

HOUSE BILL NO. 93

1/07 Introduced
1/07 Referred to Fish & Game
1/10 Hearing
1/18 Committee Report-Bill Pass As Amended
1/19 2nd Reading Do Not Pass
1/19 Bill Killed

1 HOUSE BILL NO. 93
 2 INTRODUCED BY ERNST

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE
 5 DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ALLOW AND
 6 REGULATE THE HUNTING OF MOUNTAIN LION, LYNX, AND BOBCAT WITH
 7 THE AID OF DOGS; PERMITTING THE USE OF DOGS IN PURSUIT OF
 8 STOCK-KILLING LYNX; AMENDING SECTIONS 87-3-124 AND 87-3-127,
 9 MCA; AND PROVIDING AN EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 87-3-124, MCA, is amended to read:

13 "87-3-124. Restrictions on hunting with dogs. (1) (a)
 14 Except as provided in 87-3-127 and subsection (2) of this
 15 section, no person may chase with dogs any of the game or
 16 fur-bearing animals as defined by the fish and game laws of
 17 this state.

18 (b) A person may take game birds during the
 19 appropriate open season with the aid of a dog or dogs. Any
 20 person or association organized for the protection of game
 21 may run field trials at any time upon obtaining written
 22 permission from the director.

23 (c) Any peace officer, game warden, or other person
 24 authorized to enforce the Montana fish and game laws who
 25 witnesses any dog attacking or killing hooved game animals

1 may destroy that dog without criminal or civil liability.

2 (2) The department shall ~~have authority to~~ allow and
 3 regulate the use of dogs for hunting mountain lion, lynx,
 4 and bobcat."

5 Section 2. Section 87-3-127, MCA, is amended to read:

6 "87-3-127. Taking of stock-killing animals. (1)
 7 Livestock owners or employees of the department or the
 8 federal fish and wildlife service may use dogs in pursuit of
 9 stock-killing bears, stock-killing mountain lions,
 10 stock-killing lynx, and stock-killing bobcats. Other means
 11 of taking stock-killing bears, stock-killing mountain lions,
 12 stock-killing lynx, and stock-killing bobcats may be used
 13 except the use of the deadfall.

14 (2) Traps used in capturing bears shall be inspected
 15 twice each day with the inspections 12 hours apart."

16 NEW SECTION. Section 3. Extension of authority. Any
 17 existing authority of the department of fish, wildlife, and
 18 parks to make rules on the subject of the provisions of this
 19 act is extended to the provisions of this act.

20 NEW SECTION. Section 4. Effective date. Section 3 and
 21 this section are effective on passage and approval, except
 22 that any rules adopted pursuant to section 3 may not be made
 23 effective prior to October 1, 1985.

-End-

APPROVED BY COMM.
ON FISH AND GAME

HOUSE BILL NO. 93
INTRODUCED BY ERNST

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ALLOWING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ALLOW PERMIT AND REGULATE THE HUNTING OF MOUNTAIN LION, LYNX, AND BOBCAT WITH THE AID OF DOGS; PERMITTING THE USE OF DOGS IN PURSUIT OF STOCK-KILLING LYNX; AMENDING SECTIONS 87-3-124 AND 87-3-127, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 87-3-124, MCA, is amended to read:

"87-3-124. Restrictions on hunting with dogs. (1) (a)

Except as provided in 87-3-127 and subsection (2) of this section, no person may chase with dogs any of the game or fur-bearing animals as defined by the fish and game laws of this state.

(b) A person may take game birds during the appropriate open season with the aid of a dog or dogs. Any person or association organized for the protection of game may run field trials at any time upon obtaining written permission from the director.

(c) Any peace officer, game warden, or other person authorized to enforce the Montana fish and game laws who witnesses any dog attacking or killing hooved game animals

may destroy that dog without criminal or civil liability.

(2) The department shall ~~have--authority--to~~ HAVE AUTHORITY TO allow and regulate the use of dogs for hunting mountain lion, lynx, and bobcat."

Section 2. Section 87-3-127, MCA, is amended to read:

"87-3-127. Taking of stock-killing animals. (1) Livestock owners or employees of the department or the federal fish and wildlife service may use dogs in pursuit of stock-killing bears, stock-killing mountain lions, stock-killing lynx, and stock-killing bobcats. Other means of taking stock-killing bears, stock-killing mountain lions, stock-killing lynx, and stock-killing bobcats may be used except the use of the deadfall.

(2) Traps used in capturing bears shall be inspected twice each day with the inspections 12 hours apart."

NEW SECTION. Section 3. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 4. Effective date. Section 3 and this section are effective on passage and approval, except that any rules adopted pursuant to section 3 may not be made effective prior to October 1, 1985.

-End-