

1 HB BILL NO. 76 *BY REQUEST*
 2 INTRODUCED BY MURR

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DECLARE THE MOURNING
 5 DOVE A MIGRATORY GAME BIRD AND TO BRING THE FORMAT OF
 6 SECTION 26-201 INTO AGREEMENT WITH THE FORMAT OF
 7 DEFINITIONAL SECTIONS ELSEWHERE IN THE LAW."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 26-201, R.C.M. 1947, is amended to
 11 read as follows:

12 "26-201. Definitions. For the purpose of this act
 13 chapter, unless the context clearly indicates otherwise, the
 14 following ~~shall be construed, respectively to mean~~
 15 definitions apply:

16 (1) "Commission" The means the state fish and game
 17 commission.

18 (2) "Person" The means the plural or singular, male
 19 or female, as the case demands, including ~~individual~~
 20 individuals, associations, partnerships, and corporations,
 21 ~~unless the context otherwise requires.~~

22 (3) "Open season" The means the time during which
 23 game birds, fish, and game and fur-bearing animals may be
 24 lawfully taken.

25 (4) "Closed season" The means the time during which

1 game birds, fish, and game and fur-bearing animals may not
 2 be lawfully taken.

3 (5) "Angling or fishing" The means the taking of, or
 4 attempting to take fish by hook and single line or single
 5 rod in hand or within immediate control.

6 (6) "Upland game birds" ~~Sharp-tail~~ means the sharp-tail
 7 grouse, blue grouse, prairie chicken, sage hen or sage
 8 grouse, fool hen, ruffed grouse, commonly called native
 9 pheasant or native partridge, quail, Chinese pheasant and
 10 Mongolian pheasant, commonly called ring-necked pheasant,
 11 Hungarian partridge, ptarmigan, wild turkey, and chukar
 12 partridge.

13 (7) "Migratory game birds" Waterfowl means waterfowl,
 14 including wild ducks, wild geese, brant, and swans; cranes,
 15 including little brown, sandhill and whooping cranes; rails,
 16 including coots, gallinules, sora, or other rails; shore
 17 birds, including avocets, curlew, dowitcher, godwits, knots,
 18 upland plover, killdeer, sandpipers, Wilson snipes or
 19 jacksnipes, snipes, stilts, plovers, willets and yellow
 20 legs, and mourning doves.

21 (8) "Nongame birds" ~~It~~ means all wild birds not
 22 defined herein as upland game birds or migratory game birds,
 23 ~~shall be deemed nongame birds.~~

24 (9) "Game animals" Deer means deer, elk, moose,
 25 antelope, caribou, mountain sheep, mountain goat, mountain

1 lion, and bear.

2 (10) "Fur-bearing animals" ~~Marten~~ means marten or
3 sable, otter, muskrat, fisher, mink, and beaver.

4 (11) "Predatory animals" ~~Coyote~~ means coyote, weasel,
5 skunk and civet cat, and bobcat.

6 (12) "Game fish" ~~All~~ means all species of the family
7 salmonidae (char, trout, salmon, grayling, and whitefish);
8 all species of the genus stizostedion (sandpike or sauger
9 and walleyed pike or yellowpike perch); all species of the
10 genus esox (northern pike, pickerel, and muskellunge); all
11 species of the genus micropeterus (bass); all species of the
12 genus polyodon (paddlefish); all species of the family
13 acipenseridae (sturgeon); all species of the genus Ictalurus
14 (burbot or ling); and the species ictalurus punctatus
15 (channel catfish).

16 (13) "Wild buffalo" ~~Buffalo~~ means buffalo or bison
17 which have not been reduced to captivity.

18 (14) "Nongame wildlife" ~~Any~~ means any wild mammal,
19 bird, amphibian, reptile, fish, mollusk, crustacean, or
20 other wild animal not otherwise legally classified by
21 statute or regulation of this state."

-End-

Approved by Comm.
on Fish and Game

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