

HOUSE BILL NO. 836

INTRODUCED BY J. JENSEN, SAUNDERS, PHILLIPS,
ADDY, SWIFT, MUELLER, REAM, NISBET, SPAETH,
VELEBER, HART, DRISCOLL, PECK, BACHINI

IN THE HOUSE

February 15, 1983	Introduced and referred to Committee on Fish and Game.
February 19, 1983	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 22, 1983	Second reading, do pass as amended.
February 23, 1983	Correctly engrossed. Third reading, passed. Transmitted to the Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Fish and Game.
March 22, 1983	Committed recommend bill be concurrent in. Report adopted.
March 26, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 25; Noes, 23.

IN THE HOUSE

March 28, 1983	Returned to House.
March 29, 1983	Sent to enrolling. Reported correctly enrolled.

1 *House* BILL NO. *836*
 2 INTRODUCED BY *Jim Jensen Saunders Phellon*
 3 *Ally Smith Mueller Bean Nisbet Grant Veltch*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE THE *Mourning Dove*
 5 DOVE AS A MIGRATORY GAME BIRD; AMENDING SECTION 87-2-101,
 6 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 deer, elk, moose, antelope,
 25 caribou, mountain sheep, mountain goat, mountain lion, and

1 bear.
 2 (6) "Game fish" means all species of the family
 3 salmonidae (chars, trout, salmon, grayling, and whitefish);
 4 all species of the genus stizostedion (sandpike or sauger
 5 and walleyed pike or yellowpike perch); all species of the
 6 genus esox (northern pike, pickerel, and muskellunge); all
 7 species of the genus micropterus (bass); all species of the
 8 genus polyodon (paddlefish); all species of the family
 9 acipenseridae (sturgeon); all species of the genus Ictalurus
 10 (burbot or ling); and the species Ictalurus punctatus
 11 (channel catfish).
 12 (7) "Migratory game birds" means waterfowl, including
 13 wild ducks, wild geese, brant, and swans; cranes, including
 14 little brown and sandhill; rails, including coots; Wilson's
 15 snipes or jacksnipes; ~~and mourning doves.~~
 16 (8) "Nongame wildlife" means any wild mammal, bird,
 17 amphibian, reptile, fish, mollusk, crustacean, or other
 18 animal not otherwise legally classified by statute or
 19 regulation of this state.
 20 (9) "Open season" means the time during which game
 21 birds, fish, game and fur-bearing animals may be lawfully
 22 taken.
 23 (10) "Person" means individuals, associations,
 24 partnerships, and corporations.
 25 (11) "Predatory animals" means coyote, weasel, skunk,

1 and civet cat.

2 (12) "Upland game birds" means sharptailed grouse, blue
3 grouse, spruce (Franklin) grouse, prairie chicken, sage hen
4 or sage grouse, ruffed grouse, quail, pheasant, Hungarian
5 partridge, ptarmigan, wild turkey, and chukar partridge.

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

-End-

Approved by Comm.
on Fish and Game

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3 *Ally Johnson Muller Dean Nishet David Voth*
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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 deer, elk, moose, antelope,
25 caribou, mountain sheep, mountain goat, mountain lion, and

1 bear.
2 (6) "Game fish" means all species of the family
3 salmonidae (char, trout, salmon, grayling, and whitefish);
4 all species of the genus stizostedion (sandpike or sauger
5 and walleyed pike or yellowpike perch); all species of the
6 genus esox (northern pike, pickerel, and muskellunge); all
7 species of the genus micropterus (bass); all species of the
8 genus polyodon (paddlefish); all species of the family
9 acipenseridae (sturgeon); all species of the genus lota
10 (burbot or ling); and the species ictalurus punctatus
11 (channel catfish).
12 (7) "Migratory game birds" means waterfowl, including
13 wild ducks, wild geese, brant, and swans; cranes, including
14 little brown and sandhill; rails, including coots; wilson's
15 snipes or jacksnipes; and mourning doves.
16 (8) "Nongame wildlife" means any wild mammal, bird,
17 amphibian, reptile, fish, mollusk, crustacean, or other
18 animal not otherwise legally classified by statute or
19 regulation of this state.
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4 or sage grouse, ruffed grouse, quail, pheasant, Hungarian
5 partridge, ptarmigan, wild turkey, and chukar partridge.

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7 not been reduced to captivity."

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A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE THE MOURNING
DOVE AS A MIGRATORY GAME BIRD; ~~RESTRICTING THE OPEN HUNTING~~
~~SEASON~~; AMENDING SECTION 87-2-101, MCA."

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

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

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chapter 3, unless the context clearly indicates otherwise,
the following definitions apply:

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

(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 deer, elk, moose, antelope,
caribou, mountain sheep, mountain goat, mountain lion, and
bear.

(6) "Game fish" means all species of the family
salmonidae (chars, 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; ~~and mourning doves PROVIDED, HOWEVER,~~
~~THAT THE OPEN SEASON ON MOURNING DOVES SHALL BE RESTRICTED~~
~~TO THE OPEN SEASON ON UPLAND GAME BIRDS AS DEFINED IN~~
~~SUBSECTION (12) BELOW.~~

(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.

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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 deer, elk, moose, antelope, caribou, mountain sheep, mountain goat, mountain lion, and bear.

(5) "Game fish" means all species of the family salmonidae (chars, 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 Ictalurus (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; ~~and mourning doves PROVIDED, HOWEVER, THAT THE OPEN SEASON ON MOURNING DOVES SHALL BE RESTRICTED TO THE OPEN SEASON ON UPLAND GAME BIRDS AS DEFINED IN SUBSECTION (12) BELOW.~~

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