

House BILL NO. 360

INTRODUCED BY Menahan Wagner Sitter Harper

BY REQUEST OF THE HOUSE FISH, WILDLIFE, AND PARKS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROHIBITION AGAINST INTENTIONAL INTERFERENCE WITH THE TAKING OF A WILD ANIMAL BY INCLUDING HARASSMENT OF ANGLERS AND HARASSMENT OF GAME BIRD HUNTERS AS PROHIBITED ACTIVITIES; REVISING DEFINITIONS; AND AMENDING SECTIONS 87-3-141 AND 87-3-142, MCA."

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

Section 1. Section 87-3-141, MCA, is amended to read:

"87-3-141. Definitions. As used in 87-3-141 through 87-3-144, the following definitions apply:

(1) "Fishing" means the lawful means of angling or fishing as defined in 87-2-120.

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

(3) "Wild animal" means any a game animal, migratory game bird, upland game bird, fur-bearing animal, or predatory animal, as defined in 87-2-101, or a fish."

Section 2. Section 87-3-142, MCA, is amended to read:

"87-3-142. Harassment prohibited. (1) No A person may not intentionally interfere with the lawful taking of or fishing for a wild animal by another.

(2) No A person may not, with intent to prevent or hinder its lawful taking or its capture, 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 A person may not disturb an individual engaged in the lawful taking of or fishing for a wild animal with intent to dissuade the individual or otherwise prevent the taking of the animal or the capture of the fish.

(4) Nothing in this This section prohibits does not prohibit a landowner or lessee from taking reasonable measures to prevent imminent danger to domestic livestock and equipment."

-END-

APPROVED BY COM ON FISH,
WILDLIFE & PARKS

HOUSE BILL NO. 360

INTRODUCED BY MENAHAN, WAGNER, SLITER, HARPER, PAVLOVICH, MESAROS, MCCARTHY

HARRINGTON, SIMON, WILSON, HIBBARD

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