

CROW TRIBAL LEGISLATURE

JUNE 22, 2022, SPECIAL SESSION

CLB NO. 22-01

**INTRODUCED BY FRANK WHITE CLAY, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH**

A CROW LEGISLATIVE BILL TITLED:

**“AN ACT TO RESCIND TITLE 12 OF THE CROW LAW AND ORDER CODE AND
REPLACE IT WITH A NEW TITLE 12 FISH AND GAME CODE”**

WHEREAS, the Chairman of the Executive Branch has authority and responsibility pursuant to the “enumerated powers” in Article IV, Section 3(a) of the Constitution and Bylaws of the Crow Tribe of Indians (the “Constitution”) to represent the Crow Tribe in negotiations in matters of economic development, in Article IV, Section 3(a) represent the Crow Tribe of Indians in negotiation with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of welfare, education, recreation, social services and economic development affecting the Crow Tribe of Indians; and

WHEREAS, the Crow Legislature has the authority and responsibility pursuant to Article V, Section 2(a) of the Constitution and Bylaws of the Crow Tribe of Indians Section to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with this Constitution and federal laws for the governance of the Crow Tribe of Indians and for providing for the manner of the sale, disposition, lease or encumbrance of tribal lands, interests in land, or other assets of the Crow Tribe of Indians; for providing for the levying of taxes, licensing of members and non-members for various purposes; for the exclusion of licensing of members and non-members for various purposes; for the exclusion of persons not legally entitled to reside or remain within the exterior boundaries of the Crow Indian Reservation; and

WHEREAS, the Crow Tribe desires to exercise its sovereign authority to manage game within the exterior boundaries of the Crow Reservation through permitting of tribal and non-tribal hunting and fishing, establishing seasons and adopting bag limits; and

WHEREAS, the Crow Tribe desires to exercise its treaty hunting right to hunt, fish and gather off the Crow Reservation in all aboriginal hunting, fishing and gathering areas; and

WHEREAS, the Crow Tribe desires to prioritize subsistence hunting opportunities for Crow Tribal members; and

WHEREAS, the Crow Tribe has determined that safety regulations for treaty hunting off the Crow Reservation are prudent and protective of Tribal members and will enhance the exercise of such off-reservation treaty hunts.

**NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE
AND THE CROW TRIBAL EXECUTIVE BRANCH:**

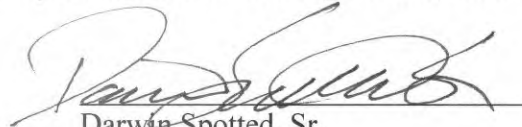
Section 1. This bill shall rescind Title 12 of the Crow Tribe Law and Order Code and replace with the text as included herein; and

Section 2. The Legislature does hereby codify the following as Title 12, “Fish and Game Code.”

*** * * Remainder of Page Intentionally Left Blank * * ***

CERTIFICATION

I hereby certify that this Crow Legislative Bill “AN ACT TO RESCIND TITLE 12 OF THE CROW LAW AND ORDER CODE AND REPLACE IT WITH A NEW TITLE 12 FISH AND GAME CODE” was duly approved by the Crow Tribal Legislature pursuant to Article V, Section 2(d) of the Constitution and Bylaws of the Crow Tribe with a vote of 16 in favor, 1 opposed, and 0 abstained and that a quorum was present on this 22nd day of June, 2022.



Darwin Spotted, Sr.
Speaker of the House
Crow Tribal Legislature

ATTEST:



Brandon Goodluck
Secretary of the House
Crow Tribal Legislature



EXECUTIVE ACTION

I hereby

☒ Approve,

☐ Veto

This Crow Legislative Bill “AN ACT TO RESCIND TITLE 12 OF THE CROW LAW AND ORDER CODE AND REPLACE IT WITH A NEW TITLE 12 FISH AND GAME CODE” pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 and of the Constitution and Bylaws of the Crow Tribe of Indians on this 26 day of June, 2022.



Frank White Clay, Chairman
Executive Branch Crow Tribe of Indians

**"AN ACT TO RESCIND TITLE 12 OF THE CROW LAW AND ORDER CODE AND
REPLACE IT WITH A NEW TITLE 12 FISH AND GAME CODE"**

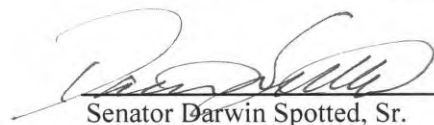
Bill or Resolution	<u>CLB 22-01</u>	Introduced by:	<u>Chairman Frank WhiteClay</u>	Date of Vote	<u>June 22, 2022</u>
REPRESENTATIVE:		Yes	No	Abstain	
V. Pickett		<u>X</u>	<u> </u>	<u> </u>	
D. Spotted <i>Speaker of the House</i>		<u>X</u>	<u> </u>	<u> </u>	
C. Other Medicine		<u>X</u>	<u> </u>	<u> </u>	
Y. Little Light		<u>X</u>	<u> </u>	<u> </u>	
L. Hogan		<u> </u>	<u>X</u>	<u> </u>	
C. Meeks		<u>X</u>	<u> </u>	<u> </u>	
D. Don't Mix		<u>X</u>	<u> </u>	<u> </u>	
H. Small		<u> </u>	<u> </u>	<u> </u>	
T. Gros Ventre		<u>X</u>	<u> </u>	<u> </u>	
P. Alden		<u>X</u>	<u> </u>	<u> </u>	
C. Takes Enemy		<u>X</u>	<u> </u>	<u> </u>	
T. Plainfeather		<u>X</u>	<u> </u>	<u> </u>	
J. Kills Pretty Enemy		<u>X</u>	<u> </u>	<u> </u>	
S. DeCrane		<u>X</u>	<u> </u>	<u> </u>	
B. Hugs		<u>X</u>	<u> </u>	<u> </u>	
N. Old Crow, Jr		<u>X</u>	<u> </u>	<u> </u>	
B. Good Luck <i>Secretary of the House</i>		<u>X</u>	<u> </u>	<u> </u>	
H. MaleBear-Stone		<u>X</u>	<u> </u>	<u> </u>	
TOTAL		<u>16</u>	<u>1</u>	<u>0</u>	

Result of Vote:

Passed Not Passed

Tabled

Veto-Override

 6-22-22
 Senator Darwin Spotted, Sr.
 Speaker of the House
 Crow Tribal Legislative Branch

Date

 6/22/22
 Senator Brandon Good Luck
 Secretary of the House
 Crow Tribal Legislative Branch

Date

TITLE 12
FISH AND GAME CODE

CHAPTER 1 – GENERAL PROVISIONS

PART 1. POLICY

- 12-1-101. Policy.
- 12-1-102. Jurisdiction.
- 12-1-103. Crow Tribal Court.
- 12-1-104. Reciprocal and Cooperative Agreements.
- 12-1-105. Severability and Non-Liability.
- 12-1-106. Crow Tribal Resolution.
- 12-1-107. Effective Date

PART 2. DEFINITIONS

- 12-1-201. Definitions

PART 3. CONSERVATION

- 12-1-301. Policy
- 12-1-302. Waste Prohibited.
- 12-1-303. Conservation Fund.

PART 4. FISH AND GAME COMMISSION

- 12-1-401. Powers of the Commission
- 12-1-402. Commission Meetings.
- 12-1-403. Regulations
- 12-1-404. Powers and Duties of Commission Relating to Outfitters and Guides.
- 12-1-405. Remedial Hunter Education Program
- 12-1-406. Publication of Orders and Rules.
- 12-1-407. Closing and Limiting Seasons and Bag Limits.
- 12-1-408. Department Employee Appeals.

PART 5. NATURAL RESOURCES DEPARTMENT

- 12-1-501. Powers and Duties
- 12-1-502. Establishment of Check Stations and Watercraft Inspection Stations
- 12-1-503. Annual Lottery of Hunting Licenses.
- 12-1-504. Executive Director – Qualifications – Powers and Duties
- 12-1-505 Department Offices
- 12-1-506. Calculation of Wildlife Populations and Available Habitat
- 12-1-507. Closing Seasons Based on Quotas.
- 12-1-508. Enforcement Officer Examination.

CHAPTER 2 – LICENSING

PART 1. GENERAL PROVISIONS

- 12-2-101. Obtaining, Validating Licenses.
- 12-2-102. Terms of License.
- 12-2-103. Consent to Jurisdiction.
- 12-2-104. Lost License.
- 12-2-105. License Possession and Use.

PART 2. PRESENTING LICENSES

- 12-2-201. Requirement to Present Licenses Upon Request

PART 3. LICENSES

12-2-301. Categories of Licenses.

12-2-302. Age Restrictions.

PART 4. OUTFITTERS AND GUIDES

12-2-401. Outfitters and Guides

12-2-402. License Required – Services Performed – Standards

12-2-403. Outfitter Qualifications

12-2-404. Guide Qualifications.

12-2-405. Application

12-2-406. Outfitter Examination

12-2-407. Fees.

12-2-408. Investigation of Applicant – Insurance or Denial of License

12-2-409. License Approval/Disproval.

12-2-410. Limit of One License.

12-2-411. Expiration of License.

12-2-412. Shuttle and Rental Services – Exemption.

12-2-413. Grounds for Denial, Suspension, or Revocation of License.

12-2-414. Appeal Procedure.

12-2-415. Civil Penalties – Injunctions Not Barred.

12-2-416. Penalties – Disposition of Fines.

12-2-417. Enforcement.

12-2-418. Investigators – Qualifications.

12-2-419. Mandatory Outfitter or Guide.

12-2-420. Exceptions for Non-members Who are Immediate Family of Member.

12-2-421. Business Proceeds Reporting Requirement.

PART 5. Duties of Outfitters and Guides.

12-2-501. Purpose.

12-2-502. Duties of Outfitters and Guides.

12-2-503. Duties of Participants.

12-2-504. Responsibility for Violations of Law.

CHAPTER 3 – GENERAL REGULATIONS

PART 1. MEANS OF TAKING

12-3-101. Aircraft – Unlawful Use.

12-3-102. Archery Equipment.

12-3-103. Artificial Light (Spotlighting)

12-3-104. Baiting.

12-3-105. Check Stations.

12-3-106. Dogs.

12-3-107. Evidence of Sex.

12-3-108. Firearms.

12-3-109. Glandular Scents.

12-3-110. Incidental Harvest Resulting in an Unlawfully Taken Animal.

12-3-111. Inspection by Enforcement Officer.

12-3-113. License Validation and Tagging

12-3-114. Littering.

12-3-115. Motion-Tracking Devices.

12-3-116. Motorized Vehicles.

12-3-117. Outfitters and Guides.

- 12-3-118. Possession of Wildlife Parts.
- 12-3-119. Predatory Animals and Nongame Hunting
- 12-3-120. Protected Species.
- 12-3-121. Recorded Animal Sounds.
- 12-3-122. Religious, Cultural Purposes.
- 12-3-123. Simulated Wildlife.
- 12-3-124. Selling of Crow Reservation Animals.
- 12-3-125. Transport of Wildlife
- 12-3-126. Traps.
- 12-3-127. Two-Way Communication.
- 12-3-128. Unmanned Aerial Vehicles.
- 12-3-129. Waste of Game.

PART 2. SAFETY REGULATIONS.

- 12-3-201. Purpose.
- 12-3-202. Supplementation of Other Code Provisions.
- 12-3-203. Unlawful Hunting from Public Highway.
- 12-3-204. Unlawful Use of Vehicle While Hunting.
- 12-3-205. Hunter Harassment.
- 12-3-206. Hunting Hours
- 12-3-207. Hunter Orange Requirement.

CHAPTER 4 – ENFORCEMENT

PART 1. CIVIL ENFORCEMENT

- 12-4-101. Enforcement Officers.
- 12-4-102. Enforcement Officers Duties.
- 12-4-103. Relation to Civil and Criminal Procedures Under the Crow Tribal Code.
- 12-4-104. Investigation.
- 12-4-105. Search and Seizure.
- 12-4-106. Appearance Bond.
- 12-4-107. Forfeiture Procedure.
- 12-4-108. Forfeiture.
- 12-4-109. Civil Penalties.
- 12-4-110. Civil Liability to Tribe.
- 12-4-111. Federal Prosecution.
- 12-4-112. Additional Remedies.
- 12-4-113. Mandatory Revocation of Permits.
- 12-4-114. Duty of Tribal Prosecutor.

PART 2. CRIMINAL ENFORCEMENT

- 12-4-201. Jurisdiction.
- 12-4-202. Penalties.
- 12-4-203. Civil Penalties in Addition to Criminal Penalties.

CHAPTER 5 – BIG GAME.

PART 1. GENERAL PROVISIONS.

- 12-5-101. Use of Dogs.
- 12-5-102. Firearms and Bow and Arrow Only for Big Game.
- 12-5-103. Non-Licensed Accompaniment Prohibited.
- 12-5-104. Tagging, Transportation Requirements.

12-5-105. Evidence of sex.

PART 2. ANTELOPE

12-5-201. Antelope Definitions.

12-5-202. Antelope License.

PART 3. BIGHORN SHEEP.

12-5-301. Bighorn Sheep Hunting Prohibited.

PART 4. BLACK BEAR.

12-5-401. Black Bear Specific Regulations.

12-5-402. Black Bear License.

12-5-403. Mandatory Reporting Requirements.

PART 5. BUFFALO.

12-5-501. Buffalo Reserved for Tribal Members.

12-5-502. Regulation of Tribally Owned Buffalo.

12-5-503. Off Reservation Buffalo Specific Regulations.

12-5-504. Buffalo License.

12-5-505. Mandatory Reporting Requirements.

PART 6 DEER.

12-5-601. Deer Definitions.

12-5-602. Deer Licenses.

PART 7 Elk.

12-5-701. Elk Definitions.

12-5-702. Elk Licenses.

PART 8. MOOSE.

12-5-801. Moose Licenses.

12-5-802. Mandatory Reporting Requirements.

PART 9. MOUNTAIN GOAT.

12-5-901. Mountain Goat Licenses.

12-5-902. Mandatory Reporting Requirements.

PART 10. MOUNTAIN LION.

12-5-1001. Mountain Lion Specific Regulations.

12-5-1002. Use of Dogs.

12-5-1003. Mountain Lion Licenses.

CHAPTER 6 - GAME BIRDS.

PART 1. LAWS & RULES.

12-6-101. Aircraft Unlawful Use.

12-6-102. Artificial Light.

12-6-103. Baiting.

12-6-104. Check Stations.

12-6-105. Emergency Closure.

12-6-106. Evidence of Species and Sex.

12-6-107. Falconry.

12-6-108. Feathers or Skins.

12-6-109. Hunter Harassment.

12-6-110. Hunter Orange.

12-6-112. Importation.

12-6-113. Inspection of Wildlife.

12-6-114. Landowner Permission

12-6-115. License and Permit Possession/Use.

12-6-116. License Validation/Tagging.

12-6-117. Littering.

- 12-6-118. Motorized Vehicle.
- 12-6-119. Outfitters and Guides.
- 12-6-120. Possession Limit
- 12-6-121. Possession Limit While in the Field.
- 12-6-122. Possession of Live Birds.
- 12-6-123. Public Roadways.
- 12-6-124. Raptors, Bald and Golden Eagles, Other Protected Species.
- 12-6-125. Recorded Animal Sounds.
- 12-6-126. Shipment.
- 12-6-127. Shooting Near Utility Lines.
- 12-6-128. Size of Party Limited.
- 12-6-129. Unlawful Posting of Tribal or Federal Land.

PART 2. MIGRATORY BIRD REGULATIONS.

