

HOUSE BILL NO. 211  
INTRODUCED BY DEVLIN

IN THE HOUSE

JANUARY 14, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
  ON FISH & GAME.

JANUARY 23, 1987                   COMMITTEE RECOMMEND BILL  
  DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 24, 1987                   PRINTING REPORT.

JANUARY 27, 1987                   SECOND READING, DO PASS.

JANUARY 28, 1987                   ENGROSSING REPORT.

  THIRD READING, PASSED.  
  AYES, 76; NOES, 23.

  TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 29, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
  ON FISH & GAME.

MARCH 27, 1987                    COMMITTEE RECOMMEND BILL BE  
  CONCURRED IN AS AMENDED. REPORT  
  ADOPTED.

MARCH 28, 1987                    SECOND READING, CONCURRED IN.

MARCH 30, 1987                    THIRD READING, CONCURRED IN.  
  AYES, 48; NOES, 2.

  RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 7, 1987                    RECEIVED FROM SENATE.

  SECOND READING, AMENDMENTS  
  CONCURRED IN.

APRIL 8, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

1 HB BILL NO. 211  
2 INTRODUCED BY Decker

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT HARASSMENT  
5 OF HUNTERS AND TRAPPERS."  
6

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

8 Section 1. Definitions. As used in [this act], the  
9 following definitions apply:

10 (1) "Taking" means the pursuit, hunting, trapping,  
11 shooting, or killing of a wild animal on land upon which the  
12 affected person has the right or privilege to pursue, hunt,  
13 trap, shoot, or kill the wild animal.

14 (2) "Wild animal" means any game animal, fur-bearing  
15 animal, or predatory animal, as defined in 87-2-101.

16 Section 2. Harassment prohibited. (1) No person may  
17 intentionally interfere with the lawful taking of a wild  
18 animal by another.

19 (2) No person may, with intent to prevent or hinder  
20 its lawful taking, disturb a wild animal or engage in an  
21 activity or place in its way any object or substance that  
22 will tend to disturb or otherwise affect the behavior of a  
23 wild animal.

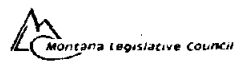
24 (3) No person may disturb an individual engaged in the  
25 lawful taking of a wild animal with intent to dissuade the

1 individual or otherwise prevent the taking of the animal or  
2 to prevent the individual's enjoyment of the outdoors.

3 Section 3. Penalty. A person convicted of a violation  
4 of [section 2] is guilty of a misdemeanor and is punishable  
5 by a fine not to exceed \$500 or imprisonment not to exceed  
6 30 days, or both.

7 Section 4. Injunction. A court of general jurisdiction  
8 may enjoin conduct in violation of [section 2] upon petition  
9 by a person affected or who reasonably may be affected by  
10 such conduct and upon a showing that such conduct is  
11 threatened or that it has occurred on a particular premises  
12 in the past and that it is not unreasonable to expect that  
13 under similar circumstances it will be repeated.

-End-



INTRODUCED BILL  
**HB-211**

APPROVED BY COMM.  
ON FISH AND GAME

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Section 2. Harassment prohibited. (1) No person may intentionally interfere with the lawful taking of a wild animal by another.

(2) No person may, with intent to prevent or hinder its lawful taking, disturb a wild animal or engage in an activity or place in its way any object or substance that will tend to disturb or otherwise affect the behavior of a wild animal.

(3) No person may disturb an individual engaged in the lawful taking of a wild animal with intent to dissuade the

individual or otherwise prevent the taking of the animal or ~~to prevent the individual's enjoyment of the outdoors.~~

(4) NOTHING IN THIS SECTION PROHIBITS A LANDOWNER OR LESSEE FROM TAKING REASONABLE MEASURES TO PREVENT IMMINENT DANGER TO DOMESTIC LIVESTOCK AND EQUIPMENT.

Section 3. Penalty. A person convicted of a violation of [section 2] is guilty of a misdemeanor and is punishable by a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both.

Section 4. Injunction. A court of general jurisdiction may enjoin conduct in violation of [section 2] upon petition by a person affected or who reasonably may be affected by such conduct and upon a showing that such conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

-End-



SENATE STANDING COMMITTEE REPORT

March 27, 1987 19.....

MR. PRESIDENT

We, your committee on Fish and Game
having had under consideration House Bill No. 211
Third reading copy ( Blue color )

PROHIBIT HARASSMENT OF SPORTSMEN

Representative Gerry Devlin ( Senator Jergeson )

Respectfully report as follows: That House Bill No. 211

be amended as follows:

- 1. Page 2.

Following: line 2

Insert: "(4) Nothing in this section prohibits a landowner or lessee from taking reasonable measures to prevent imminent danger to domestic livestock and equipment."

WB

AND AS AMENDED
BE CONCURRED IN

XXXXXX
XXXXXX

XXXXXXXXXX

Ed Smith
Senator Ed Smith

Chairman.

3-27-87
5:1