

SENATE BILL NO. 255
INTRODUCED BY GALT, SCHYE

IN THE SENATE

January 26, 1985	Introduced and referred to Committee on Fish and Game.
February 6, 1985	Committee recommend bill do pass as amended. Report adopted.
February 7, 1985	Bill printed and placed on members' desks.
February 11, 1985	Second reading, do pass.
February 12, 1985	Considered correctly engrossed.
February 13, 1985	Third reading, passed. Ayes, 33; Noes, 17.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Fish and Game.
March 21, 1985	Committee recommend bill concurrred in as amended. Report adopted.
March 23, 1985	Second reading, concurrred in.
March 26, 1985	Third reading, concurrred in.
	Returned to Senate with amendments.

IN THE SENATE

March 26, 1985	Received from House.
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April 2, 1985

Second reading, amendments
concurred in.

April 4, 1985

Third reading, amendments
concurred in.
Ayes, 49; Noes, 1.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *255*
 2 INTRODUCED BY *Galt* *Delby*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE USE
 5 OF MUZZLELOADERS IN SHOTGUN-ONLY HUNTING AREAS; AMENDING
 6 SECTION 87-1-304, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
 7 DATE."

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

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

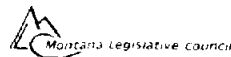
11 "87-1-304. Fixing of seasons and bag and possession
 12 limits. (1) The commission may fix seasons, bag limits,
 13 possession limits, and season limits; open or close or
 14 shorten or lengthen seasons on any species of game, bird,
 15 fish, or fur-bearing animal as defined by 87-2-101; and
 16 declare areas open to the hunting of deer, antelope, elk,
 17 moose, sheep, and goat by bow and arrow permit holders and
 18 designate times when only bows and arrows may be used to
 19 hunt deer, antelope, elk, moose, sheep, and goat in those
 20 areas. It may declare areas open to deer hunting where
 21 shotguns and muzzleloaders (rifled or smoothbore) only may
 22 be used to hunt or kill deer. It may declare areas open to
 23 special license holders only and issue special licenses in a
 24 limited number when it determines, after proper
 25 investigation, that such a season is necessary to assure the

1 maintenance of an adequate supply of game birds, fish, or
 2 animals or fur-bearing animals. It may declare a special
 3 season and issue special licenses when game birds or animals
 4 or fur-bearing animals are causing damage to private
 5 property or when written complaint of such damage has been
 6 filed with the commission by the owner of that property. In
 7 determining to whom those licenses shall be issued, it may,
 8 when more applications are received than the number of
 9 animals to be killed, award permits to those chosen under a
 10 drawing system. The procedures used for awarding the permits
 11 from the drawing system shall be determined by the
 12 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



1 portions thereof to hunting, trapping, or fishing for
2 limited periods of time, when necessary to protect a
3 recently stocked area, district, water, spawning waters,
4 spawn-taking waters, or spawn-taking stations or to prevent
5 the undue depletion of fish, game and fur-bearing animals,
6 and game and nongame birds. It later may open the area or
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 (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
16 of age, at times and in areas the commission in its
17 discretion considers advisable and consistent with its
18 policies relating to fishing."

19 NEW SECTION. Section 2. Extension of authority. Any
20 existing authority of the department of fish, wildlife, and
21 parks or the fish and game commission to make rules on the
22 subject of the provisions of this act is extended to the
23 provisions of this act.

24 NEW SECTION. Section 3. Effective date. This act is
25 effective on passage and approval.

-End-

APPROVED BY COMM.
ON FISH AND GAME

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17 moose, sheep, and goat by bow and arrow permit holders and
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19 hunt deer, antelope, elk, moose, sheep, and goat in those
20 areas. It may declare areas open to deer hunting where
21 shotguns ~~and muzzleloaders (rifled or smoothbore)~~ only may
22 be used to hunt or kill deer. IN AREAS WHERE DEER HUNTING IS
23 OPEN TO THE USE OF SHOTGUNS, THE COMMISSION MAY AUTHORIZE
24 THE USE OF MUZZLELOADERS (RIFLED OR SMOOTHBORE). It may
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2 after proper investigation, that such a season is necessary
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16 of livestock and vehicles by archers during special archery
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18 (3) It may divide the state into fish and game
19 districts and create fish, game, or fur-bearing animal
20 districts throughout the state. It may declare closed season
21 for hunting, fishing, or trapping in any of those districts
22 and later may open those districts to hunting, fishing, or
23 trapping.

24 (4) It may declare a closed season on any species of
25 game, fish, game birds, or fur-bearing animals threatened

1 with undue depletion from any cause. It may close any area
 2 or district of any stream, public lake, or public water or
 3 portions thereof to hunting, trapping, or fishing for
 4 limited periods of time, when necessary to protect a
 5 recently stocked area, district, water, spawning waters,
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(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



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