

Current rule language as adopted in 1972

12.9.102 BLACK BEAR POLICY

(1) Since the black bear is a game animal regulated by seasons and considered a trophy big game animal and only the head and hide need be removed from a legally killed animal, the following policy shall be adopted by the fish and game commission to guide in the management of black bear.

(a) Black bear may be hunted and killed in recreational pursuit by a duly licensed hunter under the statutes of the Montana Code Annotated and rules and regulations promulgated by the commission. Field personnel shall endeavor to encourage recreational bear hunting and utilize hunters to alleviate complaints when possible.

When feasible, department of fish, wildlife, and parks personnel shall cooperate with duly licensed hunters desiring a trophy black bear when direct control measures must be used.

(b) A black bear causing damage to private or public property or depredations to livestock shall be reported in a game depredation report or a bear and lion justification report to the department.

(c) Department personnel assigned to investigate bear depredation complaints shall take immediate and necessary action and may request assistance from the U. S. fish and wildlife service, division of animal damage control field personnel, in event of livestock-killing bear.

(d) Personnel shall utilize the following means and procedures commensurate with the situation:

(i) black bear threatening or endangering human life shall be removed immediately by means of tranquilization or direct control;

(ii) black bear may be removed by the most expeditious method available; under no circumstances shall a cablefoot snare be used when danger to human life is evident;

(iii) black bear involved in other depredations than stock killing may be live-trapped, transplanted, and released in suitable habitat with approval by cooperative agreement with the appropriate land management agency and/or permission of the regional supervisor in event of release on department game ranges;

(iv) black bear deemed unsuitable for transplant by reason of character, disposition, or physical fitness shall be removed by direct control;

(v) hides of bear taken by direct control, if salvable, will be disposed of according to law. History: Sec. 87-1-301, MCA; IMP, Sec. 87-1-201, 87-1-301 MCA; Eff. 12/31/72.