# CHAPTER NO. 220

## HOUSE BILL NO. 247

## INTRODUCED BY SCULLY, UHDE

### IN THE HOUSE

January 18, 1979	Introduced and referred to Committee on Fish and Game.
February 6, 1979	Committee recommend bill do pass. Report adopted.
February 7, 1979	Printed and placed on members' desks.
February 8, 1979	Second reading, do pass.
February 9, 1979	Considered correctly engrossed.
February 10, 1979	Third reading, passed. Transmitted to second house.
נ	IN THE SENATE
February 12, 1979	Introduced and referred to Committee on Fish and Game.
March 7, 1979	Committee recommend bill be concurred in. Report adopted.
March 9, 1979	Second reading, concurred in.
March 13, 1979	Third reading, concurred in.
1	IN THE HOUSE
March 14, 1979	Returned from second house. Concurred in. Sent to enrolling.
	Reported correctly enrolled.

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1 2 INTRODUCED BY ULD. 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE 5 HUNTING OF MODSE, SHEEP, AND GOAT BY HOLDERS OF SPECIAL BON 6 AND ARROW LICENSES WHEN THEY ALSO HOLD PREREQUISITE 7 LICENSES; AMENDING SECTIONS 87-1-304 AND 87-2-708, MCA."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA; 9 Section 1. Section 87-1-304, MEA, is amended to read: 10 #87-1-304. Fixing of seasons and bag and possession 11 limits. (1) The commission may fix seasons, bag limits, 12 possession limits, and season limits; open or close, shorten 13 or lengthem seasons on any species of game, bird, fish, or 14 fur-bearing animal as defined by 87-2-101; and declare areas 15 open to the hunting of deer. antelope. and elk. mooses 16 sheeps and doat by bow and arrow permit holders and 17 designate times when only bow and arrows may be used to hunt 18 deer, antelope, and elks sposes sheeps and goat in those 19 20 areas. It may declare areas open to deer hunting where shotguns only may be used to hunt or kill deer. It may 21 declare areas open to special license holders only and issue 22 special licenses in a limited number when it determines. 23 after proper investigation, that such a season is necessary 24 to assure the maintenance of an adequate supply of game 25

birds, fish, animals, or fur-bearing animals. It may declare 1 2 a special season and issue special licenses when game birds or animals or fur-bearing animals are causing damage to 3 private property or when written complaint of such damage has been filed with the commission by the owner of that 5 property. In determining to whom those licenses shall be 6 7 issued, it may, when more applications are received than the number of animals to be killed, award permits to those 8 9 chosen under a drawing system. The procedures used for awarding the permits from the drawing system shall be 10 11 determined by the commission.

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12 (2) The commission may adopt rules governing the use
13 of livestock and vehicles by archers during special archery
14 seasons.

15 (3) It may divide the state into fish and game 16 districts and create fish, game, or fur-bearing animal 17 districts throughout the state. It may declare closed season 18 for hunting, fishing, or trapping in any of those districts 19 and later may open those districts to hunting, fishing, or 20 trapping.

21 (4) It may declare a closed season on any species of 22 game, fish, game birds, or fur-bearing animals threatened 23 with undue depletion from any cause. It may close any area 24 or district of any stream, public lake, or public water or 25 portions thereof to hunting, trapping, or fishing for

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INTRODUCED BILL HB 247 limited periods of time, when necessary to protect a
 recently stocked area, district, water, spawning waters,
 spawn-taking waters, or spawn-taking stations or to prevent
 the undue depletion of fish, game and fur-bearing animals,
 and game and nongame birds. It later may open the area or
 district upon consent of a majority of the property owners
 affected.

8 (5) It may declare certain fishing waters closed to 9 fishing except by persons under 13 years of age. The purpose 10 of this subsection is to provide suitable fishing waters for 11 the exclusive use and enjoyment of juveniles under 13 years 12 of age. at times and in areas the commission in its 13 discretion considers advisable and consistent with its 14 policies relating to fishing."

15 Section 2. Section 87-2-708, NCA, is amended to read: 16 #87-2-708. Class A-2 -- special bow and arrow license. 17 A holder of any one of the following: a Class A-3, A-4, A-5, 8-2, 8-5, 8-6, 8-7, 8-8, or 8-10 license or any special 18 19 license may, upon payment of an additional sum of \$6 to any 20 agent of the department authorized to issue fishing and 21 hunting licenses, be entitled to a Class A-2 license which shall authorize the holder thereof to pursue, hunt, shoot, 22 23 and kill the game animals authorized by the licenses held 24 with bow and arrow and to possess these carcasses during special seasons and in special areas, as may be designated 25

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1 by the department."

