
6. Amend page 2, section 1, line 6.
Following: "not"
Strike: "less than 5 days or"
7. Amend page 2, section 1, line 10.
Following: "months"
Insert: "from the date of conviction"
8. Amend page 2, section 1, line 13.
Following: line 12
Strike: "wild buffalo, caribou, mountain goat,"
9. Amend page 2, section 1, line 16.
Following: "not"
Strike: "less than 5 days or"
10. Amend page 2, section 1, line 20.
Following: "months"
Insert: "from the date of conviction"
11. Amend page 2, section 1, line 24.
Following: "not"
Strike: "less than 2 days or"
12. Amend page 2, section 1, line 25.
Following: line 24
Insert: "(d) A person convicted of unlawfully taking, killing, possessing, transporting, shipping, labeling, packaging, or wasting or unlawfully attempting to take, kill, or possess any game bird, wild turkey, fish, or fur-bearing animal or any part of any such animal or fish or of failure to tag a game animal or game bird as prescribed by law shall be fined not less than \$50 or more than \$200 or imprisoned in the county jail for not more than 30 days, or both."

Renumber: subsequent subsection
13. Amend page 3, section 1, lines 5 through 11.
Following: line 4
Strike: subsections 3 and 4 in their entirety
14. Amend page 3, section 2, lines 12 through line 4, on page 6.
Following: line 11
Strike: section 2 in its entirety
Renumber: subsequent sections
15. Amend page 8, section 6, lines 21- through 25.
Following: "forfeited"
Strike: Upon conviction for a violation of 26-1205 through 26-1212,

Senate Bill 203, continued
Page 3

the permit required by 26-1205 through 26-1212 is revoked and the
privilege to purchase a permit is suspended for 16 months.

Insert: "Any person violating the provisions of this act shall,
upon conviction, be punished as provided in 26-324, and at the
discretion of the court the permit and all rights and privileges
inherent therein may be forfeited"

16. Amend page 9, section 7, lines 8 through line 8 on page 14.
Following: line 7
Strike: sections 7 through 10 in their entirety.

AND, AS SO AMENDED

DO PASS

SENATOR FRANK DUNKLE, CHAIRMAN

Attachment #1

PROPOSED AMENDMENTS TO SENATE BILL NO. 203

1. Amend page 1, title, line 6.
Following: "26-812,"
Insert: "and"
Following: "26-1211,"
Strike: "and 95-2206,"
2. Amend page 1, title, line 7.
Following: "1947"
Strike: "; and creating a point system for license revocation"
3. Amend page 1, section 1, line 20.
Following: line 19
Strike: "less than 2 days or"
4. Amend page 1, section 1, line 25.
Following: "~~conviction~~"
Strike: "according to the point system in [sections 7 and 9 of this act]"
Insert: "for a period of 16 months from the date of conviction"
5. Amend page 2, section 1, line 4.
Following: "moose,"
Insert: "wild buffalo, caribou, mountain goat,"
6. Amend page 2, section 1, line 6.
Following: "not"
Strike: "less than 5 days or"
7. Amend page 2, section 1, line 10.
Following: "months"
Insert: "from the date of conviction"
8. Amend page 2, section 1, line 13.
Following: line 12
Strike: "wild buffalo, caribou, mountain goat,"
9. Amend page 2, section 1, line 16.
Following: "not"
Strike: "less than 5 days or"
10. Amend page 2, section 1, line 20.
Following: "months"
Insert: "from the date of conviction"
11. Amend page 2, section 1, line 24.
Following: "not"
Strike: "less than 2 days or"

PROPOSED AMENDMENTS TO SENATE BILL NO. 203

12. Amend page 2, section 1, line 25.

Following: line 24

Insert: "(d) A person convicted of unlawfully taking, killing, possessing, transporting, shipping, labeling, packaging, or wasting or unlawfully attempting to take, kill, or possess any game bird, wild turkey, fish, or fur-bearing animal or any part of any such animal or fish or of failure to tag a game animal or game bird as prescribed by law shall be fined not less than \$50 or more than \$200 or imprisoned in the county jail for not more than 30 days, or both."

Renumber: subsequent subsection

13. Amend page 3, section 1, line 5.

Following: line 4

Strike: lines 5 through 11 in their entirety.

14. Amend page 3, section 2, line 12.

Following: line 11

Strike: Section 2 in its entirety.

Renumber: subsequent sections

15. Amend page 8, section 6, line 15.

Following: "officer."

Insert: "Any person violating the provisions of this act shall, upon conviction, be punished as provided in 26-324, and at the discretion of the court the permit and all rights and privileges inherent therein may be forfeited."

16. Amend page 8, section 6, line 21.

Following: "~~forfeited~~."

Strike: the remainder of line 21 and lines 22 through 25 in their entirety.

17. Amend page 9, section 7, line 8.

Following: line 7

Strike: sections 7, 8, 9, and 10 in their entirety.