

Senate Bill 413

In The Senate

February 9, 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 20, 1981	Second reading do pass.
February 23, 1981	Correctly engrossed.
February 24, 1981	Third reading passed.

In The House

March 3, 1981	Introduced and referred to Committee on Fish and Game.
March 11, 1981	Committee recommend bill not concurred.

In The Senate

March 12, 1981	Returned from House not concurred.
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1 *Sen. Smith* BILL NO. *413*  
 2 INTRODUCED BY *Sen. Smith*

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY DEFINITIONS  
 5 OF "GAME ANIMALS" AND "UPLAND GAME BIRDS" BY ADDING SPECIES  
 6 AND SCIENTIFIC NAMES; AMENDING SECTION 87-2-101, MCA."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 87-2-101, MCA, is amended to read:

10 "87-2-101. Definitions. As used in this chapter and  
 11 chapter 3, unless the context clearly indicates otherwise,  
 12 the following definitions apply:

13 (1) "Angling" or "fishing" means the taking of or  
 14 attempting to take fish by hook and single line or single  
 15 rod, in hand or within immediate control.

16 (2) "Closed season" means the time during which game  
 17 birds, fish, and game and fur-bearing animals may not be  
 18 lawfully taken.

19 (3) "Commission" means the state fish and game  
 20 commission.

21 (4) "Fur-bearing animals" means marten or sable,  
 22 otter, muskrat, fisher, mink, bobcat, lynx, wolverine,  
 23 northern swift fox, and beaver.

24 (5) "Game animals" means mule deer (*Odocoileus*  
 25 hemionus), white-tailed deer (*Odocoileus virginianus*), elk

1 (*Cervus canadensis*), moose (*Alces alces*), antelope  
 2 (*Antilocapra americana*), caribou (*Rangifer tarandus*),  
 3 mountain sheep (*Ovis canadensis*), mountain goat (*Oreamos*  
 4 *americana*), mountain lion (*Felis concolor*), grizzly bear  
 5 (*Ursus arctos*), and black bear (*Ursus americanus*).

6 (6) "Game fish" means all species of the family  
 7 salmonidae (charrs, 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 micropterus (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 (7) "Migratory game birds" means waterfowl, including  
 17 wild ducks, wild geese, brant, and swans; cranes, including  
 18 little brown and sandhill; rails, including coots; wilson's  
 19 snipes or jacksnipes.

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

24 (9) "Open season" means the time during which game  
 25 birds, fish, game and fur-bearing animals may be lawfully

1 taken.

2 (10) "Person" means individuals, associations,  
3 partnerships, and corporations.

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

6 (12) "Upland game birds" means sharptailed grouse  
7 (Pediacetes phasianellus), blue grouse (Centragapus  
8 obscurus), spruce (Franklin) grouse (Capachites canadensis),  
9 prairie chicken (Tympanuchus cupidol), sage hen or sage  
10 grouse (centrocerus urophasianus), ruffed grouse (bonasa  
11 umbellus), ring-necked pheasant (Phasianus colchicus),  
12 quail, pheasant, Hungarian partridge (Perdix perdix), willow  
13 ptarmigan (Lagopus lagopus), white-tailed ptarmigan (Lagopus  
14 leucurus), wild turkey (Meleagris gallopavol), and chukar  
15 partridge (Alectoris colchicus).

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

-End-

Approved by Comm.  
on Fish and Game

SENATE BILL NO. 413

INTRODUCED BY SEVERSON, E. SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY DEFINITIONS OF "GAME ANIMALS" AND "UPLAND GAME BIRDS" BY ADDING SPECIES AND SCIENTIFIC NAMES; AMENDING SECTION 87-2-101, MCA."

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(2) "Closed season" means the time during which game birds, fish, and game and fur-bearing animals may not be lawfully taken.

(3) "Commission" means the state fish and game commission.

(4) "Fur-bearing animals" means marten or sable, otter, muskrat, fisher, mink, bobcat, lynx, wolverine, northern swift fox, and beaver.

(5) "Game animals" means mule deer (Odocoileus hemionus), white-tailed deer (Odocoileus virginianus), elk

(Cervus canadensis ELAPHUS), moose (Alces alces), antelope (Antilocapra americana), caribou (Rangifer tarandus), mountain sheep (Ovis canadensis), mountain goat (Oreamos OREAMNOS americana AMERICANUS), mountain lion (Felis concolor), grizzly bear (Ursus arctos), and black bear (Ursus americanus).

(6) "Game fish" means all species of the family salmonidae (char, trout, salmon, grayling, and whitefish); all species of the genus stizostedion (sandpike or sauger and walleyed pike or yellowpike perch); all species of the genus esox (northern pike, pickerel, and muskellunge); all species of the genus micropterus (bass); all species of the genus polyodon (paddlefish); all species of the family acipenseridae (sturgeon); all species of the genus lota (burbot or ling); and the species ictalurus punctatus (channel catfish).

(7) "Migratory game birds" means waterfowl, including wild ducks, wild geese, brant, and swans; cranes, including little brown and sandhill; rails, including coots; wilson's snipes or jacksnipes.

(8) "Nongame wildlife" means any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other animal not otherwise legally classified by statute or regulation of this state.

(9) "Open season" means the time during which game

1 birds, fish, game and fur-bearing animals may be lawfully  
2 taken.

3 (10) "Person" means individuals, associations,  
4 partnerships, and corporations.

5 (11) "Predatory animals" means coyote, weasel, skunk,  
6 and civet cat.

7 (12) "Upland game birds" means sharptailed grouse  
8 [Pediacetes phasianellus], blue grouse [Dendragapus  
9 DENDRAGAPUS obscurus], spruce (Franklin) grouse [Canachites  
10 canadensis], prairie chicken [Tympanuchus cupido], sage hen  
11 or sage grouse [centrocercus CENTROCERCUS urophasianus],  
12 ruffed grouse [Bonasa umbellus], ring-necked pheasant  
13 [Phasianus colchicus], quail-pheasant, Hungarian partridge  
14 [Perdix perdix], willow ptarmigan [Lagopus lagopus],  
15 white-tailed ptarmigan [Lagopus leucurus], wild turkey  
16 [Meleagris gallopavo], and chukar partridge [Alectoris  
17 eschicus GRAECA].

18 (13) "Wild buffalo" means buffalo or bison which have  
19 not been reduced to captivity."

-End-

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