

HOUSE BILL NO. 425

INTRODUCED BY J. JENSEN

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

IN THE HOUSE

January 20, 1983	Introduced and referred to Committee on Fish and Game.
February 1, 1983	Committee recommend bill do pass. Report adopted.
February 2, 1983	Bill printed and placed on members' desks.
February 3, 1983	Second reading, do pass.
February 4, 1983	Considered correctly engrossed.
February 5, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 7, 1983	Introduced and referred to Committee on Fish and Game.
March 17, 1983	Committee recommend bill be concurred in. Report adopted.
March 19, 1983	Second reading, concurred in.
March 22, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 22, 1983	Returned to House.
March 23, 1983	Sent to enrolling. Reported correctly enrolled.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE
6 FISH AND GAME COMMISSION MAY AUTHORIZE THE DIRECTOR OF THE
7 DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO OPEN OR CLOSE
8 SPECIAL SEASONS UPON 12 HOURS' NOTICE; AMENDING SECTION
9 87-1-304, MCA."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 87-1-304, MCA, is amended to read:
13 "87-1-304. Fixing of seasons and bag and possession
14 limits. (1) The commission may fix seasons, bag limits,
15 possession limits, and season limits; open or close, shorten
16 or lengthen seasons on any species of game, bird, fish, or
17 fur-bearing animal as defined by 87-2-101; and declare areas
18 open to the hunting of deer, antelope, elk, moose, sheep,
19 and goat by bow and arrow permit holders and designate times
20 when only bow and arrows may be used to hunt deer, antelope,
21 elk, moose, sheep, and goat in those areas. It may declare
22 areas open to deer hunting where shotguns only may be used
23 to hunt or kill deer. It may declare areas open to special
24 license holders only and issue special licenses in a limited
25 number when it determines, after proper investigation, that

1 such a season is necessary to assure the maintenance of an
2 adequate supply of game birds, fish, animals, or fur-bearing
3 animals. It may declare a special season and issue special
4 licenses when game birds or animals or fur-bearing animals
5 are causing damage to private property or when written
6 complaint of such damage has been filed with the commission
7 by the owner of that property. In determining to whom those
8 licenses shall be issued, it may, when more applications are
9 received than the number of animals to be killed, award
10 permits to those chosen under a drawing system. The
11 procedures used for awarding the permits from the drawing
12 system shall be determined by the commission.
13 (2) The commission may adopt rules governing the use
14 of livestock and vehicles by archers during special archery
15 seasons.
16 (3) It may divide the state into fish and game
17 districts and create fish, game, or fur-bearing animal
18 districts throughout the state. It may declare closed season
19 for hunting, fishing, or trapping in any of those districts
20 and later may open those districts to hunting, fishing, or
21 trapping.
22 (4) It may declare a closed season on any species of
23 game, fish, game birds, or fur-bearing animals threatened
24 with undue depletion from any cause. It may close any area
25 or district of any stream, public lake, or public water or

portions thereof to hunting, trapping, or fishing for 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.

(5) The commission may authorize the director to open or close any special season upon 12 hours' notice to the public.

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

-End-

Approved by Comm.
on Fish and Game

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

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

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

1 portions thereof to hunting, trapping, or fishing for
2 limited periods of time, when necessary to protect a
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5 the undue depletion of fish, game and fur-bearing animals,
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7 district upon consent of a majority of the property owners
8 affected.

9 (5) The commission may authorize the director to open
10 or close any special season upon 12 hours' notice to the
11 public.

12 (5)(6) It may declare certain fishing waters closed to
13 fishing except by persons under 13 years of age. The purpose
14 of this subsection is to provide suitable fishing waters for
15 the exclusive use and enjoyment of juveniles under 13 years
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