- 12-6-201. Bating for Migratory Birds.
- 12-6-202. Federal Migratory Bird Stamp.
- 12-6-203. Method of Taking
- 12-6-204. Migratory Bird Harvest Information Programs.
- 12-6-205. Migratory Game Birds and Waterfowl, Seasons, Bag Limits, Hours.
- 12-6-206. Nontoxic Shot.
- 12-6-207. Selling/Possession of Migratory Game Birds.
- 12-6-208. Shipping.
- 12-6-209. Tagging.
- 12-6-210. Transportation Species Identification Requirement.
- 12-6-211. Unlawful Methods of Taking.
- 12-6-212. Waste of Game.
- 12-6-213. Whooping Cranes, Sandhill Cranes, and Tundra Swans.

PART 3. TURKEY REGULATIONS

- 12-6-301. Evidence of Sex.
- 12-6-302. Limit.
- 12-6-303. Waste of Gamebird.
- 12-6-304. Wild Turkey Specific Regulations.

PART 4. UPLAND BIRD REGULATIONS.

- 12-6-401. Means of Take.
- 12-6-402. Non-Native Species.
- 12-6-403. Nontoxic Shot.
- 12-6-404. Shooting Preserves (Private)
- 12-6-405. Transporting Pheasants.
- 12-6-406. Transporting Upland Game Birds.
- 12-6-407. Waste of Game.
- 12-6-408. Upland Game Bird Bag Limits.

CHAPTER 7 – FURBEARERS AND TRAPPING

PART 1. NON-MEMBERS PROHIBITED

- 12-7-101. Non-Members Prohibited.

PART 2. DEFINITIONS.

- 12-7-201. Definitions.

PART 3. TRAPPING.

- 12-7-301. Disturbing Traps or Trapped Animals.
- 12-7-302. Exposed Carcass or Bait.
- 12-7-303. Inspection of Traps.
- 12-7-304. General Regulations.
- 12-7-305. License and Permit/Use.
- 12-7-306. Littering.
- 12-7-307. Lynx Season Closed.
- 12-7-308. Means of Taking Prohibited.
- 12-7-309. Non-Target Capture Requirement.
- 12-7-310. Occupied Dwellings and Setbacks.
- 12-7-311. Recorded Animal Sounds.
- 12-7-312- Seizure of Traps, Animals
- 12-7-313. Snares.
- 12-7-314. Trap Identification.
- 12-7-315. Trapping Protected Species Prohibited.

PART 4. LAWS & RULES SPECIFIC TO FURBEARERS.

- 12-7-401. Destroying Muskrat or Beaver Houses.
- 12-7-402. Generally.
- 12-7-403. Harvest Data Reporting.
- 12-7-404. Kill Site Verification.
- 12-7-405. Live Furbearers.
- 12-7-406. Marked or Radio-Collared Animals.
- 12-7-407. Pelt Possession.
- 12-7-408. Pelt Tagging and Inspection
- 12-7-409. Pelt Tags.
- 12-7-410. Quotas and Season Closures.
- 12-7-411. Reporting.
- 12-7-412. Specimen Collection.
- 12-7-413. Two-Way Communication.
- 12-7-414. Waste of Furbearers.

PART 5. BEAVER.

- 12-7-501. Regulations Specific to Beavers.

PART 6. BOBCAT.

- 12-7-601. License Requirements.
- 12-7-602. Quotas.
- 12-7-603. Bobcat Hunting Season.

PART 7. LYNX.

- 12-7-701. Protected Species.

PART 8. FISHER.

- 12-7-801. Quotas.

PART 9. MARTEN.

- 12-7-901. Avoid Incidental Capture of Fisher.

PART 10 MINK.

- 12-7-1001. Mink Season.

PART 11. MUSKRAT.

12-7-1101. Regulations Specific to Muskrat.

PART 12. OTTER.

12-7-1201. Quotas.

PART 13. SWIFT FOX.

12-7-1301. Quotas.

PART 14. WOLVERINE.

12-7-1401. Incidental Take.

CHAPTER 8 – FISHING

PART 1. DEFINITIONS.

12-8-101. Definitions

PART 2. LICENSES.

12-8-201 Fishing Licenses.

PART 3. EMERGENCY REGULATIONS/CLOSURES

12-8-301. Emergency Closures.

PART 4. PENALTIES.

12-8-401. Penalties for Violation of the Law.

12-8-402. Penalties for Unlawful Introductions.

12-8-403. Crow Stream Access Law.

12-8-404. Trespass.

PART 5. REGULATIONS.

12-8-501. Beaver Ponds.

12-8-502. Closed Waters.

12-8-503. Dam Closures and Restrictions.

12-8-504. Fishing Seasons and Hours.

12-8-505. Irrigation Canals and Ditches.

12-8-506. Transporting Live Fish.

PART 6. METHODS OF TAKING FISH

12-8-601. In General

12-8-602. Hook and Line Limits

12-8-603. Setlines.

12-8-604. Bow and Arrow.

12-8-605. Crossbows.

12-8-606. Nets and Traps.

12-8-607. Hoop Nets.

12-8-608. Snagging.

12-8-609. Spearing.

PART 7. BAIT REGULATIONS.

12-8-701. In General.

- 12-8-702. Dead Bait.
- 12-8-703. Live Bait.

PART 8. GENERAL REGULATIONS.

- 12-8-801. Possession Limit.
- 12-8-802. Daily Limit
- 12-8-803. Handling and Transporting Legally Taken Fish.

PART 9. STANDARD DAILY AND POSSESSION LIMITS.

- 12-8-901. Standard Daily and Possession Limits.

Part 10. Other License Requirements and Laws.

- 12-8-1001. Aquatic Invertebrates – Crayfish/Mussels.
- 12-8-1002. Commercial Collection of Aquatic Invertebrates and Mussels.
- 12-8-1003. Commercial Fishing.
- 12-8-1004. Fishing Contests.
- 12-8-1005. Import Permits for Fish.
- 12-8-1006. Private Fishponds.

PART 11. MOTORBOAT AND VESSEL RESTRICTIONS

- 12-8-1101. Personal Floatation Devices.
- 12-8-1102. Youth Restrictions
- 12-8-1103. Watercraft Registration.
- 12-8-1104. General Boating Restrictions.
- 12-8-1105. Diver Down Flags.

PART 12. AQUATIC INVASIVE SPECIES.

- 12-8-1201. Aquatic Invasive Species.
- 12-8-1202. When Transporting Watercraft Within Crow Lands.
- 12-8-1203. When Transporting Watercraft into Crow Lands.

CHAPTER 9 – RECREATION

- 12-9-101. General Regulations.
- 12-9-102. Prohibited Acts.

CHAPTER 10 – OFF-RESERVATION HUNTING

PART 1. POLICY.

- 12-10-101. Jurisdiction
- 12-10-102. Crow Tribal Court.
- 12-10-103. Reciprocal and Cooperative Agreements.
- 12-10-104. Severability and Non-Liability.

PART 2. CONSERVATION.

- 12-10-201 Waste Prohibited.
- 12-10-202. Conservation Fund.

PART 3. LICENSING.

- 12-10-301. Obtaining, Validating Licenses.
- 12-10-302. Terms of License.
- 12-10-303. Lost License.

- 12-10-304. License Possession and Use.
- 12-10-305. Requirement to Present Licenses Upon Request.
- 12-10-306. Categories of Licenses.
- 12-10-307. Age Restrictions.
- 12-10-308. Grounds for Denial, Suspension, or Revocation of License.
- 12-10-309. Appeal Procedure.

PART 4. PENALTIES AND ENFORCEMENT.

- 12-10-401. Civil Penalties – Injunctions Not Barred.
- 12-2-402. Penalties – Disposition of Fines.
- 12-2-403. Enforcement.

PART 5. BIG GAME – GENERAL PROVISIONS.

- 12-10-501. Licenses, Seasons and Fees.
- 12-10-502. Use of Dogs.
- 12-10-503. Firearms and Bow and Arrow Only for Big Game.
- 12-10-504. Tagging, Transportation Requirements.
- 12-10-505. Evidence of Sex.

PART 6. ANTELOPE.

- 12-10-601. Antelope Definitions.

PART 7. BUFFALO.

- 12-10-701. Off-Reservation Buffalo Specific Regulations.

PART 8. DEER.

- 12-10-801. Deer Definitions

PART 9. ELK.

- 12-10-901. Elk Definitions.

PART 10. SAFETY REGULATIONS.

- 12-10-1001. Unlawful Hunting from Public Highway.
- 12-10-1002. Unlawful Use of Vehicle While Hunting.
- 12-10-1003. Hunting Hours.
- 12-10-1004. Hunter Orange Requirement.

TITLE 12

FISH AND GAME CODE

CHAPTER 1 – GENERAL PROVISIONS

Part 1. Policy

12-1-101. Policy.

(1) It is the policy of the Crow Tribe to exercise the inherent sovereignty of the Crow Tribe, as a pre-Colonial Indigenous culture, over all land and waters within the exterior boundaries of the Crow Indian Reservation. Henceforth all hunting and fishing within the exterior boundaries will be regulated by the Crow Tribe through the Crow Tribal Fish & Game Commission as set forth in this title. Any previous resolution of the Crow Tribe to the contrary is hereby rescinded.

(2) It is the policy of the Crow Tribe to protect the opportunity for a person to harvest wild fish and wild game animals while concurrently conserving fish and game for future generations, and not diminishing other private rights by the lawful means of hunting, fishing, and trapping as defined in this Title.

12-1-102. Jurisdiction.

This Title shall govern activities including but not limited to hunting, fishing, trapping, gathering, and recreation. The natural resources affected by these activities belong to the Crow Tribe. Therefore, any taking or possession, in contradiction of this Title will be prosecuted through civil and/or criminal action in Crow Tribal Court.

(1) The Crow Tribe has exclusive jurisdiction over its enrolled members, non-member Indians, and non-members on all Crow lands and waters as defined by 18 U.S.C. § 1151 to the fullest extent of the law.

(2) The Crow Tribe has exclusive jurisdiction over its enrolled members on Off-Reservation Unoccupied Lands when exercising treaty hunting rights.

(3) The Crow Tribe has concurrent jurisdiction over the Big Horn Canyon National Recreation Area with the National Park Service.

12-1-103. Crow Tribal Court.

The Crow Tribal Court shall have jurisdiction over all violations of this Title.

12-1-104. Reciprocal and Cooperative Agreements.

The Crow Tribal Fish & Game Commission is hereby authorized to negotiate reciprocal and cooperative agreements with the State of Montana, the State of Wyoming and any other governments or government agencies, federal or otherwise, for the purposes of promoting and implementing fishery and wildlife management programs, and outdoor recreational activities. Such agreements must be ratified by the Crow Tribe before becoming effective.

12-1-105. Severability and Non-Liability.

If any Part, provision, or portion of this Title is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Title shall not be affected thereby. The Crow Tribe

further asserts immunity in its part and that of its agencies, employees, and/or agents from any action or damages that may occur as a result of reliance upon and conformance with this Title.

12-1-106. Crow Tribal Resolution.

The Crow Tribe adopted resolution number _____, on June 22, 2022, revising this Title.

12-1-107. Effective Date.

This Title, once adopted by resolution of the Crow Tribe shall not be placed into effect until June 22, 2022.

Part 2. Definitions

12-1-201. Definitions.

As used in this chapter, unless the context requires otherwise, the following definitions apply:

- (1) “ACCOMPANY” means to be with or be together with a participant as an escort, companion, or other service provider, with an actual physical presence in the area where the activity is being conducted and within sight or sound of the participant during the furnishing of service.
- (2) “AIRCRAFT” means any contrivance used for flight, or to be airborne. This term includes Drones.
- (3) “ALLOTTED LAND” means all Tribally owned or individually owned lands, within the exterior boundaries of the Reservation, held in trust by the federal government.
- (4) “AREA” means within the exterior boundaries of the Reservation, including the Big Horn River, the Big Horn Canyon National Recreation Area, Willow Creek Dam, Yellowtail Dam, and any other waters.
- (5) “AUTHORIZED LAW ENFORCEMENT OFFICER” means any tribal conservation officer and bison pasture ranger employed by the Crow Natural Resources Department, any other law enforcement officer employed by the Tribe, and applicable Bureau of Indian Affairs officers. Other law enforcement may be considered authorized law enforcement officers only if there is a valid cooperative agreement between the Tribe and the entity for enforcement of this Title on the Reservation.
- (6) “BAG LIMIT” means the maximum limit; in number amount, of a particular species of fish or wildlife, which a person may lawfully take, as specified by the Commission.
- (7) “BIG GAME” shall include, but is not limited to Antelope, Bighorn Sheep, Black Bear, Buffalo, Elk, Moose, Mountain Goat, Mountain Lion, Mule Deer, and Whitetail Deer.
- (8) “BIRDS” means a member of the class Aves, including any part, product, egg, offspring, or carcass.
- (9) “BUFFALO” means the animal popularly referred to as such but scientifically known as the American Bison, including any part, offspring, or carcass thereof.
- (10) “CARCASS” means the dead body of fish or wildlife or any parts thereof.
- (11) “COMMISSION” means the Crow Tribal Fish & Game Commission that serve in all matters relating to fish and game management as provided by this Title.
- (12) “CONSIDERATION” means something of value given or done in exchange for something of value given or done by another.
- (13) “COURT” means the Crow Tribal Court.
- (14) “DEPARTMENT” means the Crow Natural Resources Department.

- (15) "DIRECTOR" means the director of the Crow Natural Resources Department.
- (16) "FISH" means any member of the class Pisces, including any part, product, egg, offspring, or carcass.
- (17) "FEE LAND" means those lands within the exterior boundary of the Crow Reservation not held in trust or subject to restrictions or alienation and which is in private ownership.
- (18) "FIREARM" means any rifle, shotgun, handgun, or other type of gun.
- (19) "FURBEARERS" shall include but not limited to Mink, Muskrat, Beaver, Otter, Weasel, Marten, Fisher, Fox, Coyote, Bobcat, Badger, Raccoon.
- (20) "GATHERING" means to take or acquire or attempt to take or acquire possession of any wild plants or parts thereof.
- (21) "GUIDE" means a Member, licensed by the Commission to contract independently as a licensed Crow Tribal guide, and to accompany a participant during outdoor recreational activities in the area for which the guide is licensed.
- (22) "HARASS" means to shoot at, disturb, worry, molest, rally, concentrate, harry, chase, drive, herd, or torment.
- (23) "HUNT OR HUNTING" includes shooting, shooting at, pursuing, taking, catching, or killing any wild animal or animals. "Hunt or Hunting" does not include the recovery of any wild animal which has already been lawfully reduced to possession.
- (24) "LICENSE" means a written document issued by the Commission granting authority to engage in specific activities covered in this Title.
- (25) "LICENSE YEAR" means that period beginning January 1 and ending December 31 of the same year.
- (26) "MEMBER" shall mean any enrolled member of the Crow Tribe.
- (27) "MIGRATORY GAME BIRD" see "WATERFOWL".
- (28) "NONGAME WILDLIFE" means any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other animal not otherwise lawfully classified in this Title.
- (29) "NON-MEMBER" means a person who is not an enrolled member of the Crow Tribe.
- (30) "OFF-RESERVATION UNOCCUPIED LANDS" means the unoccupied lands of the United States described in the Treaty of Fort Laramie with Sioux, Etc., 11 Stat. 749 (Sep. 17, 1851).
- (31) "OPEN SEASON" means the time and/or days specified by Tribal license and/or regulations of the Commission when taking certain species of fish and/or wildlife is legal.
- (32) "OUTFITTER" means a Member, except a person providing services on trust property that the person owns for the primary pursuit of bona fide recreational interests, who for consideration provides facilities, camping equipment, vehicles, watercraft, or other conveyance; or personal service for any person to fish, and who accompanies that person on an expedition for this purpose or supervises a licensed tribal guide in accompanying that person.
- (33) "PARTICIPANT" means a person using the services offered by a licensed tribal guide or outfitter.
- (34) "POSSESSION" means having killed, harvested, taken, or otherwise obtained or acquired any wild animal, fish, or plant subject to the provisions of this Title.
- (35) "POSSESSION LIMIT" means the number of fish, wildlife, or plant that may be legally possessed at any one time.
- (36) "PLANT" means any undomesticated species, and fruit or part thereof, of the plant kingdom, occurring in the natural ecosystem.

