



1 H.B. BILL NO. 131  
2 INTRODUCED BY E. Wilson

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE AUTHORITY  
5 FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO SELL  
6 EXCESS FISH EGGS; AND AMENDING SECTION 87-4-601, MCA."

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

9 Section 1. Section 87-4-601, MCA, is amended to read:

10 "87-4-601. Sale of fish or spawn unlawful --  
11 exceptions. (1) Except as provided in subsection (2), no  
12 person may, for speculative purposes, for market, or for  
13 sale, in any way, catch any of the fish which in this title  
14 are classified as game fish or remove or cause to be removed  
15 the eggs or spawn of any such fish. No person may sell or  
16 offer for sale any of the game fish of this state as defined  
17 in this title or the eggs or spawn therefrom.

18 (2) The restrictions of subsection (1) do not apply  
19 to:

20 (a) the catching of fish in private ponds by the  
21 owners thereof;

22 (b) the taking of fish by state authorities for the  
23 purpose of obtaining eggs for propagation in state fish  
24 hatcheries or by any person who receives a permit from the  
25 department to take eggs for such purposes;

1 (c) the catching of whitefish by the holder of a valid  
2 fishing license fishing with hook and line or rod in  
3 specified waters designated by rules and regulations of the  
4 department; or

5 (d) the taking of whitefish by nets or traps in the  
6 Kootenai River and in its tributary streams within 1 mile of  
7 the Kootenai River, under such rules and regulations as the  
8 fish and game commission may prescribe; or

9 (e) the sale by the department of fish eggs produced  
10 from brood stock owned by the department but determined to  
11 be in excess of the department's needs."

12 NEW SECTION. Section 2. Extension of authority. Any  
13 existing authority of the department of fish, wildlife, and  
14 parks or the fish and game commission to make rules on the  
15 subject of the provisions of this act is extended to the  
16 provisions of this act.

-End-



-2- INTRODUCED BILL  
HB-131

APPROVED BY COMM.  
ON FISH AND GAME

1 H.B. BILL NO. 131  
2 INTRODUCED BY Ellison

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