

House Bill 669

In The House

February 6, 1981	Introduced and referred to Committee on Fish and Game.
February 18, 1981	Committee recommend bill do pass as amended.
February 19, 1981	Bill printed and placed on members' desks.
February 21, 1981	Second reading do not pass.

HOUSE BILL NO. 669

INTRODUCED BY *Anderson E. Smith Ellison*
John Ryan BURNETT *Becker* *Barnett* *Boyle* *Daly*

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT THE
OPENING DAY FOR ANY GAME ANIMAL HUNTING SEASON BE ON A
SATURDAY CHOSEN BY THE FISH AND GAME COMMISSION; AMENDING
SECTION 87-1-304, MCA."

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

Section 1. Section 87-1-304, MCA, is amended to read:

"87-1-304. Fixing of seasons and bag and possession limits. (1) The commission may fix seasons, bag limits, possession limits, and season limits; open or close, shorten or lengthen seasons on any species of game, bird, fish, or fur-bearing animal as defined by 87-2-101; and declare areas open to the hunting of deer, antelope, elk, moose, sheep, and goat by bow and arrow permit holders and designate times when only bow and arrows may be used to hunt deer, antelope, elk, moose, sheep, and goat in those areas. Opening days for game animal seasons may be set on dates determined by the commission in its discretion, but those opening days must be Saturdays. ~~It~~ The commission may declare areas open to deer hunting where shotguns only may be used to hunt or kill deer. It may declare areas open to special license holders only and issue special licenses in a limited number when it

determines, after proper investigation, that such a season is necessary to assure the maintenance of an adequate supply of game birds, fish, animals, or fur-bearing animals. It may declare a special season and issue special licenses when game birds or animals or fur-bearing animals are causing damage to private property or when written complaint of such damage has been filed with the commission by the owner of that property. In determining to whom those licenses shall be issued, it may, when more applications are received than the number of animals to be killed, award permits to those chosen under a drawing system. The procedures used for awarding the permits from the drawing system shall be determined by the commission.

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

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

(4) It may declare a closed season on any species of game, fish, game birds, or fur-bearing animals threatened with undue depletion from any cause. It may close any area

-2- INTRODUCED BILL
HB 669

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

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

-End-

Approved by Comm.
on Fish and Game

1 HOUSE BILL NO. 669
2 INTRODUCED BY ANDREASON, E. SMITH, ELLISON, JENSEN,
3 J. RYAN, BURNETT, DEVLIN, BENNETT, FEDA, DAILY,
4 MANUEL, ROBBINS, McLANE
5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT THE
7 OPENING DAY FOR ANY GAME ANIMAL HUNTING SEASON BE ON A
8 SATURDAY CHOSEN BY THE FISH AND GAME COMMISSION; AMENDING
9 SECTION 87-1-304, MCA; AND PROVIDING FOR A DELAYED EFFECTIVE
10 DATE."
11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13 Section 1. Section 87-1-304, MCA, is amended to read:
14 "87-1-304. Fixing of seasons and bag and possession
15 limits. (1) The commission may fix seasons, bag limits,
16 possession limits, and season limits; open or close, shorten
17 or lengthen seasons on any species of game, bird, fish, or
18 fur-bearing animal as defined by 87-2-101; and declare areas
19 open to the hunting of deer, antelope, elk, moose, sheep,
20 and goat by bow and arrow permit holders and designate times
21 when only bow and arrows may be used to hunt deer, antelope,
22 elk, moose, sheep, and goat in those areas. Opening days for
23 game animal seasons may be set on dates determined by the
24 commission in its discretion, but those opening days must be
25 Saturdays. It The commission may declare areas open to deer

1 hunting where shotguns only may be used to hunt or kill
2 deer. It may declare areas open to special license holders
3 only and issue special licenses in a limited number when it
4 determines, after proper investigation, that such a season
5 is necessary to assure the maintenance of an adequate supply
6 of game birds, fish, animals, or fur-bearing animals. It may
7 declare a special season and issue special licenses when
8 game birds or animals or fur-bearing animals are causing
9 damage to private property or when written complaint of such
10 damage has been filed with the commission by the owner of
11 that property. In determining to whom those licenses shall
12 be issued, it may, when more applications are received than
13 the number of animals to be killed, award permits to those
14 chosen under a drawing system. The procedures used for
15 awarding the permits from the drawing system shall be
16 determined by the commission.

17 (2) The commission may adopt rules governing the use
18 of livestock and vehicles by archers during special archery
19 seasons.

20 (3) It may divide the state into fish and game
21 districts and create fish, game, or fur-bearing animal
22 districts throughout the state. It may declare closed season
23 for hunting, fishing, or trapping in any of those districts
24 and later may open those districts to hunting, fishing, or
25 trapping.

1 (4) It may declare a closed season on any species of
2 game, fish, game birds, or fur-bearing animals threatened
3 with undue depletion from any cause. It may close any area
4 or district of any stream, public lake, or public water or
5 portions thereof to hunting, trapping, or fishing for
6 limited periods of time, when necessary to protect a
7 recently stocked area, district, water, spawning waters,
8 spawn-taking waters, or spawn-taking stations or to prevent
9 the undue depletion of fish, game and fur-bearing animals,
10 and game and nongame birds. It later may open the area or
11 district upon consent of a majority of the property owners
12 affected.

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

20 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE
21 JANUARY 1, 1983.

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