

SENATE BILL 220

Introduced by Tveit, et al.

1/20	Introduced
1/20	Referred to Fish & Game
1/20	First Reading
2/11	Hearing
2/16	Tabled in Committee

1 Summary BILL NO. 220
 2 INTRODUCED BY Trent Bruckner Wicks Robt. Levin
 3 Harding Clendinning Keebunkles Harold Nelson Shank
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A
 5 PERSON WHO IS RELIANT UPON AMBULATORY OXYGEN IS CONSIDERED
 6 DISABLED FOR PURPOSES OF ACQUIRING SPECIAL FISHING AND
 7 HUNTING LICENSES; AMENDING SECTION 87-2-803, MCA; AND
 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11 **Section 1.** Section 87-2-803, MCA, is amended to read:

12 "87-2-803. Disabled persons. (1) Disabled persons are
 13 entitled to fish and to hunt game birds with only a
 14 conservation license if they are residents of Montana not
 15 residing in an institution and are certified as disabled as
 16 prescribed by departmental rule.

17 (2) A resident of Montana who is certified as disabled
 18 by the department and who is not residing in an institution
 19 may purchase regular resident deer and elk licenses at
 20 one-half the fee paid by a resident who is 15 years old or
 21 older and who is under 62 years of age.

22 (3) Such-disabled Disabled persons shall carry a permit
 23 on a form prescribed by the department. A disabled person
 24 issued a permit under this subsection is entitled to have
 25 the department stamp such a permit with "Permission to Hunt

1 From a Vehicle" if the person establishes to the
 2 satisfaction of the department that he the person is
 3 permanently physically handicapped and nonambulatory or his
 4 the person's mobility is substantially impaired.

5 (4) A disabled person carrying a permit as required in
 6 subsection (3), upon which is stamped "Permission to Hunt
 7 From a Vehicle", may hunt by shooting a firearm from the
 8 shoulder, berm, or barrow pit right-of-way of a public
 9 highway, as defined in 61-1-202, except a state or federal
 10 highway, or may hunt by shooting a firearm from within a
 11 self-propelled or drawn vehicle parked on such shoulder,
 12 berm, or barrow pit right-of-way in a manner that will not
 13 impede traffic or endanger motorists or may hunt by shooting
 14 a firearm from within a self-propelled or drawn vehicle
 15 parked in an area, not a public highway, where hunting is
 16 permitted. Nothing-in-this This subsection allows-such does
 17 not allow a disabled person to shoot across the roadway of
 18 any public highway or to hunt on private property without
 19 permission of the landowner. A disabled person who hunts as
 20 authorized in this subsection must have a companion to
 21 assist in immediately dressing any killed game animal. Any
 22 vehicle from which a disabled person is hunting must be
 23 conspicuously marked with an orange-colored international
 24 symbol of the handicapped on the front, rear, and each side
 25 of such vehicle.

1 (5) A resident of Montana who is certified by the
2 department as a blind individual, as defined in 53-7-301,
3 may be issued a lifetime fishing license for the blind upon
4 payment of a one-time fee of \$10. The license is valid for
5 the lifetime of the blind individual and allows the licensee
6 to fish with hook and line or rod, as authorized by
7 department rule. An applicant for a license under this
8 subsection need not obtain a wildlife conservation license
9 as a prerequisite to licensure.

10 (6) For purposes of this section, a person who is
11 reliant upon portable ambulatory oxygen is considered
12 disabled and eligible for licensure under subsections (1)
13 and (2)."

14 **NEW SECTION. Section 2.** Effective date. [This act] is
15 effective on passage and approval.

-End-