

SENATE BILL NO. 111

INTRODUCED BY K. REGIER

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE SUPPLEMENTAL FEEDING OF WILD TURKEYS; PROVIDING AN EXEMPTION; AND AMENDING SECTION 87-6-216, MCA."

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

Section 1. Section 87-6-216, MCA, is amended to read:

"87-6-216. Unlawful supplemental feeding --EXEMPTION. (1) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (2),

A person may not provide supplemental feed attractants to game animals or wild turkeys by:

(a) purposely or knowingly attracting any cloven-hoofed ungulates, bears, ~~or~~ mountain lions, or wild turkeys with supplemental feed attractants;

(b) after having received a previous warning, negligently failing to properly store supplemental feed attractants and allowing any cloven-hoofed ungulates, bears, ~~or~~ mountain lions, or wild turkeys access to the supplemental feed attractants; or

(c) purposely or knowingly providing supplemental feed attractants in a manner that results in an artificial concentration of game animals or wild turkeys that may potentially contribute to the transmission of disease or that constitutes a threat to public safety.

(2) A PERSON MAY PROVIDE SUPPLEMENTAL FEED TO WILD TURKEYS UNLESS THE DEPARTMENT FINDS THAT SUPPLEMENTAL FEED HARMS THE LOCAL POPULATION OF WILD TURKEYS OR CREATES A PUBLIC NUISANCE AS DEFINED IN 45-8-111.

~~(2)~~(3) A person is not subject to civil or criminal liability under this section if the person is engaged in:

(a) the normal feeding of livestock;

(b) a normal agricultural practice;

(c) cultivation of a lawn or garden;

(d) the commercial processing of garbage; or

(e) recreational feeding of birds unless, after having received a previous warning by the department, the person continues to feed birds in a manner that attracts cloven-hoofed ungulates, ~~or~~ bears, or wild turkeys and that may contribute to the transmission of disease or constitute a threat to public safety.