- (37) "RECREATION" includes but is not limited to picnicking, camping, boating, hunting, fishing, hiking, skiing, swimming, gathering, and or other related activities.
- (38) "RESERVATION" means all lands within the exterior boundaries of the Crow Indian Reservation under jurisdiction of the United States and the Crow Tribe, notwithstanding the issuance of any patent, and including rights-of-way.
- (39) "SITE OF THE KILL" means the location where a game animal or game bird expires and the person responsible for the death takes physical possession of the carcass.
- (40) "SIZE LIMIT" means the specific size of a species of fish and/or wildlife that may be possessed legally.
- (41) "TAKE OR TAKING" means pursuing, shooting, shooting at, hunting, fishing, netting (including placing or setting any net or other capturing device), capturing, killing, snaring, or trapping any fish, wildlife or plant or attempting any of the above.
- (42) "TRAP" or "TRAPPING" includes the taking of, or attempting to take, any wild animal, animal, or fish by means of setting or operating any device, mechanism or contraption that is designed, built or made to close upon, hold fast, or otherwise capture a wild animal, animal or fish.
- (43) "TRIBE" means the Crow Tribe.
- (44) "TRUST LAND" means land or any interest therein, the title to which is held in trust by the United States for an individual Indian or the Tribe.
- (45) "TRIBAL MEMBER" see "MEMBER".
- (46) "UPLAND GAME BIRDS" includes but is not limited to Grouse, Prairie Chicken, Pheasants, Partridge, and Quail.
- (47) "WATERFOWL" includes but is not limited to all varieties of Geese, Brant, Swans, Ducks, Rails, Coots, and Wilson Snipes.
- (48) "WARDEN" means a tribal conservation officer.
- (49) "WILD ANIMAL" or "WILDLIFE" means any and all forms of birds and mammals, including their offspring, nest, or eggs, that is wild by nature as distinguished from common domestic animals, whether the animal was bred or reared in captivity.

Part 3. Conservation

12-1-301. Policy.

It shall be and is hereby established as the policy and intent of the Commission, as established by Crow Tribal Executive appointment and confirmation by the Crow Tribal Legislature, to provide an adequate and flexible system for the protection and conservation of all wildlife habitat, fish and game resources within the Reservation; to provide for the general management and supervision of all wildlife, fishery, and outdoor recreational activities on the Reservation, including but not limited to, the establishment of rules, regulations and ordinances relating to the harvest of Fish and Game on the Reservation, the establishment of prohibited acts and penalties in regard to wildlife, fishery, and outdoor recreational activities on the Reservation. The Legislative Branch shall have the ability to fill vacant Commission positions in the event Executive appointment is not made withing thirty calendar days of a vacancy.

The Commission shall consist of five members: Natural Resources Cabinet Head, Fish and Game Director, Buffalo Pasture Manager, Natural Resources Legislative Committee Chair, and Natural Resources Legislative Committee Vice Chair. Three present members shall constitute a quorum in

order to conduct business. Majority rule shall govern votes; votes cast by proxy or method on behalf of any member not present at a valid meeting is not permitted.

12-1-302. Waste Prohibited.

(1) It is the policy of the Tribe to promote the fullest use of its fish and game resources; therefore, the waste of these resources will not be tolerated.

(2) It shall be unlawful for any person to abandon all or any part suitable for food any bird, wild animal, or fish killed by that person within the exterior boundaries of the Reservation.

12-1-303. Conservation Fund.

(1) The conservation fund shall consist of all monies received from the sale of licenses and permits, the penalties collected by the Court for violations of this Title, monies received from the sale of confiscated property, donations, and other funds appropriated by the Crow Tribe or any other entity for conservation purposes. The custodian of the conservation fund shall make bi-annual financial reports to the Commission and shall not disburse monies from the Conservation Fund without a recommendation as provided for herein.

(2) The Commission shall advise or recommend to the Crow Tribe disbursements and expenditures from the conservation fund, provided that in no case shall funds be expended or disbursed for purposes which are not reasonable and necessary to the implementation or operation of the activities governed by this Title.

Part 4. Fish and Game Commission

12-1-401. Powers of the Commission.

The Commission:

(1) Shall set the policies for the protection, preservation, management, and propagation of the wildlife, fish, game, furbearers, waterfowl, nongame species, and endangered species of the Tribe and for the fulfillment of all other responsibilities of the Department related to fish and wildlife as provided by this Title.

(2) Shall establish the hunting, fishing, and trapping rules of the Department.

(3) Shall review and approve the proposed budget of the Department.

(4) Shall review and approve the proposed calculations of wildlife populations and available habitat of the Department.

12-1-402. Commission Meetings.

The members of the Commission shall hold quarterly or other meetings for the transaction of business at times and places it considers necessary and proper. The meetings must be called by the presiding officer or by a majority of the Commission and must be held at the time and place specified in the call for the meeting. A majority of the members of the Commission constitute a quorum for the transaction of any business that may come before it. The Commission shall keep a record of all the business transacted by it. The presiding officer and secretary shall sign all orders, minutes, or documents for the Commission.

12-1-403. Regulations.

(1) The Commission shall recommend to the Crow Tribal Chairman regulations establishing seasons, bag limits, restrictions, and other conditions as deemed necessary to implement the

provisions of this Title. Regulations establishing seasons and bag limits shall be posted by the Commission annually.

(2) The Crow Tribal Chairman may, upon recommendation by the Commission, approve such recommended regulations if conditions so dictate.

12-1-404. Powers and Duties of Commission Relating to Outfitters and Guides.

The Commission shall:

(1) Prepare and publish an information pamphlet that contains the names and addresses of all tribally licensed outfitters. This pamphlet must be available for free distribution as early as possible during each calendar year but not later than the first Friday in May. The pamphlet must contain the names and addresses of only those tribal outfitters who have a valid license for the current license year.

(2) Cooperate with the federal government in matters of mutual concern regarding the business of outfitting and guiding on the Big Horn River within the exterior boundaries of the Reservation.

(3) Enforce the provisions of this Title.

(4) Establish outfitter and guide standards.

(5) Adopt:

(a) Rules of procedure.

(b) Rules to administer and enforce this Title, including rules prescribing all requisite qualifications for tribal licensure as an outfitter or guide. Qualifications for outfitters must include training, testing, experience in activities similar to the service to be provided, knowledge of rules of governmental bodies pertaining to outfitting and condition and type of gear and equipment, and the filing of an operation plan.

(c) Any reasonable rules, not in conflict with this Title, necessary for safeguarding the public health, safety, and welfare, including evidence of qualification and tribal licensure under this Title for any person practicing or offering to practice as an outfitter or guide.

(d) Rules specifying standards for review and approval of proposed new operations plans involving fishing use in order to determine if the proposal will cause an undue conflict with existing fishing use of the area, constituting a threat to the public health, safety, or welfare. Rules adopted pursuant to this Part must provide for solicitation and consideration of comments from Tribal members and others in the area to be affected by the proposal who do not make use of outfitter services.

(6) Hold hearings and proceedings to suspend or revoke tribal licenses of outfitters and guides.

12-1-405. Remedial Hunter Education Program.

(1) The Commission shall develop a remedial hunter education program for hunting law violators. The program must be funded through money collected by a court pursuant to Chapter 4 of this Title.

(2) The Commission shall determine the qualifications for instructors, hire the instructors, and pay the instructors at a rate determined by the department.

(3) A person who is sentenced by the court to complete a remedial hunter education course shall pay the costs directly attributable to the person's participation in the remedial hunter education program. The course instructor shall notify the sentencing court of the participant's attendance record and of the participant's success or failure in completing the program.

(4) A participant whose hunting, fishing, or trapping license has been revoked shall successfully complete the program before license privileges may be reinstated.

12-1-406. Publication of Orders and Rules.

- (1) Any rules or orders adopted by the Commission must be reported to the Crow Tribe.
- (2) Approved rules or orders adopted by the Commission setting seasonal hunting, fishing, trapping, and land use regulations must be published in a pamphlet format that is made available to the public at all Department offices and through all license providers.
- (3) Approved rules and orders must be updated in this Title.

12-1-407. Closing and Limiting Seasons and Bag Limits.

- (1) The Commission, upon recommendation by the Department or on its own, may close or limit any season or bag limit for game or fish if circumstances justify the closure or limitation.
- (2) The Commission shall inform the Crow Tribal membership of the decision to close or limit any season or bag limit.

12-1-408. Department Employee Appeals.

- (1) If the Director suspends without pay, reduces in rank, or removes any employee at any time the person may demand in writing and receive a hearing before the Commission within 14 days of being suspended, reduced in rank, or removed only to determine whether the suspension, reduce in rank, or removal were for cause.
- (2) The Commission is authorized to develop procedures to administer employee appeals.

Part 5. Natural Resources Department

12-1-501. Powers and Duties.

The Department shall supervise all the wildlife, fish, game, game and nongame birds, waterfowl, and the game and fur-bearing animals of the Tribe and may implement voluntary programs that encourage hunting access on private lands and that promote cooperative relations between landowners and the hunting public. The Department possesses all powers necessary to fulfill the duties prescribed by law and to bring actions in the proper courts of the Tribe for the enforcement of the fish and game laws and the rules adopted by the Commission.

12-1-502. Establishment of Check Stations and Watercraft Inspection Stations.

- (1) The Department is authorized to establish check stations when considered necessary to inspect licenses of hunters and anglers and to inspect any game animals, fish, or fur-bearing animals in the possession of hunters and anglers.
- (2) The Department is authorized to establish watercraft inspection stations to inspect watercraft for aquatic invasive species.

12-1-503. Annual Lottery of Hunting Licenses.

- (1) The Department shall conduct any lottery for big game hunting licenses authorized by this Title.
- (2) The Department may issue through lottery licenses for the following:
 - (a) Antelope.
 - (b) Big Horn Sheep (in compliance with 12-5-303 of this Title).
 - (c) Black Bear (in compliance with 12-5-501).

- (d) Buffalo.
- (e) Elk.
- (f) Moose.
- (g) Mountain Goat.
- (h) Mule Deer.
- (i) Whitetail Deer.

12-1-504. Executive Director - Qualifications - Powers and Duties.

- (1) The Commission may hire an executive director to assist them in carrying out its duties under this ordinance.
- (2) The executive director must:
 - (a) Be a citizen of the United States and a resident of the Reservation.
 - (b) Have knowledge of outfitting and guiding; and
 - (c) Have at least 2 years' experience in management or equivalent training or education.
- (3) The duties of the executive director include:
 - (a) Processing and investigating applications for tribal licensure as an outfitter or guide.
 - (b) Conducting investigations of outfitters and guides that involve violations of this Part or rules of the commission and reporting to the commission regarding complaints and investigations of complaints.
 - (c) Coordinating inspections, investigations, and training activities of investigators under this Title.
 - (d) Coordinating investigations with other local, state, and federal agencies.
 - (e) Carry out the policies of the Commission.
 - (f) Employ and appoint a deputy director and a sufficient number of wardens for the proper enforcement of the fish and game laws of the Tribe and the orders, rules, and regulations of the Commission and for such other purposes as the Director may designate.
 - (g) Regulate Department employees, including suspend without pay, reduce in rank, or remove any employee at any time for cause.

12-1-505. Department Offices.

The principal offices of the Commission, the Director, and the Department must be located in or near Crow Agency, containing suitable and adequate space with janitor services, light, heat, and water furnished by the Tribe.

12-1-506. Calculation of Wildlife Populations and Available Habitat.

- (1) The Department is authorized to conduct wildlife population counts and determine available habitat for wildlife species using the best scientific information possible.
- (2) The Department is authorized to cooperate with the Bureau of Indian Affairs in the calculation of wildlife populations and available habitat in accordance with any agreements between the Tribe and the Bureau of Indian Affairs authorizing such actions.
- (3) The Department shall report any calculations to the Commission and the Crow Tribe to help assist with determining appropriate bag limits and seasons.

12-1-507. Closing Seasons Based on Quotas.

The Department shall close any season based on quotas of game taken in accordance with this Title.

12-1-508. Enforcement Officer Examination.

The Department shall administer a Department developed examination, approved by the Commission, to all applicants for an enforcement officer position. The test must determine if an applicant has a clear understanding of this Title and any regulations, rules, and orders issued by the Commission and Department.

TITLE 12

FISH AND GAME CODE

CHAPTER 2 – LICENSING

Part 1. General Provisions

12-2-101. Obtaining, Validating Licenses.

Licenses can be obtained only through the Commission office during regular hours (Monday - Friday, 8:00 a.m. to 5:00 p.m.) or through any sellers authorized by the Commission.

- (1) Only one license per regulated activity may be obtained by an individual.
- (2) A licensee must sign his/her name in ink on each license to validate the license.
- (3) Licenses are non-transferable and must be in the licensee's possession while hunting, fishing, trapping, or recreating.
- (4) A licensee must display his/her license upon demand of any authorized law enforcement officer.

12-2-102. Term of License.

Any license issued shall be void after the last day of December, following its issuance unless otherwise designated.

12-2-103. Consent to Jurisdiction.

The holder of a license agrees to be subject to the jurisdiction of the Crow Tribal Court and shall comply with all applicable Crow Tribal laws and regulations.

12-2-104. Lost License.

Lost licenses may be replaced by the Commission for a specified fee upon proof of purchase.

12-2-105. License Possession and Use.

It is unlawful to:

- (1) Hunt or attempt to hunt for any game animal unless the person is carrying the required license at the time.
- (2) Refuse to produce a license or license and the identification used in purchasing a license for inspection to an authorized law enforcement officer.
- (3) Alter or change a license in any material manner.
- (4) Loan or transfer any license to another person.
- (5) Use a license issued to another person.
- (6) Attach the person's license to a game animal killed by another person.
- (7) Have physical control over a valid and unused hunting license or license issued to another person while in any location that the species to be hunted may inhabit. This prohibition does not apply to a person who is carrying or has physical control over a license issued to that person's spouse or to any minor when the spouse/minor is physically present with that person. Failure to possess a valid license with appropriate stamps attached as required by this Title shall constitute a violation and shall be prosecuted.

Part 2. Presenting Licenses

12-2-201. Requirement to Present Licenses Upon Request.

All persons must have in their possession and must present to authorized law enforcement officers upon request, their applicable licenses when engaged in hunting, fishing, trapping, or other recreational activities described herein. Persons must also present a Federal Migratory Waterfowl stamp to engage in the hunting of migratory waterfowl.

Part 3. Licenses

12-2-301. Categories of Licenses.

The Basic Recreation License is prerequisite to all hunting and fishing licenses. The holder of a current Basic Recreation License may engage in recreation activities within the exterior boundaries of the Reservation pursuant to the terms and conditions contained in these regulations.

