## SENATE BILL NO. 219

# INTRODUCED BY WALKER, DRISCOLL, PIPINICH, REAM, BISHOP

## IN THE SENATE

JANUARY 23, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.

FIRST READING.

FEBRUARY 1, 1989 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 2, 1989 PRINTING REPORT.

FEBRUARY 3, 1989 SECOND READING, DO PASS AS AMENDED.

FEBRUARY 6, 1989 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 49; NOES, 0.

TRANSMITTED TO HOUSE.

# IN THE HOUSE

FEBRUARY 6, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.

FEBRUARY 20, 1989 FIRST READING.

MARCH 8, 1989 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

MARCH 11, 1989 SECOND READING, CONCURRED IN AS AMENDED.

MARCH 14, 1989 THIRD READING, CONCURRED IN.
AYES, 76; NOES, 21.

RETURNED TO SENATE WITH AMENDMENTS.

#### IN THE SENATE

APRIL 3, 1989 RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS CONCURRED IN.

APRIL 5, 1989

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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1	Agrate BHL NO. 219
2	INTRODUCED BY House want want term
3	Bishop
4	A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING PUBLIC
5	HUNTING ACCESS REQUIREMENTS NECESSARY FOR LANDOWNER
6	ELIGIBILITY FOR GAME DAMAGE ASSISTANCE; GRANTING THE
7	DEPARTMENT OF FISH, WILDLIFE, AND PARKS THE DISCRETION TO
8	PROVIDE GAME DAMAGE ASSISTANCE IN CERTAIN CIRCUMSTANCES WHEN
9	ACCESS IS DENIED; AND AMENDING SECTION 87-1-225, MCA."
0	
1	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
.2	Section 1. Section 87-1-225, MCA, is amended to read:
3	*87-1-225. Regulation of wild animals damaging
.4	*87-1-225. Regulation of wild animals damaging property public hunting access requirements. (1) Subject
_	
.4	property public hunting access requirements. (1) Subject
. <b>4</b> .5	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible
. <b>4</b> .5 .6	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance or special damage hunts under
.4 .5 .6 .7	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance or special damage hunts under subsection (3) if he:
. <b>4</b> .5	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance or special damage hunts under subsection (3) if he:  (a) allows public hunting access sufficient to
.4 .5 .6 .7 .8	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance or special damage hunts under subsection (3) if he:  (a) allows public hunting access sufficient to accomplish adequate game herd reduction during established
.4 .5 .6 .7 .8	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance or special damage hunts under subsection (3) if he:  (a) allows public hunting access sufficient to accomplish adequate game herd reduction during established hunting seasons; or
.4 .5 .6 .7 .8 .9	property public hunting access requirements. (1) Subject to the provisions of subsection (2), a landowner is eligible for game damage assistance or special damage hunts under subsection (3) if he:  (a) allows public hunting access sufficient to accomplish adequate game herd reduction during established hunting seasons; or  (b) does not significantly reduce public hunting

when public hunting access to a landowner's property has

1	been denied because of unique or special circumstances that
2	have rendered public hunting inappropriate.
2	(2) Within 40 hours often requiring a sequent as

(3) Within 48 hours after receiving a request or complaint from any landholder or person in possession and having charge of any land in the state that wild animals of 6 the state, protected by the fish and game laws and regulations, are doing damage to the property or crops thereon, the department shall investigate and arrange to study the situation with respect to damage and depredation. 10 The department may then decide to open a special season on 11 the game or, if the special season method be not feasible, 12 the department may destroy the animals causing the damage. 13 The department may authorize and grant the holders of said 14 property permission to kill or destroy a specified number of 15 the animals causing the damage. No wild ferocious animal 16 damaging property or endangering life shall be covered by this section." 17

NEW SECTION. Section 2. 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].

-End-

# APPROVED BY COMM. ON FISH AND GAME

2	INTRODUCED BY WALKER, DRISCOLL, PIPINICH, REAM, BISHOP
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING PUBLIC
5	HUNTING ACCESS REQUIREMENTS NECESSARY FOR LANDOWNER
6	ELIGIBILITY FOR GAME DAMAGE ASSISTANCE; GRANTING THE
7	DEPARTMENT OF FISH, WILDLIFE, AND PARKS THE DISCRETION TO
8	PROVIDE GAME DAMAGE ASSISTANCE IN CERTAIN CIRCUMSTANCES WHEN
9	ACCESS IS DENIED; AND AMENDING SECTION 87-1-225, MCA."
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.1	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 87-1-225, MCA, is amended to read:
13	"87-1-225. Regulation of wild animals damaging
L <b>4</b>	property public hunting access requirements. (1) Subject
15	to the provisions of subsection (2), a landowner is eligible
16	for game damage assistance or-special-damage-hunts under
17	subsection (3) if he:
18	(a) allows public hunting access sufficientte
19	accomplishadequategame-herd-reduction during established
20	hunting seasons; or
21	(b) does not significantly reduce public hunting
	107 0000 1101 1101 1101 1101
22	access through lease-hunting-provisions,-fee-access-rates,
22 23	
	access through lease-hunting-provisions,-fee-access-rates,

