

1 HOUSE BILL NO. 436

2 INTRODUCED BY B. CARTER, S. KLAKKEN, E. TILLEMAN, G. OBLANDER, N. DURAM, T. FRANCE, G.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING TRAPPERS TO POST NOTICE SIGNS WITHIN
6 CERTAIN DISTANCES OF TRAILHEADS AND TRAILS ON PUBLIC LANDS ADMINISTERED BY THE
7 DEPARTMENT OF FISH, WILDLIFE, AND PARKS; PROVIDING SIGNAGE REQUIREMENTS; AND
8 PROVIDING DEFINITIONS."

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

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12 NEW SECTION. **Section 1. Notice signs for traps and snares on public lands -- definitions.** (1) A
13 trapper shall post a notice sign at a trailhead on public lands administered by the department where traps or
14 snares are located within 1,000 feet of the trailhead or within 100 feet of any point of a public trail marked by a
15 trailhead. If no trailhead exists, the sign must be posted at the point where a trapper accessed a public trail if
16 the traps or snares are located within 100 feet of the trail at any point.

17 (2) The department shall provide a downloadable, printable notice sign on its website or provide a
18 printed notice sign.

19 (3) The notice sign must:

20 (a) be no smaller than 8 1/2 x 11 inches in size;

21 (b) be able to withstand changing weather conditions;

22 (c) contain the current phone number of the department;

23 (d) contain the following title with letters that are at least 1 inch in height: "Notice: Traps or snares
24 are set in this area."

25 (e) contain the following statement beneath the title: "It is unlawful to destroy, disturb, or remove a
26 trap or snare belonging to another person or to remove wildlife from a trap or snare without permission of the
27 owner of the trap or snare. Exception: From March 1 to October 1 a livestock owner may remove a trap or
28 snare that could endanger livestock. If you disturb a trap or snare, please contact Fish, Wildlife, and Parks."

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- 2 (4) If the notice sign is illegible or missing, it is the responsibility of the trapper to replace the sign
- 3 within 24 hours of noticing the need for a new sign or of being informed by another party that the sign is illegible
- 4 or missing.
- 5 (5) The trapper shall remove signs only after the trapper's traps and snares are removed.
- 6 (6) For the purposes of this section, the following definitions apply:
- 7 (a) (i) "Public trail" means any trail designated, maintained, mapped, and marked by a state or
- 8 federal land management agency on the most current official map of the agency.
- 9 (ii) The term does not include public roadways and waterways or water trails designated for
- 10 floating craft.
- 11 (b) "Trailhead" means the area beginning at the sign marking the origin of a public trail or segment
- 12 of trail that is designated, maintained, mapped, and marked by at least one visible sign posted by the
- 13 responsible state or federal land management agency and identified on the most current official map of the
- 14 agency. The term includes any adjacent improved graveled or paved vehicle parking lot.

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16 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an

17 integral part of Title 87, chapter 2, part 6, and the provisions of Title 87, chapter 2, part 6, apply to [section 1].

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