- (1) Fishing License: To lawfully fish in a Reservation water body, a person must possess a valid Fishing License.
- (2) Hunting License: To lawfully take or hunt Big Game and Small Game, a person must possess a valid Hunting License appropriate to the category of game hunted.
- (3) Designated Hunter Permit and License: To lawfully take or hunt Big Game, a Designated Hunter must be an enrolled Crow Tribal Member, possess a valid Hunting License, and a Designated Hunter Permit that is signed by the Crow Tribal elder or physically limited individual they are hunting for, and signed off by the Fish and Game Director. The Designated Hunter shall not have more than two harvest limit animals in possession at any one time.
- (4) Bow and Arrow License: To lawfully hunt with a bow and arrow on the Reservation, a person must possess a valid Bow and Arrow License. The Bow and Arrow License applies for all applicable game during the season.
- (5) Trapping License: To lawfully trap furbearers or small game mammals, a person must possess a valid Trapping License.
- (6) Waterfowl License: To lawfully hunt or take migratory waterfowl within the exterior boundaries of the Reservation, a person must possess a valid Waterfowl License and Federal Migratory Bird Stamp.
- (7) Upland Game License: To lawfully hunt or take upland game birds within the exterior boundaries of the Reservation, a person must possess a valid Upland Game Bird License.

12-2-302. Age Restrictions.

Persons fourteen (14) years of age or older must have in their possession a Basic Recreation License with appropriate licenses to hunt, fish, or engage in recreation activities.

- (1) Persons under the age of fourteen (14) years of age may engage in any of the herein described recreation activities without a Basic Recreation License, only if in the accompaniment of an appropriately licensed adult member of the immediate family. Otherwise, persons under the age of fourteen (14) years must possess his/her own Basic Recreation License with the appropriate license.
- (2) No Hunting License will be issued to a person under the age of fourteen (14) years unless he/she presents to the license seller a certificate of hunter competency issued by an approved hunter safety course.

- (3) Any person accompanying a member engaged in any activity regulated herein, shall have a valid license and appropriate licenses on his or her person.

Part 4. Outfitters and Guides

12-2-401. Outfitters and Guides.

A person may not act as an outfitter or guide, or advertise or otherwise represent to the public that the person is an outfitter or guide without first securing an outfitter or guide license.

- (1) It is unlawful to engage in outfitting/guiding while not licensed.
- (2) It is unlawful to hire an outfitter or guide not licensed by the Commission.

12-2-402. License Required - Services Performed - Standards.

- (1) A person may not act as an outfitter or guide or advertise or otherwise represent to the public that the person is an outfitter or guide without first securing a tribal license in accordance with the provisions of this part.
- (2) Whenever an outfitter is engaged by a participant, the outfitter shall keep and submit records as required by the Commission.
- (3) Outfitter or guide, and other employees of an outfitter may not shoot, kill, or take big game animals for or in competition with those employing them while acting as outfitters, guides, or employees of an outfitter.
- (4) Outfitters utilizing lands under the control of the United States government shall obtain the proper licenses required by the government office responsible for the area in which the outfitter intends to operate and shall comply with environmental protection standards established for these lands.
- (5) Outfitters may not willfully and substantially misrepresent their facilities, prices, equipment, services, or fishing opportunities.
- (6) Outfitters and their employees, agents, and representatives shall take every reasonable measure to provide their advertised services to their clients.
- (7) An outfitter may not hire or retain a guide who does not hold a current tribal license as provided under this part.

12-2-403. Outfitter Qualifications.

An applicant for an outfitter license or renewal must meet the following qualifications:

- (1) Be an enrolled member of the Crow Tribe.
- (2) Be 18 years of age or older.
- (3) Be physically capable and mentally competent to perform the duties of an outfitter, as attested to by a licensed physician.
- (4) Meet experience, training, and testing requirements as prescribed by Commission rule.
- (5) Own or hold under written lease the equipment and facilities that are necessary to provide the services advertised, contracted for, or agreed upon between the outfitter and the outfitter's clients. All equipment and facilities are subject to inspection at all reasonable times and places by the commission or its designated agent.
- (6) Be the majority owner of the outfitting company.
- (7) Have demonstrated a respect for and compliance with the laws of the Tribe, of the state of Montana, and of the United States, and all rules promulgated under those laws related to fish,

conservation of natural resources, and preservation of the natural ecosystem without pollution of the ecosystem.

(8) Have not at any time, practiced fraud, deception, or material misrepresentation in procuring an outfitter, guide, or conservation license from the Tribe.

(9) Have not, at any time, promulgated any false or misleading advertising relating to the business of outfitting.

12-2-404. Guide Qualifications.

(1) An applicant for a guide license must meet the following qualifications:

(a) Be an enrolled member of the Crow Tribe.

(b) Be 18 years of age or older.

(c) Be physically capable and mentally competent to perform the duties of a guide as attested to by a licensed physician.

(d) Have been issued a valid wildlife conservation license by the Tribe.

(2) In addition to the requirements listed in subsection (1), an applicant for tribal licensure as a guide may be required to meet additional experience requirements to be set by Commission rule and may be required to show proof of training or pass a qualifying examination when required by Commission rule.

12-2-405. Application.

(1) Each applicant for an outfitter or guide license shall make application for license on a form prescribed and furnished by the Commission.

(2) The application for an outfitter license forms the basis for the outfitter's operation plan and must include:

(a) The applicant's full name, tribal enrollment number, residence, address, conservation license number, driver's license number, birth date, physical description, and telephone number.

(b) The address of the applicant's principal place of business on the Reservation.

(c) The amount and kind of property and equipment owned and used in the outfitting business of the applicant.

(d) The experience of the applicant, including years of experience as an outfitter or guide.

(e) The applicant's knowledge of the area in which the applicant has operated and intends to operate.

(f) The applicant's ability to cope with weather conditions and terrain.

(g) A signed statement of the tribally licensed outfitter for each guide to be employed or retained as an independent contractor stating that the guide is to be employed by the outfitter and stating that the outfitter recommends the guide for tribal licensure.

(h) An affidavit by the outfitter to the Commission that the equipment listed on the application is in fact owned or leased by the applicant, is in good operating condition, and is sufficient and satisfactory for the services advertised or contemplated to be performed by the applicant.

(i) A statement of the maximum number of participants to be accompanied at any one time.

(3) Applications for a tribal outfitter license must be in the name of an individual person only. Applications involving corporations, proprietorships, or partnerships must be made by one individual person who qualifies under the provisions of this part. A tribal license issued pursuant to this part must be in the name of that person. The tribal license must specifically state that the license is issued for the use and benefit of the named corporation, proprietorship, or partnership involved. An individual may only apply on behalf of a corporation, proprietorship, or partnership

where they possess 51% or more ownership. Any revocation or suspension of a tribal license is binding upon the individual person and the corporation, proprietorship, or partnership for the use and benefit of which the license was originally issued.

(4) Applications must be made to and filed with the Commission.

(5) Only one application for a tribal outfitter license may be made in any license year. If an application is denied, subsequent applications by the same applicant for the license year involved are void.

12-2-406. Outfitter Examination.

Each applicant for an outfitter license, after meeting the experience and training specifications and other qualifications set by this section or rules adopted pursuant to this section, is entitled to take and must pass a standard examination administered by the Commission. The examination must require general and sufficient knowledge displaying and indicating ability to perform the services contemplated with efficiency and with safety to the health and welfare of participants. The examination must test the applicant's knowledge of subjects that apply to the license and may include the following subjects:

- (1) Federal and tribal fish and game laws and regulations.
- (2) Tribal cultural perspectives of fishing and hunting including a preference for Crow Speaker.
- (3) Practical woodsmanship.
- (4) Field preparation and care of fish, birds, and game.
- (5) Use of outfitter's gear as listed on the application.
- (6) Knowledge of area and terrain.
- (7) Knowledge of federal, state, and tribal jurisdiction.
- (8) First aid (including snakebite prevention first aid).
- (9) Bow and gun safety.
- (10) Boat safety.
- (11) Water safety.

12-2-407. Fees.

- (1) The Commission shall establish reasonable fees commensurate with costs related to the program area costs. The Commission may establish fees including but not limited to fees for program areas such as application, examination, renewal, late renewal, and continuing education. The Commission shall maintain records sufficient to support the fees charged for the program area.
- (2) Applications must be accompanied by a license fee as specified by Commission rule.
- (3) The license fees must be deposited in a separate tribal conservation fund and shall be used by the Commission to investigate the applicant, to enforce this code, and for administrative costs of the Commission.

12-2-408. Investigation of Applicant - Issuance or Denial of License.

- (1) The Commission shall investigate each applicant for an outfitter or guide license. The Commission shall determine the applicant's qualifications.
- (2) The Commission may deny or refuse to issue any new license or to renew any previous license if the applicant does not meet the qualifications stated in this section or rules adopted pursuant to this Title. In the event that any application for license is denied, refused, or revoked,

the Commission shall immediately notify the applicant, setting forth in the notice the grounds upon which the denial, revocation, or refusal is based.

(3) A licensee in good standing is entitled to a new license for the ensuing license year upon complying with the provisions of this section or rules adopted pursuant to this Title and upon completing an application for license renewal on a form provided by the Commission.

12-2-409. License Approval/Disproval.

(1) When all the requirements of licensure have been satisfied, the Commission shall issue a tribal license stating the outfitter or guide functions that the applicant is qualified and approved to perform.

(2) The tribal license must be in the form prescribed and is valid for the licensing year in which issued.

(3) If the application is denied, the Commission shall notify the applicant in writing of the reasons for the denial, and if the reasons are corrected, a license must be issued upon reapplication.

12-2-410. Limit of One License.

No person may hold more than one outfitter license either for his/her own benefit or for the use and benefit of a partnership or corporation, nor may the name of any partnership or corporation appear on more than one current tribal outfitter license.

12-2-411. Expiration of License.

Notwithstanding any other provision or law, a tribal license shall expire on the last day of the license year for which it was issued.

12-2-412. Shuttle and Rental Services - Exemption.

(1) Nothing in this section prohibits the furnishing of shuttle or rental services as long as those services do not include in-field assistance to a customer.

(2) In-field assistance includes but is not limited to:

- (a) field instruction for the activity to be conducted by the customer; or
- (b) other services considered to be services of an outfitter.

12-2-413. Grounds for Denial, Suspension, or Revocation of License.

A license or right to apply for and hold a tribal license issued under this section may be denied, suspended, or revoked or other disciplinary conditions may be applied upon any of the following grounds:

(1) Having ceased to meet all of the qualifications for holding a tribal license, as required under this section and rules adopted pursuant to this section.

(2) Fraud or deception in procuring a tribal license.

(3) Fraudulent, untruthful, or misleading advertising.

(4) Having pleaded guilty, nolo contendere, or no contest to or been adjudged by a court guilty of a felony, including a case in which the sentence is suspended, or imposition of the sentence is deferred, unless civil rights have been restored pursuant to law. A person may not apply for or hold an outfitter or guide license during any period of time in which a sentence for a felony has been deferred or suspended.

(5) One conviction or bond forfeiture as to a violation of the fish and game or outfitting laws or regulations of the Tribe or the United States.

- (6) A substantial breach of a contract with a participant provided that the breach is established as a matter of final judgment in a court of law.
- (7) The willful employment of or contracting with an unlicensed guide.
- (8) Negligence or misconduct, while acting as an outfitter or guide that causes an accident or injury to the person or property of a participant.
- (9) Misconduct as defined by Commission rule.
- (10) Any violation of this Part or a rule adopted pursuant to this Part.

12-2-414. Appeal Procedure.

A person who feels aggrieved by a final order of the commission denying issuance of a license or suspending or revoking a license as an outfitter or guide may petition for judicial review in the Court.

12-2-415. Civil Penalties - Injunctions Not Barred.

- (1) An establishment that violates this Part or rules adopted by the Commission pursuant to this Part is subject to a civil penalty not to exceed \$300.
- (2) Penalties may not be assessed against an outfitter or guide unless the outfitter or guide receives a written notice of a violation and fails to correct the violation within 30 days.
- (3) Civil action to impose penalties, as provided under this section, does not bar injunctions to enforce compliance with this ordinance or to enforce compliance with a rule adopted by the Commission pursuant to this Part.

12-2-416. Penalties - Disposition of Fines.

- (1) A person who violates any provision of this Part or rule adopted under this Part is guilty of a misdemeanor and is punishable by a fine not exceeding \$300.
- (2) A person who represents to the public that the person is an outfitter or who purposely engages in outfitting without a tribal license as required by this section is guilty of a misdemeanor and is punishable by a fine of not less than \$200 and not more than \$500, up to 1 month in the tribal jail, or both. Each day of violation is a separate offense. In addition, the person must be assessed and pay to the Commission the amount of all costs incurred by the Commission in investigating and preparing the case for trial and all prosecution costs, including but not limited to witness, transportation, and per diem expenses.
- (3) A person convicted of engaging in outfitting without a license shall reimburse the full amount of any fees received to the person to whom illegal outfitter services were provided.

12-2-417. Enforcement.

Investigations and arrests for violations of this Part or rules adopted pursuant to this Part may be made by any authorized law enforcement officer.

12-2-418. Investigators - Qualifications.

- (1) The Commission may hire investigators to assist the Commission in investigations and inspections authorized by this Section.
- (2) To qualify as an investigator, a person must:
 - (a) Be a tribal member and/or a citizen of the United States,
 - (b) Have knowledge of outfitting and guiding through prior experience as a licensed outfitter or guide or as a regulator of the outfitting profession, and

(c) Have not less than 1 years' experience as a licensed private investigator or as an investigator, detective, special agent, or peace officer of a city, county, state, tribal, or of a federal agency.

12-2-419. Mandatory Outfitter or Guide.

In order to hunt or fish on any Tribal Fee, Tribal Trust, or Allotted Lands within the exterior boundaries of the Reservation, a non-member must be accompanied by an outfitter and/or guide licensed by the Commission, in addition, non-members, hunters or fishers, must strictly adhere to this Title and any ordinances promulgated hereafter.

12-2-420. Exceptions for Non-members Who are Immediate Family of Member.

Non-members who are immediate family members of an enrolled Member of the Tribe may be accompanied by the Member when hunting and fishing if they have the written permission to do so from the Commission. The Commission shall give written permission for a non-member to be accompanied by an immediate family Member while hunting or fishing upon the demonstration of proof of immediate family status.

12-2-421 Business Proceeds Reporting Requirement

All licensed outfitters must provide an annual report of their outfitter business proceeds to the Commission. First-time applicants do not need to provide this report as part of their initial application.

Part 5. Duties of Outfitters and Guides

12-2-501. Purpose.

It is recognized that some activities conducted by outfitter or guide within the scope of their authorized services are inherently hazardous to participants regardless of all feasible safety measures that may be taken. It is the purpose of this part to define those areas of responsibility and affirmative acts or omissions for which outfitters or guides are liable for loss, damage, or injury and those risks for which the participant expressly assumes or is considered to have voluntarily assumed the risk of loss or damage.

12-2-502. Duties of Outfitters and Guides.

An outfitter or guide offering services in this area shall:

- (1) Act as would a reasonably prudent member of the profession while engaging in providing the services authorized to be performed by a tribally licensed member of the profession.
- (2) Comply with all standards adopted by Commission rule.

12-2-503. Duties of Participants.

(1) A participant shall:

(a) Act as would a reasonably prudent person when engaging in the activities offered by a licensed outfitter or guide for the Tribe.

(2) A participant may not:

(a) Interfere with the running or operation of outfitter or guide activities when those activities conform to the standards of care set forth in Section 12-2-502.

- (b) Use the outfitter or guide's equipment, facilities, or services unless the participant has requested and received permission from the outfitter or guide.
- (c) Knowingly, purposely, or negligently engage in any type of conduct that contributes to or causes injury to the participant or any other person.

12-2-504. Responsibility for Violations of Law.

