

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.

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.

IN THE HOUSE

March 14, 1979	Returned from second house. Concurred in. Sent to enrolling.  Reported correctly enrolled.
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1 HOUSE BILL NO. 247  
2 INTRODUCED BY Sully, LHO

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE  
5 HUNTING OF MOOSE, 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."

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, ~~moose,~~  
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, and elk, ~~moose, sheep, and goat~~ 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  
2 a special season and issue special licenses when game 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  
6 property. In determining to whom those licenses shall be  
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  
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

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 B-2, B-5, B-6, B-7, B-8, or B-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  
 24 with bow and arrow and to possess these carcasses during  
 25 special seasons and in special areas, as may be designated

1 by the department."

-End-

Approved by Comm.  
on Fish and Game

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15 fur-bearing animal as defined by 87-2-101; and declare areas  
16 open to the hunting of deer, antelope, ~~and elk, moose,~~  
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, ~~and elk, moose, sheep, and goat~~ 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,  
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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  
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24 or district of any stream, public lake, or public water or  
25 portions thereof to hunting, trapping, or fishing for

1 limited periods of time, when necessary to protect a  
 2 recently stocked area, district, water, spawning waters,  
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 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 B-2, B-5, B-6, B-7, B-8, or B-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  
 24 with bow and arrow and to possess these carcasses during  
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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 B-2, B-5, B-6, B-7, B-8, or B-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  
 24 with bow and arrow and to possess these carcasses during  
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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,  
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