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#### 46th Legislature

LC 0752/01

Approved by Comm. on Fish and Game

1	Haces BILL NO. 247
2	INTRODUCED BY Study ULD.
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
5	HUNTING OF MODSE, SHEEP, AND GOAT BY HOLDERS OF SPECIAL BON
6	AND ARROW LICENSES WHEN THEY ALSO HOLD PREREQUISITE
7	LICENSES; AMENDING SECTIONS 87-1-304 AND 87-2-708, MCA."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 87-1-304, MCA, is amended to read:
11	*87—1—304. Fixing of seasons and bag and possession
12	limits. (1) The commission may fix seasons, bag limits,
13	possession limits, and season limits; open or close, shorten
14	or lengthen seasons on any species of game, bird, fish, or
15	fur-bearing animal as defined by 87-2-101; and declare areas
16	open to the hunting of deer, antelope, and elk <u>, moose</u> .
17	sheep, and goat by bow and arrow permit holders and
18	designate times when only bow and arrows may be used to hunt
19	deer, antelope, <del>and</del> elk <u>s mooses sheeps and goat</u> in those
20	areas. It may declare areas open to deer hunting where
21	shotguns only may be used to hunt or kill deer. It may
22	declare areas open to special license holders only and issue
23	special licenses in a limited number when it determines.
24	after proper investigation, that such a season is necessary
25	to assure the maintenance of an adequate supply of game

1 birds, fish, animals, or fur-bearing animals. It may declare a special season and issue special licenses when game birds 2 or animals or fur-bearing animals are causing damage to 3 private property or when written complaint of such damage 4 has been filed with the commission by the owner of that 5 property. In determining to whom those licenses shall be 6 issued, it may, when more applications are received than the 7 number of animals to be killed, award permits to those 8 9 chosen under a drawing system. The procedures used for awarding the permits from the drawing system shall be 10 11 determined by the commission.

12 (2) The commission may adopt rules governing the use
13 of livestock and vehicles by archers during special archery
14 seasons.

15 (3) It may divide the state into fish and game 16 districts and create fish, game, or fur-bearing animal 17 districts throughout the state. It may declare closed season 18 for hunting, fishing, or trapping in any of those districts 19 and later may open those districts to hunting, fishing, or 20 trapping.

21 (4) It may declare a closed season on any species of 22 game, fish, game birds, or fur-bearing animals threatened 23 with undue depletion from any cause. It may close any area 24 or district of any stream, public lake, or public water or 25 portions thereof to hunting, trapping, or fishing for

> -2-SECOND READING HB247

#### LC 0752/01

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1 limited periods of time, when necessary to protect a 2 recently stocked area, district, water, spawning waters, 3 spawn-taking waters, or spawn-taking stations or to prevent 4 the undue depletion of fish, game and fur-bearing animals, 5 and game and nongame birds. It later may open the area or 6 district upon consent of a majority of the property owners 7 affected.

8 (5) It may declare certain fishing waters closed to 9 fishing except by persons under 13 years of age. The purpose 10 of this subsection is to provide suitable fishing waters for 11 the exclusive use and enjoyment of juveniles under 13 years 12 of age, at times and in areas the commission in its 13 discretion considers advisable and consistent with its 14 policies relating to fishing."

15 Section 2. Section 87-2-708, MCA, is amended to read: 16 #87-2-708. Class A-2 -- special bow and arrow license. 17 A holder of any one of the following: a Class A-3, A-4, A-5, 18 8-2, 8-5, 8-6, 8-7, 8-8, or 8-10 license or any special 19 license may, upon payment of an additional sum of \$6 to any 20 agent of the department authorized to issue fishing and hunting licenses, be entitled to a Class A-2 license which 21 22 shall authorize the holder thereof to pursue, hunt, shoot, 23 and kill the game animals authorized by the licenses held 24 with bow and arrow and to possess these carcasses during special seasons and in special areas, as may be designated 25

1 by the department."

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HALLAE BILL NO. 247 1 INTRODUCED BY Sully ULD. 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE 4 HUNTING OF HOOSE, SHEEP, AND GOAT BY HOLDERS OF SPECIAL BOW 5 AND ARROW LICENSES WHEN THEY ALSO HOLD PREREQUISITE 6 LICENSES; AMENDING SECTIONS 87-1-304 AND 87-2-708. MCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 87-1-304. MCA. is amended to read: 10 =87-1-304. Fixing of seasons and beg and possession 11 limits. (1) The commission may fix seasons, bag limits. 12 possession limits, and season limits; open or close, shorten 13 14 or lengthen seasons on any species of game, bird, fish, or fur-bearing animal as defined by 87-2-101; and declare areas 15 open to the hunting of deer, antelope, and elk, moose, 16

17 sheep, and goat by bow and arrow permit holders and designate times when only bow and arrows may be used to hunt 18 19 deer, antelope, and elk, moose, sheep, and goat in those areas. It may declare areas open to deer hunting where 20 21 shotguns only may be used to hunt or kill deer. It may 22 declare areas open to special license holders only and issue 23 special licenses in a limited number when it determines, 24 after proper investigation, that such a season is necessary to assure the maintenance of an adequate supply of game 25

1 birds, fish, antwals, or fur-bearing animals. It may declare 2 a special season and issue special licenses when game birds 3 or animals or fur-bearing animals are causing damage to private property or when written complaint of such damage 4 has been filed with the commission by the owner of that 5 property. In determining to whom those licenses shall be 6 issued, it may, when more applications are received than the 7 number of animals to be killed, award permits to those 8 chosen under a drawing system. The procedures used for 9 awarding the permits from the drawing system shall be 10 11 determined by the commission.