- (1) A person accompanying a fishing or hunting party as an outfitter or guide, or other employee of the outfitter is equally responsible with any person or party employing the person as an outfitter for any violation of tribal and/or federal fish and game laws unless the violation is reported to an authorized law enforcement officer by the outfitter or guide, or employee and the outfitter or guide, or employee was not an active participant. An outfitter or guide, or other employee of an outfitter who willfully fails or refuses to report any violation of tribal and/or federal fish and game laws is liable to the penalties provided in this Part. If any guide violates the laws or applicable regulations relating to tribal and/or federal fish and game, outfitting, or guiding with actual or implied knowledge of an outfitter employing the guide, the outfitter is legally responsible for the violation for all purposes under the laws or regulations if the outfitter fails to report the violation to the proper authority.
- (2) An outfitter or guide shall report any violation of suspected violation of tribal and/or federal fish and game laws that the outfitter or guide knows or reasonably should have known has been committed by the employees, agents, representatives, clients, or participants in the outfitting or guiding activity. The violation or suspected violation must be reported to an authorized law enforcement officer at the earliest possible opportunity.
- (3) A person may not hire or retain an outfitter unless the outfitter is currently licensed in accordance with the ordinances of the Commission. A person may not use the services of a guide, or a guide may not offer services, unless the services are obtained through an endorsed, tribally licensed outfitter.

TITLE 12

FISH AND GAME CODE

CHAPTER 3 – GENERAL REGULATIONS

Part 1. Means of Taking

12-3-101. Aircraft – Unlawful Use.

- (1) It is unlawful for a person to shoot a game animal from an aircraft.
- (2) It is unlawful for a person to use an aircraft for the purpose of concentrating, pursuing, driving, rallying, or stirring up any game animal.
- (3) Aircraft may not be used to locate game animals for the purpose of:
 - (a) Hunting those animals during the same hunting day that a person has been airborne; or
 - (b) Providing information for another person for the purpose of hunting those animals within the same hunting day that a person has been airborne.

12-3-102. Archery Equipment.

- (1) It is unlawful to use any chemical or explosive device attached to an arrow to aid in the taking of game animals.
- (2) The following criteria define Archery Equipment. It is unlawful to possess, while hunting game during any Archery Only Season, archery equipment that does not meet the following criteria:
 - (a) Hunting Bow: A hunting bow for game animals shall be a longbow, flatbow, recurve bow, compound bow, or any combination of these designs.
 - (i) The bow must be a device for launching an arrow, which derives its propulsive energy solely from the bending and recovery of two limbs (includes bows with split limbs).
 - (ii) The bow must be hand drawn by a single and direct uninterrupted pulling action of the shooter. The bowstring must be moved from brace height to the full draw position by the muscle power of the shooter's body. The energy used to propel the arrow shall not be derived from any other source such as hydraulic, pneumatic, mechanical, or similar devices. These limitations shall not exclude the mechanical leverage advantage provided by eccentric wheels or cams, so long as the available energy stored in the bent limbs of the bow is the sole result of a single, continuous, and direct pulling effort by the shooter.
 - (iii) The bow must be hand-held. One hand shall hold the bow and the other hand draw the bowstring. The bowstring must be moved and/or held at all points in the draw cycle entirely by muscle power of the shooter until release. The bowstring must be released as a direct and conscious action of the shooter, either relaxing the tension of the fingers or triggering the release action of a hand-held release aid.
 - (iv) Exception: Physically disabled bowhunters are exempted from the requirement of holding or shooting the bow with their hands.
 - (v) A bow is considered legal if it is at least 28 inches in total length.
 - (vi) The nominal percent of let-off for hunting bows shall be a maximum of 80 percent as advertised by the manufacturer.
- (b) Arrow: An arrow is a projectile at least 28 inches in overall length. The length of the arrow is measured from the rearward point of the nock to the tip of the broadhead.

- (i) A broadhead is mounted on the fore end.
- (ii) The arrow shall weigh no less than 300 grains with the broadhead attached.
- (iii) Arrows must have broadheads with at least two cutting edges and be at least 7/8 inches at the widest point. Expandable broadheads are legal if when expanded they are at least 7/8 inches at the widest point and weigh no less than 70 grains.
- (3) The following are not considered a hunting bow or legal archery equipment during the archery only season:
 - (a) Crossbow.
 - (b) Any device with a gun-type stock or incorporating any device or mechanism that holds the bowstring at partial or full draw without the shooter's muscle power.
 - (c) Any bow for which a portion of the bow's riser (handle) or any track, trough, channel, or other device that attaches directly to the bow's riser contacts, supports, and/or guides the arrow from a point rearward of the bow's brace height. This is not intended to restrict the use of standard overdraw systems.
 - (d) Electronic or battery-powered devices attached to a hunting bow or arrow that aides in the taking or locating of any game animal or game bird. Exception: Camera devices attached to bows for the sole purpose of filming are allowed.
 - (e) A bow sight or arrow which uses artificial light, luminous chemicals such as tritium, or electronics. Exception: An arrow may have a lighted nock.

12-3-103. Artificial Light (Spotlighting).

It is unlawful for anyone to take or attempt to take any game animal or game bird with the aid of projected artificial light. Use of rifle scopes that project an artificial light to illuminate the target or project infra-red light visible only with specialized optics to illuminate the target are unlawful for the taking of game animals.

12-3-104. Baiting.

- (1) It is unlawful for anyone to hunt or attempt to hunt by the aid of or with the use of any bait, salt lick, trap, snare, or set gun.
- (2) Baiting shall mean the placing, exposing, depositing, distributing, or scattering of food sources or salt so as to constitute a lure or attraction.

12-3-105. Check Stations.

All hunters are required by law to stop as directed at all designated check stations on their way to and from hunting areas, even if they have no game to be checked.

12-3-106. Dogs.

It is unlawful for a person to use dogs to chase game animals, except during fall and winter mountain lion seasons and for upland game birds. Dogs may be utilized to recover or locate wounded game animals.

12-3-107. Evidence of Sex.

A person who kills a game animal on the Reservation shall retain evidence of sex of the animal with the carcass until it is processed. The provisions of this section do not apply to a game animal harvested using a license with which either sex of the animal may be taken. Evidence of sex does not need to be naturally attached.

12-3-108. Firearms.

- (1) Firearms include rifles, handguns, shotguns with 0, 00, or slugs, and muzzleloaders.
- (2) Rifle scopes with illuminated reticles, built-in range-finding capabilities, and “red dot” scopes are lawful for the taking of game animals.

12-3-109. Glandular Scents.

- (1) Natural or artificial glandular scents may be used by licensed hunters to attract game animals by spraying or pouring the scent on the ground or other objects. Exception: Natural or artificial glandular scents may not be used to hunt black bears.
- (2) Hunters may not create a scent station where the scent continues to be dispensed without the hunter’s direct action, such as an automatic device, which drips or otherwise continues to dispense scent.
- (3) No scents other than glandular may be used for attracting game animals, but other scents may be used to mask human odor.

12-3-110. Incidental Harvest Resulting in an Unlawfully Taken Animal.

If a person or a member of a person’s hunting party shoots an animal that results in an unlawfully taken animal, that person shall notify an authorized law enforcement officer.

12-3-111. Inspection by Enforcement Officer.

Game animals, game and nongame birds, fish, and furbearers taken must be shown to an authorized law enforcement officer for inspection when requested.

12-3-112. Kill Site Verification.

At the request of an authorized law enforcement officer, it is required to return to the kill site of any game animal, game bird, or furbearer that has been hunted or trapped.

12-3-113. License Validation and Tagging.

A hunter must attach the appropriate license to the animal before the carcass is removed from the site of the kill, or before the hunter leaves the site of the kill.

12-3-114. Littering.

A holder of a Basic Recreation License and any other additional licenses convicted of littering campgrounds, public or private lands, streams, or lakes, while hunting, fishing, or camping shall forfeit any current Crow Tribe hunting, fishing, or trapping license and shall be prohibited from applying for any new licenses for a period of one year.

12-3-115. Motion-Tracking Devices.

It is unlawful for a person, while hunting, to possess any electronic motion-tracking device or mechanism that is designed to track the motion of a game animal and relay information on the animal’s movement to the hunter. Motion tracking devices are defined as remote operated camera or video devices capable of transmitting real time information, pictures, or videos; seismic devices; thermal imaging devices; and satellite and radio telemetry devices. A radio-tracking collar attached to a dog that is used by a hunter engaged in lawful hunting activities is not considered an unlawful motion-tracking device.

12-3-116. Motorized Vehicles.

It is unlawful for anyone, without express written permission of the Commission for predator control or research purposes, to:

- (1) Hunt or attempt to hunt any game animal from any self-propelled (motorized) or drawn vehicle. To be lawful, a hunter must have two feet on the ground and his/her body outside of the vehicle.
- (2) Use a motorized vehicle or aircraft to concentrate, drive, rally, stir-up, corral, or harass game animals.
- (3) Use a motor-driven vehicle on a road or trail on tribal land if that road or trail is posted as closed by the land management agency. This restriction applies only to tribal land and not to federal land.
- (4) Use a motor-driven vehicle other than on a road or trail designated for travel by a landowner unless permission has been given by that landowner.
- (5) Operate, on federal public lands, a motorized wheeled vehicle off legal routes (including game retrieval).
- (6) Use a powerboat, sailboat, or any boat under sail or any floating device for the purpose of killing, capturing, taking, pursuing, concentrating, driving, or stirring up any game animal. The use of a motor or engine propelled boat or watercraft to hunt any game animal is lawful only when all motion caused by such motor or engine has ceased.
- (7) Use an all-terrain vehicle (4-wheeler, motorcycle, snowmobile, etc.,) for the purpose of killing, capturing, taking, pursuing, concentrating, driving, or stirring up any game animal.

12-3-117. Outfitters and Guides.

A person may not act as an outfitter or guide or advertise or otherwise represent to the public that the person is an outfitter or guide without first securing all appropriate Tribal licenses.

- (1) It is unlawful to engage in outfitting/guiding while not Tribally licensed.
- (2) It is unlawful to hire an outfitter or guide not licensed by the Commission.

12-3-118. Possession of Wildlife Parts.

Individuals may possess and transport naturally shed antlers, or the antlers with a skull or portion of a skull attached from animals that have died from natural causes and that has not been unlawfully killed. Carcasses and parts of elk, deer, antelope, and moose killed in vehicular collisions may be taken and possessed only with written permission from the Commission. A person may only recover and possess the horn or horns and attached skull, or portion thereof, of a mountain sheep that died of natural causes.

12-3-119. Predatory Animals and Nongame Hunting.

Predatory animals and nongame species can be hunted on the Reservation year-round without a license by Members. Permission must be obtained to hunt predatory animals and nongame species on private land. A valid Black Bear License and Mountain Lion license is required prior to the killing of either species except under circumstances of immediate and imminent harm to body or property. Any kill under these limited circumstances must be reported to Commission personnel within 24 hours in order to monitor quota levels.

- (1) Predatory Animals are classified as coyote, weasel, (striped) skunk, and civet cat (spotted skunk).

(2) Nongame species are defined as any wild animal not otherwise legally classified by statute or regulation on the Reservation. Examples include badger, raccoon, red fox, hares, rabbits, ground squirrels, marmots, tree squirrels, porcupines, and prairie dog.

(3) Furbearers are protected game species that may only be taken by persons with a valid trapping license during prescribed open seasons. Tribal classified furbearers include beaver, otter, muskrat, mink, marten, fisher, wolverine, bobcat, lynx, and swift fox.

12-3-120. Protected Species.

No person shall hunt, fish, trap, gather, take, pursue, harass, disturb, sell, purchase, or barter any protected species designated by the Commission or the United States Fish and Wildlife Service.

12-3-121. Recorded Animal Sounds.

It is unlawful to use any recorded or electrically amplified bird or animal calls or sounds or imitations of bird or animal calls or sounds to assist in the hunting, taking, killing, or capturing of any wildlife.

12-3-122. Religious, Cultural Purposes.

Hunts for religious, cultural, or spiritual purposes that are otherwise prohibited by regulation may be engaged in only if prior approval by the Commission is obtained in writing. This shall not apply to protected species designated by the United States Fish and Wildlife Service.

12-3-123. Simulated Wildlife.

It is unlawful to discharge a firearm or other hunting implement at a simulated wildlife decoy in violation of any tribal rule regulating the hunting of the wildlife being simulated.

12-3-124. Selling of Crow Reservation Animals.

It shall be unlawful for any person to sell any bird, fish, or game animal, or any part thereof, that has been killed or obtained within the exterior boundaries of the Reservation.

12-3-125. Transport of Wildlife.

(1) An individual other than the license holder may transport lawfully taken, properly tagged game animals that comply with the "Evidence of Sex Requirements."

(2) It is unlawful to ship, possess, transport, or take out of the Reservation unlawfully killed game animals.

(3) It is a violation of the Federal Lacey Act to transport an unlawfully taken game animal across state boundaries.

12-3-126. Traps.

It is unlawful to destroy, disturb, or remove any trap or snare belonging to another person or remove wildlife from a trap or snare belonging to another person.

12-3-127. Two-Way Communication.

The use of two-way electronic communication is prohibited:

(1) While in the act of hunting game animals to aid in the taking or locating of live animals.

(2) While in the act of hunting mountain lion or bobcats with dogs, beginning when the dogs are placed or physically released on tracks or a scent trail.

- (3) To avoid game check stations or authorized law enforcement officers.
- (4) To facilitate unlawful hunting activity.

The use of two-way electronic communication for the use of safety or other legitimate purposes is exempt. Two-way electronic communication includes, but is not limited to, the following: radios (walkie-talkies/CB), cell phones, text messages, and the use of social media or other electronic platforms, applications, or programs.

12-3-128. Unmanned Aerial Vehicles.

It is unlawful for a person to use an UAV/drone for the purposes of concentrating, pursuing, driving, rallying, or stirring up any game animal. A UAV/drone may not be used to locate game animals for the purposes of hunting those animals during the same hunting day after a UAV/ drone has been airborne or providing information for another person for the purposes of hunting those animals within the same hunting day after the UAV/drone has been airborne. UAVs/drones are not allowed to film a hunt.

12-3-129. Waste of Game.

- (1) Hunters, or persons in possession of a game animal or game animal parts, are prohibited from wasting or rendering unfit for human consumption any part of a game animal that is defined as “suitable for food.”
- (2) For game animals, all of the four quarters above the hock, including loin and backstrap are considered suitable for food.

Part 2. Safety Regulations

12-3-201. Purpose.

The purpose of this Part is to allow members and non-members to participate in game animal hunting opportunities safely and lawfully on the Reservation. This Part also prescribes the methods members must use when exercising Off-Reservation treaty hunting rights.

12-3-202. Supplementation of Other Code Provisions.

Any other safety provisions of this Title are in addition to and supplement this Part.

12-3-203. Unlawful Hunting from Public Highway.

It is unlawful for anyone to hunt or attempt to hunt any game animal: on, from, or across any public highway or the shoulder, berm, barrow pit or right-of-way of any public highway (the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel).

12-3-204. Unlawful Use of Vehicle While Hunting.

- (1) A person may not hunt or attempt to hunt any game animal or game bird from any self-propelled, motor-driven, or drawn vehicle.
- (2) A person may not concentrate, drive, rally, stir up, run, molest, flush, herd, chase, harass, or impede the movement of or attempt to concentrate, drive, rally, stir up, run, molest, flush, herd,

chase, harass, or impede the movement of a game animal or game bird from or with the use or aid of a self-propelled, motor-driven, or drawn vehicle.

12-3-205. Hunter Harassment.

It is unlawful to:

- (1) Intentionally interfere with the lawful taking of a wild animal.
- (2) Disturb an individual engaged in the lawful taking of a wild animal with intent to prevent the taking of the animal.

12-3-206. Hunting Hours.

Authorized hunting hours for the taking of game animals begin one-half hour before sunrise and end one-half hour after sunset each day of the hunting season.

12-3-207. Hunter Orange Requirement.