SENATE BILL NO. 219

1	been denied because of unique or special circumstances that
2	have rendered public hunting inappropriate.
3	(3) Within 48 hours after receiving a request or
4	complaint from any landholder or person in possession and
5	having charge of any land in the state that wild animals of
6	the state, protected by the fish and game laws and
7	regulations, are doing damage to the property or crops
8	thereon, the department shall investigate and arrange to
9	study the situation with respect to damage and depredation.
LO	The department may then decide to open a special season on
. 1	the game or, if the special season method be not feasible,
12	the department may destroy the animals causing the damage.
13	The department may authorize and grant the holders of said
14	property permission to kill or destroy a specified number of
15	the animals causing the damage. THE DEPARTMENT MAY USE
16	OTHER GAME DAMAGE CONTROL TECHNIQUES CONSIDERED NECESSARY TO
17	ASSIST IN RESOLVING THE DAMAGE. No wild ferocious anima
18	damaging property or endangering life shall be covered by
19	this section."
20	NEW SECTION. Section 2. Extension of authority. Any
21	existing authority to make rules on the subject of th
22	provisions of [this act] is extended to the provisions o
23	[this act].

-End-

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15 16 17 18	to the provisions of subsection (2), a landowner is eligible for game damage assistance or-special-damage-hunts under subsection (3) if he:  (a) allows public hunting access sufficientto accomplishadequategame-herd-reduction during established
15 16 17 18 19	to the provisions of subsection (2), a landowner is eligible for game damage assistance or-special-damage-hunts under subsection (3) if he:  (a) allows public hunting access sufficientto accomplishadequategame-herd-reduction during established hunting seasons; or
15 16 17 18 19 20	to the provisions of subsection (2), a landowner is eligible for game damage assistance or-special-damage-hunts under subsection (3) if he:  (a) allows public hunting access sufficientto accomplishadequategame-herd-reduction during established hunting seasons; or  (b) does not significantly reduce public hunting

been denied because of unique or special circumstances that 1 2 have rendered public hunting inappropriate. (3) Within 48 hours after receiving a request or 3 complaint from any landholder or person in possession and having charge of any land in the state that wild animals of the state, protected by the fish and game laws regulations, are doing damage to the property or crops thereon, the department shall investigate and arrange to study the situation with respect to damage and depredation. The department may then decide to open a special season on 10 the game or, if the special season method be not feasible, 11 the department may destroy the animals causing the damage. 12 The department may authorize and grant the holders of said 13 property permission to kill or destroy a specified number of 14 the animals causing the damage. THE--BEPARTMENT--MAY--USE 15 OTHER-GAME-DAMAGE-CONTROL-TECHNIQUES-CONSIDERED-NECESSARY-TO 16 ASSIST--IN--RESOLVING--THE--BAMAGE. No wild ferocious animal 17 damaging property or endangering life shall be covered by 18 19 this section." NEW SECTION. Section 2. Extension of authority. Any 20 existing authority to make rules on the subject of the 21 provisions of [this act] is extended to the provisions of



(2) The department may provide game damage assistance when public hunting access to a landowner's property has

-End-

[this act].

23

# COMMITTEE OF THE WHOLE AMENDMENT SENATE BILL 219 Representative COBB

March 9, 1989 12:03 pm Page 1 of 1

Mr. Chairman: I move to amend SENATE BILL 219 (third reading copy -- blue).

Signed:

Representative COBB

And, that such amendments to SENATE BILL 219 read as follows:

1. Title, line 5. Following: "HUNTING" Strike: "ACCESS"

2. Title, line 9. Following: line 8 Strike: "ACCESS"

Insert: "PUBLIC HUNTING"

3. Page 1, line 18. Following: "hunting" Strike: "access"

4. Page 1.

Following: line 21 Strike: "access"

5. Page 1, line 25. Following: "hunting" Strike: "access to" Insert: "on"

SB 219 HOUSE

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ADOPT

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20	accomplish-adequate-game-herd-reduction during established
21	hunting seasons; or
22	(b) does not significantly reduce public hunting
23	access through lease-hunting-provisions,-feeaccessrates,
24	or-other IMPOSED restrictions.
25	(2) The department may provide game damage assistance

4	been denied because of unique or special circumstances that
3	have rendered public hunting inappropriate.
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5	complaint from any landholder or person in possession and
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16	the animals causing the damage. THE-DEPARTMENT-MAY-USB
17	OPHER-GAME-BAMAGE-CONTROL-TECHNIQUES-CONSIDERED-NECESSARY-TO
18	ASSIST-IN-RESOLVING-THE-DAMAGE- No wild ferocious animal
19	damaging property or endangering life shall be covered by
20	this section."
21	NEW SECTION. Section 2. Extension of authority. Any
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Montana Legislative Counci

-End-

[this act].