

SB 107 INTRODUCED BY FARRELL
SAFETY CRITERIA FOR NO-SHOOTING AREAS

1/15 INTRODUCED

1/15 REFERRED TO FISH & GAME

1/29 HEARING

2/05 ADVERSE COMMITTEE REPORT ADOPTED

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1 Senate BILL NO. 107
2 INTRODUCED BY Famell

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH SAFETY
5 CRITERIA WHICH MUST BE CONSIDERED BY THE FISH AND GAME
6 COMMISSION IN RESTRICTING USE OF FIREARMS ON LANDS AND
7 WATERS UNDER ITS JURISDICTION; AND AMENDING SECTION
8 87-1-303, MCA."

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

11 Section 1. Section 87-1-303, MCA, is amended to read:

12 "87-1-303. Rules for use of lands and waters. (1) The
13 commission may adopt and enforce rules governing uses of
14 lands acquired or held under easement by the commission or
15 lands which it operates under agreement with or in
16 conjunction with a federal or state agency or private owner.
17 The rules shall be adopted in the interest of public health,
18 public safety, and protection of property in regulating the
19 use of these lands. All lease and easement agreements shall
20 itemize uses as listed in 87-1-209.

21 (2) The commission may adopt and enforce rules
22 governing recreational uses of all public fishing
23 reservoirs, public lakes, rivers, and streams which are
24 legally accessible to the public or on reservoirs and lakes
25 which it operates under agreement with or in conjunction

1 with a federal or state agency or private owner. These rules
2 shall be adopted in the interest of public health, public
3 safety, and protection of property in regulating swimming,
4 hunting, fishing, trapping, boating, including but not
5 limited to boating speed regulations, the operation of
6 motor-driven boats, waterskiing, surfboarding, picnicking,
7 camping, sanitation, and use of firearms on the reservoirs,
8 lakes, rivers, and streams or at designated areas along the
9 shore of the reservoirs, lakes, rivers, and streams. Areas
10 regulated pursuant to the authority contained in this
11 section must be areas which are legally accessible to the
12 public.

13 (3) These rules are subject to review and approval by
14 the department of health and environmental sciences as to
15 public health and sanitation before becoming effective.
16 Copies of the rules shall show that endorsement.

17 (4) In adopting rules to restrict the use of firearms
18 on lands or waters under its jurisdiction, the commission
19 shall consider the propensity for injury or harm as a result
20 of the population density in the area, the type of terrain
21 and vegetative cover, the nature and extent of use of the
22 area, and any past problems resulting from the use of
23 firearms in the area."

24 NEW SECTION. Section 2. Extension of authority. Any
25 existing authority of the fish and game commission to make



LC 0811/01

1 rules on the subject of the provisions of this act is
2 extended to the provisions of this act.

-End-