- (1) Firearm Hunters: Any person hunting or accompanying a hunter as an outfitter or guide must wear a minimum of 400 square inches of hunter orange (fluorescent) material above the waist, visible at all times.
- (2) Archery Hunters: A licensed bowhunter pursuing antelope, black bear, deer, elk, moose, mountain goat, or mountain lion during the Archery Only Season is not required to meet the hunter orange requirement, even if there is a concurrent firearm season in that hunting district or portion of district. However, bowhunters hunting during any portion of the general (firearm) season for antelope, black bear, deer, elk, moose, mountain goat, or mountain lion must always wear a minimum of 400 square inches of hunter orange (fluorescent) above the waist, visible at all times.

TITLE 12

FISH AND GAME CODE

CHAPTER 4 – ENFORCEMENT

Part 1. Civil Enforcement

12-4-101. Enforcement Officers.

- (1) Any provision of this code may be enforced by Tribal Conservation Officers and/or Bison Pasture Rangers of the Commission or other authorized law enforcement officers as provided for by tribal or federal law or by cooperative agreement.
- (2) To be eligible to be hired and serve as a Tribal Conservation Officer or Bison Pasture Ranger, the person:
 - (a) Must never have been convicted of a felony or of domestic violence as defined in the Brady law or a misdemeanor crime involving moral turpitude,
 - (b) Must have a minimum of a high school diploma or a GED,
 - (c) Must not have been dishonorably discharged from any branch of the Armed Services,
 - (d) Must pass a drug screening test,
 - (e) Must be certifiable with a handgun and re-certifiable on a bi-annual basis,
 - (f) Must be at least 21 years of age or older when hired,
 - (g) Must become familiar with this Title in accordance with the examination administered by the Department,
 - (h) Must complete basic police academy training within one-year of employment and subsequent annual training as required, and
 - (i) Must possess a valid state driver's license.
- (3) Preference in employment shall be given to members and veterans.

12-4-102. Enforcement Officers Duties.

It shall be the duty of every Tribal Conservation Officer, Bison Pasture Ranger, and Tribal Law Enforcement Officer and any duly authorized federal officer to:

- (1) Enforce the rules, regulations, and ordinances promulgated relating to hunting, fishing, and trapping and all other regulations which may relate to all activities pursuant to the policy and intent of this Title.
- (2) Issue citations and bring before the proper court any persons violating the provisions of this Title, or any of the regulations, ordinances, or rules adopted pertaining to the policy, intent, and purpose of this Title.
- (3) An enforcement officer may:
 - (a) Serve a subpoena issued by a court for the trial of a violator of the fish and game laws.
 - (b) Conduct a search, with a search warrant.
 - (c) Seize game, fish, game birds, and fur-bearing animals and any parts of them taken or possessed in violation of this Title or the rules of the Department.
 - (d) Seize and hold, subject to law or the orders of the Department, devices that have been used to unlawfully take game, fish, birds, or fur-bearing animals.
 - (e) Arrest a violator of a fish and game law or rule of the Department, violation of which is a misdemeanor.

- (f) Enforce the disorderly conduct and public nuisance laws as they apply to the operation of motorboats on all waters of the Tribe.
- (g) Investigate and make arrests for violations of any rules adopted pursuant to this Title relating to the regulation of outfitters and guides in the state.
- (h) Exercise the other powers of peace officers in the enforcement of the fish and game laws, the rules of the Department, and judgments obtained for violation of those laws or rules.

12-4-103. Relation to Civil and Criminal Procedures Under the Crow Tribal Code.

Unless otherwise provided within this code, the tribal procedural and substantive provisions of the Crow Tribal Code relating to civil and criminal procedures shall apply.

12-4-104. Investigation.

Any authorized law enforcement officer, with reasonable suspicion, may detain, frisk, or question any person he or she suspects to have violated a provision of this Title. The authorized law enforcement officer may also inspect the person's hunting or fishing equipment, or any fish or wildlife taken or in the person's possession. Any person who has been requested to turn over their hunting, fishing, trapping, or recreating equipment or fish or wildlife in his or her possession for inspection by an authorized law enforcement officer must do so.

12-4-105. Search and Seizure.

Any authorized law enforcement officer may, with probable cause, search any conveyance, vehicle, game bag, or any package, box, hunting camp, or similar place where the officer suspects any wildlife or carcass or parts thereof, or any hunting, fishing, trapping, or recreating equipment may be found that is a violation of this Title, regulations, ordinances, or rules adopted hereunder has occurred pertaining to hunting, fishing, trapping, or recreation.

(1) Consent to search. Any person who purchases a license from the Tribe and who enters the Reservation or who possesses any such dead or captured animal, shall be deemed to have consented to such a search.

(2) Seizure. Any officer may, upon probable cause, seize without warrant, all birds, animals, or parts thereof taken, killed, transported or possessed, contrary to the provisions of this Title or any regulation, rule, or ordinance pertaining to hunting, fishing, or trapping, and may seize without warrant, bows, guns, traps, nets, seines, decoys, boats, lights, fishing tackle, or other device unlawfully used for hunting, fishing or trapping. Such officer shall issue a receipt to the person in possession of the items seized stating time, place, date, items seized, where such items will be held, and the name of the officer seizing said items.

12-4-106. Appearance Bond.

If the person alleged to be in non-compliance is unable to appear before the Court for any reason given, such person may post a bond of either money or property or other security. If such person is a resident of the Reservation, then such amount shall be no more than \$30.00 for each alleged offense. If the person alleged to be in non-compliance is a non-resident, such bond shall be equal to 50% of the maximum fine leviable, or \$50.00 for each offense, whichever is greater.

12-4-107. Forfeiture Procedure.

Any fish or wildlife seized shall be subject to forfeiture at the order of the Court after no less than fourteen (14) days' notice and opportunity for hearing or trial as herewith set forth. In case it

appears upon the sworn complaint of the officer making the seizures that any articles seized were not in the possession of any person, and that the owner thereof is unknown, the Court shall have the power and jurisdiction to forfeit such articles unknown by publishing such summons in any newspaper of general circulation in Big Horn County once per week for a period of two successive weeks. The summons shall describe the articles seized and shall give the owner fourteen (14) days from the date of last publication to appear before the Court and contest the forfeiture. If it is determined that a violation of these ordinances is by a non-member and if it is determined that such act or omission alleged violates either 18 U.S.C. § 1165, 16 U.S.C. § 3372 (The Lacey Act), or any other applicable Federal Law, such person and the related evidence shall be taken before the nearest United States Magistrate at the earliest opportunity for prosecution under the relevant Federal laws. Such action may be in addition to Tribal remedies and civil penalties available under Tribal law.

12-4-108. Forfeiture.

If the Court orders forfeiture of any article seized, such articles shall be sold at auction and the proceeds shall be paid over to the Commission for the Conservation Fund. If any articles are not declared forfeited by the order of the Court, they shall be returned to the person from whom seized, after the completion of the case and the civil penalties and liquidated damages are assessed by the Court and if not paid within a period of time to be established by the Court, the Court may dispose of said property as described above.

(1) In the event that final judgment dismisses the allegations against the alleged offender, all items seized shall be returned to the owner or person from whom taken.

(2) If the offender is unable to pay any penalty levied against him, then the Tribal Court may order the forfeiture of any article lawfully seized, and have the proceeds therefrom applied to the Conservation Fund. Any deficiency shall be an enforceable judgment through attachment, garnishment, or other remedy available to the Tribe.

12-4-109. Civil Penalties.

(1) A person who is found to be in non-compliance with provisions of this Title may be subject to a civil suit in the Court. A person found by the Court to have violated this Title or regulations shall be subject to civil penalties not to exceed five hundred dollars (\$500.00) for each act of noncompliance.

(2) The Court shall order any person who violates any provision of Chapters 3, 5, 6, or 7 to complete the remedial hunter education program.

(3) All fines, bonds, and penalties mentioned in this Title may be collected by civil action in the name of the Tribe in any court of competent jurisdiction. All fines, bonds, and costs shall be collected without stay of execution.

12-4-110. Civil Liability to Tribe.

In addition to any other penalty allowed by this Title, the Tribal or Federal Court may award to the Tribe or, in addition to an action to impose penalties, the Tribe may bring a civil action for recovery of damages against any person(s) unlawfully taking, killing, possessing, transporting or wasting any of the following named fish wildlife or plant species, or any part thereof, and the sum assessed for damages for each fish, wildlife or plant species shall not be less than the amount stated herein:

(1) Big Game:

- (a) Antelope - \$2,000.00
- (b) Bighorn Sheep - \$100,000.00 (no authorized hunting season)
- (c) Black Bear - \$1,000.00
- (d) Buffalo - \$100,000.00
- (e) Deer - \$8,000.00
- (f) Elk - \$8,000.00
- (g) Moose - \$6,000.00
- (h) Mountain Goat - \$6,000
- (i) Mountain Lion - \$500.00
- (j) Grizzly Bear - \$8,000 (no authorized hunting season)
- (2) Migratory and Upland Game Birds:
 - (a) Common Snipe - \$50.00
 - (b) Coots - \$50.00
 - (c) Ducks - \$50.00
 - (b) Geese (both dark and white) - \$100.00
 - (d) Grouse (including Blue, Franklin's, Mountain, Ruffed, Sage and Sharp-tailed) - \$50.00
 - (e) Mourning Dove - \$50.00
 - (f) Partridge - \$50.00
 - (c) Pheasants - \$50.00
 - (g) Turkey - \$75.00
- (3) Furbearers:
 - (a) Badger - \$500.00 (no authorized trapping season)
 - (b) Beaver - \$100.00
 - (c) Bobcat - \$500.00
 - (d) Fisher - \$500.00 (no authorized trapping season)
 - (e) Fox - \$500.00 (no authorized trapping season)
 - (f) Lynx - \$8,000 (no authorized trapping season)
 - (g) Marten - \$100.00
 - (h) Mink - \$100.00
 - (i) Muskrat - \$100.00
 - (j) Otter - \$100.00
 - (k) Porcupine - \$100.00
 - (l) Raccoon: \$50.00 - \$100.00
 - (m) Wolverine - \$8,000.00 (no authorized trapping season)
- (4) Fish: All fish, regardless of species, will have value of \$10.00 per inch.
- (5) Non-game birds: All species in the following orders will have a value of \$100.00: loons, grebes, herons, egrets, and bitterns, pelicans and cormorants, cranes, rails, shorebirds, gulls, and terns. All birds of prey including vultures, hawks, falcons, eagles, and owls will have a value of \$500.00. All other non-game birds will have a value of \$50.00.

12-4-111. Federal Prosecution.

Nothing in this Title shall be deemed to preclude Federal prosecution for violation of applicable Federal laws, nor shall a Federal prosecution preclude the filing of a civil complaint by an authorized law enforcement officer in the Court.

12-4-112. Additional Remedies.

In addition to any remedy or penalty provided by this Title, the Tribal or Federal Court may impose the following remedies:

- (1) Forfeiture of weapons and gear used in violating these ordinances.
- (2) Revocation of all Tribal hunting and fishing permits and licenses or injunction against the issuances by the Tribe of any additional permits or licenses to the offender for up to five years. Grounds for the above-mentioned remedy includes, but is not limited to,
 - (a) The unlawful taking or possession of wildlife.
 - (b) The destruction, injury or molestation of livestock, or the damage or destruction of crops, personal property, Tribal property, notices, signboards, or other improvements while engaged in activities subject to this Title and regulations,
 - (c) The littering of Reservation lands or waters while engaged in activities subject to this Title, or
 - (d) The careless use of firearms or other weapons while engaged in activities subject to this Title and regulations.
- (3) Payment of the costs for the Tribal or Federal Court proceeding.

12-4-113. Mandatory Revocation of Permits.

In any case where a person is found in violation of a wildlife law or rule that is subject to a fine of more than \$100.00, or of violating any other law or rule pertaining to fishing, hunting, or possessing game without a permit or during closed season, the court shall revoke the person's hunting, trapping, or fishing privilege for a minimum of one year following such judgment.

12-4-114 Duty of Tribal Prosecutor.

The Tribal prosecutor shall enforce the provisions of this title.

Part 2. Criminal Enforcement

12-4-201 Jurisdiction.

In addition to the civil penalties described in Part 1, the Court may enforce the following criminal provisions on any enrolled member or non-member Indian within the Reservation or on Off-Reservation Unoccupied Lands.

12-4-202. Penalties.

A violation of this Title by a person subject to the criminal jurisdiction of the Court shall constitute a misdemeanor as defined in 8B-2-101 of the Criminal Code. Any person found to be guilty of a violation of this Title shall be sentenced to imprisonment in the Crow Tribal Jail for a term not to exceed six (6) months or a fine not to exceed \$500.00 or both.

12-4-203. Civil Penalties in Addition to Criminal Penalties.

A person subject to the criminal jurisdiction of the Court is also liable for civil damages described in Part 1. Any civil actions described in Part 1 may be brought in the same or different actions as criminal actions.

TITLE 12

FISH AND GAME CODE

CHAPTER 5 – BIG GAME

Part 1. General Provisions.

12-5-101. Use of Dogs.

(1) The use of dogs to hunt, harass, chase or herd big game is prohibited, except for fall and winter mountain lion seasons. (see below)

12-5-102. Firearms and Bow and Arrow Only for Big Game.

Hunting of big game by methods other than with a firearm or bow and arrow is prohibited. Firearms and bow and arrows must be within the following classifications.

(1) Firearms:

(a) Firearms must discharge a projectile of a diameter greater than 22/100 of an inch (.222 Remington is the smallest cartridge allowable.) All .22 caliber rimfire weapons are prohibited.

(b) Auto-loading firearms capable of holding more than six (6) cartridges, or any firearms capable of holding more than six (6) cartridges, or capable of being operated as a fully automatic firearm are prohibited for hunting big game.

(c) Handguns smaller than .41 caliber are prohibited for hunting big game.

(d) Muzzle loading rifles must be .44 caliber or larger.

(e) Shotguns must discharge a 0 shot, 00 shot, or single ball or rifled slug weighing at least one-half (½) ounce.

(f) Use of any mechanism to silence, muffle, or minimize the report of any firearm while hunting big game is prohibited.

(2) Bow and Arrow:

(a) Minimum bow pull must be 60 pounds, and the bow must be able to shoot an arrow 125 yards.

(b) The cutting edge of the arrowhead must be of steel and not less than 7/8 inches long. The shaft of the arrow must be at least 28 inches long.

(c) Explosive, poisonous, or barbed points are prohibited.

(d) Cross bows are prohibited.

12-5-103. Non-Licensed Accompaniment Prohibited.

No big game licensee or member hunting in the field shall be accompanied by a non-member carrying a firearm or bow and arrow, unless that non-member has a license for the same season and unit as the licensee.

12-5-104. Tagging, Transportation Requirements.

No big game animals taken within the exterior boundaries of the Crow Reservation shall be transported unless the tag bearing the licensee's number for the season has been securely attached at the time the animal was killed.

(1) It shall be unlawful for any person to fail or refuse to comply with and follow all tagging instructions on the tag.

(2) To transport parts of a big game animal, a free transportation and shipping permit must be obtained from the Crow Tribal Fish and Game Commission for those parts not accompanied by the tag.

12-5-105. Evidence of sex.

Evidence of sex must be left attached to the carcass of any harvested big game animal. Suitable evidence of sex shall include scrotum, udder, head, or identifiable portions of reproductive organs. It shall be unlawful for any person to transport or possess any big game animal without the accompaniment of the animal's head and hide unless he/she has a receipt from a licensed taxidermist, or a free transportation and shipping permit obtained from the Crow Tribal Fish and Game Commission.

Part 2. Antelope.

12-5-201. Antelope Definitions.

