

HOUSE BILL NO. 342

INTRODUCED BY DARKO, PETERSON,
ELLISON, STRIZICH

IN THE HOUSE

JANUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
JANUARY 23, 1989	FIRST READING.
FEBRUARY 10, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 11, 1989	PRINTING REPORT.
FEBRUARY 13, 1989	SECOND READING, DO PASS.
FEBRUARY 14, 1989	ENGROSSING REPORT.
FEBRUARY 15, 1989	THIRD READING, PASSED. AYES, 74; NOES, 24.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 16, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
MARCH 3, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	SECOND READING, CONCURRED IN.
MARCH 7, 1989	THIRD READING, CONCURRED IN. AYES, 37; NOES, 13.
	RETURNED TO HOUSE.

MARCH 8, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 342
2 INTRODUCED BY Mark Peterson & others
3 Mark Peterson

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE USE OF
5 RIMFIRE AMMUNITION IN THE HUNTING OF A GAME ANIMAL, EXCEPT A
6 MOUNTAIN LION, UNLESS KILLING A WOUNDED GAME ANIMAL; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

10 NEW SECTION. Section 1. Big game hunting -- rimfire
11 ammunition prohibited. (1) The use of rimfire ammunition in
12 the hunting, killing, or shooting of a game animal, except a
13 mountain lion, is prohibited.

14 (2) Rimfire ammunition may be used in killing a game
15 animal wounded with legal ammunition.

16 NEW SECTION. Section 2. Codification instruction.
17 [Section 1] is intended to be codified as an integral part
18 of Title 87, chapter 3, part 3, and the provisions of Title
19 87, chapter 3, part 3, apply to [section 1].

20 NEW SECTION. Section 3. Extension of authority. Any
21 existing authority to make rules on the subject of the
22 provisions of [this act] is extended to the provisions of
23 [this act].

24 NEW SECTION. Section 4. Effective date. [This act] is
25 effective on passage and approval.

-End-



INTRODUCED BILL
HB 342

APPROVED BY COMM.
ON FISH AND GAME

1 HOUSE BILL NO. 342
2 INTRODUCED BY Darke Peterson & Olson
3 AK

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE USE OF
5 RIMFIRE AMMUNITION IN THE HUNTING OF A GAME ANIMAL, EXCEPT A
6 MOUNTAIN LION, UNLESS KILLING A WOUNDED GAME ANIMAL; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."
8

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

10 NEW SECTION. **Section 1.** Big game hunting -- rimfire
11 ammunition prohibited. (1) The use of rimfire ammunition in
12 the hunting, killing, or shooting of a game animal, except a
13 mountain lion, is prohibited.

14 (2) Rimfire ammunition may be used in killing a game
15 animal wounded with legal ammunition.

16 NEW SECTION. **Section 2.** Codification instruction.
17 [Section 1] is intended to be codified as an integral part
18 of Title 87, chapter 3, part 3, and the provisions of Title
19 87, chapter 3, part 3, apply to [section 1].

20 NEW SECTION. **Section 3.** Extension of authority. Any
21 existing authority to make rules on the subject of the
22 provisions of [this act] is extended to the provisions of
23 [this act].

24 NEW SECTION. **Section 4.** Effective date. [This act] is
25 effective on passage and approval.

-End-



SECOND READING
HB 342

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2

INTRODUCED BY

HOUSE BILL NO. 342
Darke Peterson & Nelson

3

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE USE OF
RIMFIRE AMMUNITION IN THE HUNTING OF A GAME ANIMAL, EXCEPT A
MOUNTAIN LION, UNLESS KILLING A WOUNDED GAME ANIMAL; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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NEW SECTION. Section 1. Big game hunting -- rimfire

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the hunting, killing, or shooting of a game animal, except a
mountain lion, is prohibited.

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(2) Rimfire ammunition may be used in killing a game

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animal wounded with legal ammunition.

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NEW SECTION. Section 2. Codification instruction.

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[Section 1] is intended to be codified as an integral part
of Title 87, chapter 3, part 3, and the provisions of Title
87, chapter 3, part 3, apply to [section 1].

20

NEW SECTION. Section 3. Extension of authority. Any

21

existing authority to make rules on the subject of the
provisions of [this act] is extended to the provisions of
[this act].

24

NEW SECTION. Section 4. Effective date. [This act] is

25

effective on passage and approval.

-End-

THIRD READING

HB 342

HOUSE BILL NO. 342

INTRODUCED BY DARKO, PETERSON,

ELLISON, STRIZICH

1 effective on passage and approval.

-End-

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE USE OF
RIMFIRE AMMUNITION IN THE HUNTING OF A GAME ANIMAL, EXCEPT A
MOUNTAIN LION, UNLESS KILLING A WOUNDED GAME ANIMAL; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Big game hunting -- rimfire
ammunition prohibited.** (1) The use of rimfire ammunition in
the hunting, killing, or shooting of a game animal, except a
mountain lion, is prohibited.

(2) Rimfire ammunition may be used in killing a game
animal wounded with legal ammunition.

NEW SECTION. Section 2. Codification instruction.
[Section 1] is intended to be codified as an integral part
of Title 87, chapter 3, part 3, and the provisions of Title
87, chapter 3, part 3, apply to [section 1].

NEW SECTION. Section 3. Extension of authority. Any
existing authority 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. [This act] is



State of Montana
Office of the Governor
Helena, Montana 59620
406-444-3111

STAN STEPHENS
GOVERNOR

March 17, 1989

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto House Bill 342, "AN ACT TO PROHIBIT THE USE OF RIMFIRE AMMUNITION IN THE HUNTING OF A GAME ANIMAL, EXCEPT A MOUNTAIN LION, UNLESS KILLING A WOUNDED GAME ANIMAL; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" for the following reasons.

I am vetoing House Bill 342. The bill is vague and would provide constitutional challenges regarding enforcement. I believe it also invites further unnecessary governmental regulation of Montanans without clear public policy to do so.

Rimfire ammunition is not defined in the bill or referred to in the Montana Codes Annotated. A popular understanding of rimfire is .22 caliber ammunition. This type of ammunition is one of the most popular sporting ammunitions available to the people of our state. To prohibit use of this undefined ammunition to hunt, kill or shoot game animals is overbroad and very difficult to enforce.

It has not been demonstrated that State government should be involved in this issue at this time. By vetoing this bill, and the ensuing public discussion this veto will create, I believe the conscious awareness of Montana sportsmen, who use rimfire ammunition on game animals, will be achieved without the necessity of expanded government regulation. I therefore veto House Bill 342.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Stephens".

STAN STEPHENS
Governor