12 (2) The commission may adopt rules governing the use
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14 seasons.

15 (3) It may divide the state into fish and game 16 districts and create fish, game, or fur-bearing animal 17 districts throughout the state. It may declare closed season 18 for hunting, fishing, or trapping in any of those districts 19 and later may open those districts to hunting, fishing, or 20 trapping.

21 (4) It may declare a closed season on any species of 22 game, fish, game birds, or fur-bearing animals threatened 23 with undue depletion from any cause. It may close any area 24 or district of any stream, public lake, or public water or 25 portions thereof to hunting, trapping, or fishing for

> -2- HE 247 THIRD READING

1 limited periods of time, when necessary to protect a 2 recently stocked area, district, water, spawning waters, 3 spawn-taking waters, or spawn-taking stations or to prevent 4 the undue depletion of fish, game and fur-bearing animals, 5 and game and nongame birds. It later may open the area or 6 district upon consent of a majority of the property owners 7 affected.

8 (5) It may declare certain fishing waters closed to 9 fishing except by persons under 13 years of age. The purpose 10 of this subsection is to provide suitable fishing waters for 11 the exclusive use and enjoyment of juveniles under 13 years 12 of age, at times and in areas the commission in its 13 discretion considers advisable and consistent with its 14 policies relating to fishing.<sup>6</sup>

15 Section 2. Section 87-2-708, NCA, is amended to read: 16 \*87-2-708. Class A-2 -- special bow and arrow license. 17 A holder of any one of the following: a Class A-3: A-4: A-5: 18 8-2+ 8-5+ 8-6+ 8-7+ 8-8+ or 8-10 license or any special 19 license may, upon payment of an additional sum of \$6 to any 20 agent of the department authorized to issue fishing and 21 hunting licenses, be entitled to a Class A-2 license which 22 shall authorize the holder thereof to pursue, hunt, shoot, 23 and kill the game animals authorized by the licenses held with bow and arrow and to possess these carcasses during 24 25 special seasons and in special areas, as may be designated

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1 by the department."

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#### 46th Legislature

HB 0247/02

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1	HOUSE BILL NO. 247
2	INTRODUCED BY SCULLY, UHDE
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE 5 HUNTING OF MODSE, SHEEP, AND GOAT BY HOLDERS OF SPECIAL BOW 6 AND ARROW LICENSES WHEN THEY ALSO HOLD PREREQUISITE 7 LICENSES; AMENDING SECTIONS 87-1-304 AND 87-2-708, MCA."

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1 birds, fish, animals, or fur-bearing animals. It may declare 2 a special season and issue special licenses when pame birds 3 or animals or fur-bearing animals are causing damage to 4 private property or when written complaint of such damage 5 has been filed with the commission by the owner of that property. In determining to whom those licenses shall be 6 7 issued, it may, when more applications are received than the 8 number of animals to be killed, award permits to those 9 chosen under a drawing system. The procedures used for 10 awarding the permits from the drawing system shall be 11 determined by the commission. 12 (2) The commission may adopt rules governing the use

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REFERENCE BILL

HB 0247/02

#### HB 0247/02

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1 limited periods of time, when necessary to protect a 2 recently stocked area, district, water, spawning waters, 3 snawn-taking waters, or spawn-taking stations or to prevent 4 the undue depletion of fish, game and fur-bearing animals, 5 and game and nongame birds. It later may open the area or 6 district upon consent of a majority of the property owners 7 affected.

8 (5) It may declare certain fishing waters closed to 9 fishing except by persons under 13 years of age. The purpose 10 of this subsection is to provide suitable fishing waters for 11 the exclusive use and enjoyment of juveniles under 13 years 12 of age, at times and in areas the commission in its 13 discretion considers advisable and consistent with its 14 policies relating to fishing."

15 Section 2. Section 87-2-708, MCA, is amended to read: 16 #87-2-708. Class A-2 -- special bow and arrow license. 17 A holder of any one of the following: a Class A-3+ A-4+ A-5+ 18 8-2, 8-5, 8-6, 8-7, 8-8, or 8-10 license or any special 19 license may, upon payment of an additional sum of \$6 to any agent of the department authorized to issue fishing and 20 21 hunting licenses, be entitled to a Class A-2 license which 22 shall authorize the holder thereof to pursue, hunt, shoot, 23 and kill the game animals authorized by the licenses held 24 with bow and arrow and to possess these carcasses during 25 special seasons and in special areas, as may be designated

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1 by the department."

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