- (1) "Buck (Horned)" means any antelope with a horn or horns at least 4 inches long as measured from the top of the skull.
- (2) "Doe/fawn" means any antelope with horns less than 4 inches long as measured from the top of the skull.
- (3) "Either-sex" means a male or female animal of any age.

12-5-202. Antelope License.

- (1) The total number of antelope licenses an individual may hold is two, only one of which may be an either-sex license.
- (2) Archers must hold a valid antelope license and a Bow and Arrow (archery) license to hunt during the Archery Only Season.
- (3) Antelope licenses are allotted through a random drawing. Hunters must have applied for an antelope license by March 1 of the year they wish to hunt. No one may submit an Antelope License drawing application for another person.

Part 3. Bighorn Sheep.

12-5-301. Bighorn Sheep Hunting Prohibited.

Hunting bighorn sheep on the Crow Indian Reservation is prohibited pursuant to CLB 10-07, "An Act to Make Unlawful any Hunting of Wild Big Horn Sheep within the Exterior Boundaries of the Crow Indian Reservation until the Establishment of a Comprehensive, Long-Term Management Program".

Part 4. Black Bear.

12-5-401. Black Bear Specific Regulations.

- (1) It is unlawful to harvest/take black bear cubs. Cubs are defined as bears less than one year old.
- (2) It is unlawful to harvest/take a female black bear with cubs.
- (3) It is unlawful to use natural or artificial glandular scents to hunt black bears.

12-5-402. Black Bear License.

- (1) A hunter may purchase only one Black Bear License per year.
- (2) Black Bear Licenses are allotted through a random drawing. Hunters must have applied for a Black Bear License by March 1 of the year they wish to hunt. No one may purchase a Black Bear License for another person.

12-5-403. Mandatory Reporting Requirements.

Within 10 days of harvesting a black bear the successful hunter must present to a Crow Tribal Fish and Game Commission official the complete bear hide and skull for the purpose of inspection, tagging and possible removal of a tooth (for aging). The hide and skull must be presented in a condition that allows full inspection and tooth collection (i.e., unfrozen).

Part 5. Buffalo.

12-5-501. Buffalo Reserved for Tribal Members.

Only an enrolled member of the Crow Tribe may possess a Crow Tribe buffalo license and hunt buffalo.

12-5-502. Regulation of Tribally Owned Buffalo.

- (1) It shall be unlawful for any person to hunt, fish, trap, poison, capture or kill by any means any bird, wild animal, or fish, or to be in possession of any parts thereof anywhere within the confines of the area commonly referred to as the Crow Tribal Buffalo Pasture.
- (2) It shall be unlawful for any person to kill capture or possess any part of buffalo belonging to the Crow Tribe of Indians without the express written permission of the Crow Tribal Chairman and the Director of the Natural Resources Department.
- (3) It shall be unlawful for any person to kill, capture or possess any part of a buffalo belonging to the Crow Tribe of Indians anywhere within the Big Horn Mountains or within the exterior boundaries of the Crow Reservation.
- (4) Buffalo are Crow Tribal Property and are not open game if they are out of the confinement of the area commonly referred to as the Crow Tribal Buffalo pasture.

12-5-503. Off-Reservation Buffalo Specific Regulations.

- (1) To protect public safety and minimize traffic obstructions, no buffalo hunting is allowed within 100 yards of US HWYs 20, 89, 191, or 287.
- (2) Hunting on national forest lands must follow restrictions in USFS order 36 CFR 261.10(d) (firearm discharges are prohibited within 150 yards of residence, building, campsite, developed recreation site, or occupied area or across a forest service road or body of water).
- (3) Hunting shall be only by foot or horseback.
- (4) Hunters who harvest a buffalo shall, upon field dressing the carcass, cut open the rumen and remove and spread its vegetative contents.
- (5) Hunters who harvest a buffalo near a roadway or any other facility shall remove all unutilized parts of the carcass (entrails, tissues, bones, hides, fetuses, legs, etc.) to an area at least 200 yards from any roadway, dwelling, campground, designated trail or trailhead. These unutilized parts shall be placed in a manner as to be inconspicuous to passersby.

12-5-504. Buffalo License.

- (1) A hunter may hold only one buffalo license.
- (2) Buffalo licenses are allotted through a random drawing. Hunters must have applied for a buffalo license by March 1 of the year they wish to hunt. No one may submit a Buffalo License drawing application for another person.

12-5-505. Mandatory Reporting Requirements.

Successful buffalo hunters must report their harvested buffalo within 48 hours to the Crow Tribal Fish and Game Commission.

Part 6. Deer.

12-5-601. Deer Definitions.

The following definitions apply to both mule and whitetail species:

- (1) “Antlered Buck” means a deer with an antler at least 4 inches long as measured from the top of the skull.
- (2) “Antlerless” means a deer without antlers, or with antlers less than 4 inches long as measured from the top of the skull.
- (3) “Either-sex” means a male or female animal of any age.

12-5-602. Deer Licenses.

- (1) Each Deer License is valid for one deer. Hunters may hold only one Deer License of each type (i.e., a hunter may hold a general deer license, antlerless deer license, and an archery deer license, but not more than one of each).
- (2) Each Deer License is valid for either a mule or whitetail deer.
- (3) Antlerless Deer and Archery Deer Licenses are based on a first-come, first-served basis. No one may purchase an Antlerless Deer or Archery Deer License for another person.

Part 7. Elk.

12-5-701. Elk Definitions.

- (1) “Antlered Bull” means any elk having an antler or antlers at least 4 inches long as measured from the top of the skull.
- (2) “Antlerless” means a female or juvenile male with antlers less than 4 inches long as measured from the top of the skull.
- (3) “Either-sex” means a male or female animal of any age.

12-5-702. Elk Licenses.

- (1) Each Elk License is valid for one elk. Hunters may hold only one Elk License of each type (i.e., a hunter may hold a general elk license, antlerless elk license, and an archery elk license, but not more than one of each).
- (2) Antlerless Elk and Archery Elk Licenses are based on a first-come, first-served basis. No one may purchase an Antlerless Elk or Archery Elk License for another person.

Part 8. Moose.

12-5-801. Moose Licenses.

- (1) Each Moose License is valid for one moose.
- (2) Moose Licenses are allotted through a random drawing. Hunters must have applied for a Moose License by March 1 of the year they wish to hunt. No one may purchase a Moose License for another person.

12-5-802. Mandatory Reporting Requirements.

Within 10 days of harvesting a moose the successful hunter must report the harvest to the Commission.

Part 9. Mountain Goat.

12-5-901. Mountain Goat Licenses.

- (1) Only one mountain goat license may be purchased each year.
- (2) Mountain Goat Licenses are allotted through a random drawing. Hunters must have applied for a Mountain Goat License by March 1 of the year they wish to hunt. No one may purchase a Mountain Goat License for another person.

12-5-902. Mandatory Reporting Requirements.

Within 10 days of harvesting a mountain goat the successful hunter must report the harvest to the Commission.

Part 10. Mountain Lion.

12-5-1001. Mountain Lion Specific Regulations.

- (1) Female mountain lions accompanied by kittens with spots may not be taken. If a lactating female is killed, the hunter must inform the Crow Tribal Fish and Game Commission as soon after the kill as possible.
- (2) No mountain lion with body spots shall be killed.

12-5-1002. Use of Dogs.

- (1) Use of dogs is prohibited during the Archery Only Season.
- (2) Dogs may be used in the fall and winter seasons.

12-5-1003. Mountain Lion Licenses.

- (1) A hunter may purchase only one Mountain Lion License per year.
- (2) No one may purchase a Mountain Lion License for another person.

TITLE 12

FISH AND GAME CODE

CHAPTER 6 – GAME BIRDS

Part 1. Laws & Rules.

12-6-101. Aircraft Unlawful Use.

- (1) A person may not kill, take, or shoot at any game bird from an aircraft, including a helicopter.
- (2) A person may not use an aircraft, including a helicopter or drone, for the purpose of concentrating, pursuing, driving, rallying, or stirring up any game bird.

12-6-102. Artificial Light.

It is unlawful for anyone to take or attempt to take any game bird with the aid of projected artificial light. Use of rifle scopes that project an artificial light to illuminate the target or project infra-red light visible only with specialized optics to illuminate the target are unlawful for the taking of game birds.

12-6-103. Baiting.

- (1) It is unlawful for anyone to hunt or attempt to hunt by the aid of or with the use of any bait, salt lick, trap, snare, or set gun. Baiting shall mean the placing, exposing, depositing, distributing, or scattering of food sources or salt to constitute a lure or attraction.
- (2) The use of artificial bird decoys shall not be deemed a taking involving bait.

12-6-104. Check Stations.

All hunters are required by law to stop as directed at all designated check stations on their way to and from hunting areas, even if they have no game to be checked.

12-6-105. Emergency Closure.

In the event of an unusual vulnerability or harvest of ducks or geese from unexpected factors (e.g., severe weather, drought, food shortage, etc.), additional harvest restricted, or an emergency closure of waterfowl hunting may be implemented within 48 hours of detection of said problem by announcement through local media, local posting (hunting signs) of habitat, and enforcement by Tribal Personnel.

12-6-106. Evidence of Species and Sex.

It shall be unlawful for any person to transport within the Reservation any game bird unless one fully feathered wing and one foot remains attached to each bird at all times while being transported until arrival at the personal residence of the hunter or at a game processing facility.

12-6-107. Falconry.

All areas open to hunting of upland game birds and/or migratory game birds by firearms shall be open to either-sex hunting of that species by falconry.

12-6-108. Feathers or Skins.

(1) Commercial use of feathers. Any person may possess, purchase, sell, barter, or transport for the making of fishing flies, bed pillows, and mattresses, and for similar commercial uses the feathers of migratory waterfowl (ducks, geese, brant, and swans) killed by hunting pursuant to this code, or seized and condemned by Federal or Tribal game authority except that:

(a) No person shall purchase, sell, barter, or offer to purchase, sell, or barter for millinery or ornamental use the feathers of migratory game birds taken under authority of this part; and

(b) No person shall purchase, sell, barter, or offer to purchase, sell, or barter mounted specimens of migratory game birds taken under authority of this part.

(2) Personal use of feathers or skins. Any person for his/her own use may possess, transport, ship, import, and export without a permit the feathers and skins of lawfully taken migratory game birds.

12-6-109. Hunter Harassment.

It is unlawful to:

(1) Intentionally interfere with the lawful taking of a wild animal.

(2) Disturb an individual engaged in the lawful taking of a wild animal with intent to prevent the taking of the animal.

12-6-110. Hunter Orange.

Although not required, it is strongly recommended that all bird hunters wear at least a hunter orange hat or cap to reduce the chance of an accident.

12-6-111. Hunting Hours.

Authorized hunting hours for the taking of game birds begin one-half hour before sunrise and end one-half hour after sunset each day of the hunting season.

12-6-112. Importation.

It shall be unlawful for any person to import during any one week beginning on Sunday more than:

(1) 25 doves and 10 pigeons from any foreign country.

(2) 10 ducks and 5 geese from any foreign country except that of Canada and Mexico may not exceed Canadian or Mexican export limits. In addition, one fully feathered wing must remain attached to all migratory game birds being transported or shipped between a port of entry and one's home or to a migratory bird preservation facility. No person shall import migratory game birds belonging to another person.

12-6-113. Inspection of Wildlife.

Wildlife taken must be shown to authorized law enforcement officers for inspection when requested.

12-6-114. Landowner Permission.

Bird game hunters must have permission for all hunting on private land.

(1) Hunters must have permission from the landowner, lessee, or their agent before hunting on private property, regardless of whether the land is posted or not.

- (2) Access to public land through private land requires permission of the private landowner, lessee, or their agent.
- (3) Hunters must obtain permission before retrieval of wildlife from private lands.

12-6-115. License and Permit Possession/Use.

It is unlawful to:

- (1) Hunt or attempt to hunt for any game bird unless the person is carrying the required license or permit at the time.
- (2) Refuse to produce a license or permit and the identification used in purchasing a license or permit for inspection to an authorized law enforcement officer.
- (3) Alter or change a license in any material manner.
- (4) Loan or transfer any license to another person.
- (5) Use a license issued to another person.
- (6) Attach the person's license to a game bird killed by another person.
- (7) Have physical control over a valid and unused hunting license or permit issued to another person while in any location that the species to be hunted may inhabit. This prohibition does not apply to a person who is carrying or has physical control over a license or permit issued to that person's spouse or to any minor when the spouse or minor is hunting with that person.

12-6-116. License Validation/Tagging.

- (1) A hunter must clearly write the proper month and day of the kill on the appropriate license and attach it to the animal before the carcass is removed from the site of the kill, or before the hunter leaves the site of the kill.
- (2) The properly validated license must remain with the meat (including cold storage) until consumed.

12-6-117. Littering.

A holder of a Tribal hunting license or camping permit convicted of littering campgrounds, public or private lands, streams, or lakes, while hunting, fishing, or camping shall forfeit any current Tribal hunting, fishing, or trapping license and shall be prohibited from applying for any new licenses for a period of one year.

12-6-118. Motorized Vehicles.

- (1) It is unlawful for anyone to hunt or attempt to hunt any game bird from any self-propelled (motorized) or drawn vehicle. To be lawful, a hunter must have two feet on the ground and his/her body outside of the vehicle.
- (2) No person shall take any game birds:
 - (a) From or by means, aid, or use of any motor vehicle, motor-driven land conveyance, or aircraft of any kind.
 - (b) From or by means of any motorboat or other craft having a motor attached, or any sailboat, unless the motor has been completely shut off and/or the sails furled, and its progress therefrom has ceased.
 - (c) From or by means, aid, of any motor driven land, water, or air conveyance, or any sailboat used for the purpose of, or resulting in, the concentrating, driving, rallying, or stirring up of any game bird.

12-6-119. Outfitters and Guides.

- (1) A person may not act as an outfitter or guide or advertise or otherwise represent to the public that the person is an outfitter or guide without first securing a license.
- (2) It is unlawful to engage in outfitting/guiding while not licensed.

12-6-120. Possession Limit.

The number of game birds that may be possessed at any time in any form: fresh, stored in freezers or lockers, salted, smoked, dried, canned, or preserved.

12-6-121. Possession Limit While in the Field.

No person shall possess more than one daily bag limit while in the field, or while returning from the field to one's vehicle, hunting camp, home, etc.

12-6-122. Possession of Live Birds.

Wounded birds reduced to possession shall be immediately killed and included in the daily bag limit.

12-6-123. Public Roadways.

It is unlawful for anyone to hunt or attempt to hunt any game bird: on, from, or across any public highway or the shoulder, berm, barrow pit or right-of-way of any public highway (the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel).

12-6-124. Raptors, Bald and Golden Eagles, Other Protected Species.

- (1) It is unlawful for any person to take, attempt to take, kill, hunt, sell, purchase, possess, pursue, shoot at, disturb, or destroy any raptor, Golden or Bald Eagle, Owl, Falcon or other species of protected migratory birds or its nest or eggs on any lands of the Crow Tribe.
- (2) Any enrolled member of the Crow Tribe requesting or desiring any eagle, raptor, or protected migratory bird, or parts thereof, for ceremonial or religious purposes must make or properly complete an application for submission to the U.S. Fish and Wildlife Service, Law Enforcement Division.

12-6-125. Recorded Animal Sounds.

It is unlawful to use any recorded or electrically amplified bird or animal calls or sounds or imitations of bird or animal calls or sounds to assist in the hunting, taking, killing or capturing of any wildlife except predatory animals and those birds not protected by Tribal or Federal law.

12-6-126. Shipment.

It shall be unlawful for any person to ship migratory game birds unless the package is marked on the outside with (1) the name and address of the person sending the birds, (2) the name and address of the person to whom the birds are being sent, and (3) the number of birds, by species, contained in the package. Such package shall be subject to inspection.

12-6-127. Shooting Near Utility Lines.

It is illegal to shoot any bird while it is resting on or flying near utility lines or fixtures adjacent to those lines.

12-6-128. Size of Party Limited.

No more than twenty (20) persons shall cooperate as a group in hunting any game bird on any lands of the Crow Tribe.

12-6-129. Unlawful Posting of Tribal or Federal Land.

It is unlawful for a person to knowingly post land that is under the ownership or control of the state or federal government to restrict access or use of tribal or federal land.

Part 2. Migratory Bird Regulations.

12-6-201. Baiting for Migratory Birds.

(1) It is unlawful to hunt waterfowl or any other migratory game bird by the aid of baiting or on or over any baited area where you know or reasonably should know that the area is or has been baited. Baiting is the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could lure or attract migratory game birds to, on, or over any areas where hunters are attempting to take them. A baited area is any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or feed could serve as a lure or attraction for migratory game birds.

(2) 10-Day Rule - A baited area remains off limits to hunting for 10 days after all salt, grain or other feed has been completely removed. Waterfowl will habitually still be attracted to the same area even after the bait is gone. The 10-day rule recognizes that removing bait does not remove the lure created and that waterfowl will still be attracted to the area.

12-6-202. Federal Migratory Bird Stamp.

The Federal Migratory Bird Stamp (Federal Duck Stamp) is available from the U.S. Postal Service. The Stamp is valid from July 1 through June 30. The law requires that each waterfowl hunter 16 years of age and older must carry on his/her person a Federal Migratory Bird Stamp that is validated by the hunter signing the stamp in ink across the face of the stamp.

12-6-203. Method of Taking.

(1) Migratory birds may be taken only with long, recurve, or compound bow and arrow, falconry, or shotgun not larger than 10-gauge, incapable of holding more than three shells, and fired from the shoulder.

(2) You can hunt migratory game birds, including waterfowl, on, over, or from:

(a) Standing crops or flooded standing crops, including aquatic plants.

(b) Standing, flooded, or manipulated natural vegetation.

(c) Flooded harvested croplands.

(d) Lands or areas where grains have been scattered solely as the result of a normal agricultural harvesting or normal agricultural post-harvest manipulation.

(e) Lands or areas where top-sown seeds have been scattered solely as the result of a normal agricultural planting, or a planting for agricultural soil erosion control or post-mining land reclamation.

(f) A blind or other place of concealment camouflaged with natural vegetation.

(g) A blind or other place of concealment camouflaged with vegetation from agricultural crops, provided your use of such vegetation does not expose, deposit, distribute or scatter grain or other feed. You should be aware that seeds or grains from such vegetation could create a baited area.

(h) Standing or flooded standing agricultural crops where grain is inadvertently scattered solely as the result of hunters entering or leaving the area, placing decoys, or retrieving downed birds. Hunters are cautioned that while conducting these activities, any intentional scattering of grains will create a baited area.

12-6-204. Migratory Bird Harvest Information Program.

All migratory bird hunters in the Reservation are required to take part in a National Harvest Survey Program. To comply with HIP, you must complete a survey including your name, address and date of birth before you can purchase your Tribal Migratory Bird License. In addition, you will be asked to respond to several questions about your hunting experience on the Reservation during last year's season.

12-6-205. Migratory Game Birds and Waterfowl, Seasons, Bag Limits, Hours.

The establishment of migratory bird hunting seasons and bag limits shall be set in compliance with the Migratory Bird Treaty Act. In addition to any regulations provided for in this subsection, all rules and regulations provided for in 50 CFR 20, Migratory Bird Hunting, will be enforced.

12-6-206. Nontoxic Shot.

(1) No person may take ducks, geese, swans or coots while possessing shot (either in shot shells or as loose shot for muzzle loading) other than approved nontoxic shot.

(2) Nontoxic shot is not required for webless migratory birds (sandhill crane, mourning dove and snipe) except on national wildlife refuges and waterfowl production areas. However, it is unlawful for anyone to use or possess a shotgun shell or ammunition loaded with or containing other than federally approved nontoxic shot while hunting, taking or attempting to take ducks, geese, swans or coots. If hunters have specific questions regarding this regulation, please inquire at the local refuge office.

12-6-207. Selling/Possession of Migratory Game Birds.

(1) Any person may possess, purchase, sell, barter, or transport for the making of fishing flies, and for similar commercial uses the feathers of migratory waterfowl.

(2) Exception - No person shall sell, barter, or offer to purchase, sell or barter for millinery or ornamental use the feathers or mounted specimens of migratory game birds.

12-6-208. Shipping.

No person shall ship migratory game birds unless the package is marked on the outside with:

- (1) The name and address of the person sending the birds,
- (2) The name and address of the person to whom the birds are being sent, and
- (3) The number of birds, by species, contained in the package.

12-6-209. Tagging.

No person shall give, put, or leave any migratory birds at any place or in custody of another person unless the birds are tagged by the hunter with the following information:

- (1) The hunter's signature,

- (2) The hunter's address,
- (3) The total number of birds involved, by species, and
- (4) The dates such birds were killed.

Tagging is required if the birds are being transported by another person for the hunter, or if the birds have been left for cleaning, storage (including temporary storage), shipment or taxidermy services.

12-6-210. Transportation Species Identification Requirement.

No person shall transport within the United States any migratory game birds, except doves and band-tailed pigeons, unless the head or one fully feathered wing remains attached to each such bird at all times while being transported from the place where taken until they have arrived at the personal abode of the possessor or a migratory bird preservation facility.

12-6-211. Unlawful Methods of Taking.

It is unlawful to hunt migratory game birds:

- (1) With a trap, snare, net, crossbow, rifle, pistol, swivel gun, shotgun larger than 10-gauge, punt gun, battery gun, machine gun, fishhook, poison, drug, explosive, or stupefying substance.
- (2) With a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells.
- (3) From or by means, aid, or use of a sink box or any other type of low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water.
- (4) By the use or aid of live birds as decoys; although not limited to, it shall be a violation of this paragraph for any person to take migratory waterfowl on an area where tame or captive live ducks or geese are present unless such birds are and have been for a period of 10 consecutive days prior to such taking, confined within an enclosure that substantially reduces the audibility of their calls and totally conceals such birds from the sight of wild migratory waterfowl.

12-6-212. Waste of Game.

- (1) Wanton Waste – No person shall kill or cripple any migratory game bird pursuant to this part without making a reasonable effort to retrieve the bird and retain it in his/her actual custody.
- (2) Note – It is unlawful to waste any part of a game bird suitable for food, which includes the breasts of birds the size of a teal duck or smaller and the breasts and thighs of all birds larger than a teal duck. This is more restrictive than federal regulations.

12-6-213. Whooping Cranes, Sandhill Cranes, and Tundra Swans.

It is unlawful to take whooping cranes, sandhill cranes, or tundra swans on any lands of the Crow Tribe.

Part 3. Turkey Regulations.

12-6-301. Evidence of Sex.

No person shall transport any turkey taken during the spring (male) season unless one leg and foot are left naturally attached for evidence of sex. The leg and foot shall remain attached at all times while being transported from the place where taken until they have arrived at the permanent residence of the possessor.

12-6-302. Limit.

A turkey hunter may hold up to 2 wild turkey licenses per year. This may include: one spring turkey license and one fall turkey license.

12-6-303. Waste of Gamebird.

It is unlawful to waste any part of a game bird suitable for food. Following are turkey parts suitable for food: breasts, thighs, and wings.

12-6-304. Wild Turkey Specific Regulations.

Wild Turkey may be taken with:

- (1) A shotgun not larger than 10-gauge, incapable of holding more than three shells, and fired from the shoulder.
- (2) A long, recurve, or compound bow and arrow.
- (3) A rifle or handgun may be used during the fall season.

Part 4. Upland Bird Regulations.

12-6-401. Means of Take.

Upland Game Birds may only be taken with a shotgun not larger than a ten gauge; a long, recurve or compound bow and arrow; or by falconry. All other means of taking are prohibited.

12-6-402. Non-Native Species.

The Commission has designated California Quail, Gambel's Quail, and Eurasian Collared Doves as non-native, prohibited, unprotected species.

- (1) Possession, sale, purchase, or transport of live birds on the Reservation is prohibited.
- (2) These birds may be taken without license, season, or limit.

12-6-403. Nontoxic Shot.

Hunters are reminded that nontoxic shot is required for the hunting of upland game birds on federal refuges or waterfowl production areas. Only federally approved nontoxic shot may be used on these areas. Specific questions regarding this regulation should be made through local offices of the U.S. Fish & Wildlife Service.

12-6-404. Shooting Preserves (Private).

To hunt upland game birds on a private shooting preserve, member hunters must possess a valid upland game bird license and non-member hunters must possess either a valid season upland game bird license or a 3-day upland game bird license.

12-6-405. Transporting Pheasants.

It is unlawful to possess or transport within the Reservation any pheasant unless one leg and foot are left naturally attached for evidence of sex. The leg and foot shall remain attached at all times while being transported from the place where taken until it has arrived at the permanent residence of the possessor.

12-6-406. Transporting Upland Game Birds.

- (1) No person shall transport within the Reservation any sage grouse, sharptailed grouse, mountain grouse, or partridge unless one fully feathered wing is left naturally attached for species identification. The wing shall remain attached at all times while being transported from the place where taken until it has arrived at the permanent residence of the possessor.
- (2) If a hunter puts or leaves any game birds at any place or in the custody of another person, the birds should be tagged by the hunter with the following information:
 - (a) The hunter's signature,
 - (b) The hunter's address,
 - (c) The total number of birds involved, by species, and
 - (d) The dates such birds were killed.
- (3) Game birds should be tagged if the birds are being transported by another person for the hunter, or if the birds have been left for cleaning, storage (including temporary storage), shipment or taxidermy services.
- (4) The rule does not prohibit the possession or use of two-way communication for safety or other legitimate purposes.

12-6-407. Waste of Game.

- (1) It is unlawful to waste any part of any game animal, game bird, or game fish suitable for food.
- (2) The following are game bird parts "suitable for food":
 - (a) All birds that fall into the size category of the partridge or smaller, only the breasts must be retained.
 - (b) All birds larger than a partridge and up to the size category of, and including, pheasants and sage grouse, the breasts and the thighs must be retained.

12-6-408. Upland Game Bird Bag Limits.

Upland game bird bag limits shall be set by the Commission.

TITLE 12

FISH AND GAME CODE

CHAPTER 7 – FURBEARERS AND TRAPPING

Part 1. Non-Members Prohibited.

12-7-101. Non-Members Prohibited.

It is unlawful for non-members to hunt or trap furbearers on any lands of the Crow Tribe, unless given written permission by the Commission for the purposes of predator control.

Part 2. Definitions.

12-7-201. Definitions.

(1) “CENTER SWIVEL” means a swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate or can be included in the chain at a point no more than 5 normal chain links from a centered D-ring or base plate attachment point at the center.

(2) “EXCESS TAKE” means the take of legally harvestable species after the season is close or an individual’s possession limit has been met.

(3) “FURBEARERS” means furbearing animals, legally defined as, beaver, otter, muskrat, mink, marten, fisher, wolverine, bobcat, swift fox, and lynx. There is currently no season for lynx or for wolverine.

(4) “GROUND SET” means any trap originally set in or on the land (soil, rock, etc.). This includes any traps elevated less than 48 inches above the natural ground or current snow level.

(5) “NONGAME WILDLIFE” means any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other animal not otherwise legally classified by tribal statute or regulation. Examples of nongame wildlife are badger, raccoon, and red fox. There is no license in order to trap nongame wildlife.

(6) “NON-TARGET CAPTURE” means the capture of any animal that cannot be lawfully trapped, including domestic animals.

(7) “PREDATORY ANIMALS” means coyote, weasel, skunk, and civet cat. There is no license required to trap predators.

(8) “RELAXING SNARE” means a trap with a snare lock that allows the snare loop to release constriction pressure on the captured animals when the cable is not taut (e.g., when the animal stops pulling, it will loosen). This means that the locking device on the snare cable operates both ways allowing the snare cable to move back and forth to some degree. Locks that only close or that use springs or other powering devices to hold them closed are not considered relaxing snares.

(9) “TRAP” means to take or harvest or participate in the taking or harvesting of any wildlife protected by the laws of the Tribe by setting or placing any mechanical device, snare, deadfall, pit, or device intended to take wildlife or to remove wildlife from any of these devices.

(10) “WATER SET” means any trap originally set in or on any body of water. This shall include traps on floats in the water and those that are set with a minimum of one-third of the trap submerged. The term water set applies to traps set on beaver dams, in bank holes, and in the water

at bank sides. This shall not apply to temporarily standing water resulting from any cause, such as rainfall, snow, runoff, or flooding.

Part 3. Trapping.

12-7-301. Disturbing Traps or Trapped Animals.

A person may not destroy, disturb, or remove any trap or snare belonging to another person or remove wildlife from a trap or snare belonging to another person without permission of the owner of the trap or snare, except from March 1 to October 1 of each year a person may remove any snare from land owned or leased by the person if the snare would endanger livestock. This requirement does not apply to an authorized law enforcement officer acting within the scope of the officer's duty.

12-7-302. Exposed Carcass or Bait.

No trap or snare may be set within 30 feet of an exposed carcass or bait that is visible from above.

12-7-303. Inspection of Traps.

Wildlife taken must be shown to an authorized law enforcement officer for inspection when requested.

12-7-304. General Regulations.

- (1) No steel or leg-hold traps larger than no. 4, traps with steel teeth, or conibear traps larger than 330 bodygrip are allowed.
- (2) All traps must be clearly marked with permanently attached metal tags showing the name and address of the owner.
- (3) No person shall flag, mark, or otherwise attempt to claim any muskrat house on the Reservation before sunrise on opening day of the trapping season. After the season is open, "flagging", or marking, of muskrat houses is legal if the muskrat house contains a trap.
- (4) It shall be unlawful for any trapper to check his or her traps at intervals less than every 36 hours.

12-7-305. License and Permit/Use.

It is unlawful to:

- (1) Hunt or trap or attempt to hunt or trap for any furbearing animal unless the person is carrying the required license at the time.
- (2) Refuse to produce a license and the identification used in purchasing a license for inspection to an authorized law enforcement officer.
- (3) Alter or change a license in any material manner.
- (4) Loan or transfer any license in any material manner.
- (5) Use a license issued to another person.
- (6) Have physical control over a valid and unused hunting license issued to another person while in any location that the species to be hunted may inhabit. This prohibition does not apply to a person who is carrying or has physical control over a license issued to that person's spouse or to any minor when the spouse or minor is hunting with that person.

12-7-306. Littering.

A holder of a hunting, trapping, or camping license convicted of littering campgrounds, public or private lands, streams, or lakes, while hunting, fishing, or camping shall forfeit any current hunting, fishing, or trapping license and shall be prohibited from applying for any new licences for a period of one year.

12-7-307. Lynx Season Closed.

Trapped lynx that are uninjured must be released immediately and the incident must be reported to the Commission or an authorized law enforcement officer within 24 hours of release. If a lynx is injured, trappers must immediately notify the Commission or an authorized law enforcement officer, to determine disposition and/or collection of the animal.

12-7-308. Means of Taking Prohibited.

- (1) No person shall set or operate more than 50 traps at any one time.
- (2) No person shall disturb, destroy, or set traps inside any furbearer's den, burrow, lodge or nest.
- (3) Use of any motorized vehicle to pursue, capture, kill or harass any furbearer is prohibited.
- (4) Use of poison, gas, explosives, or smoke to kill or capture any furbearer is prohibited.

12-7-309. Non-Target Capture Requirement.

The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to the Commission within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call the Commission. Exception: Any such animal that is injured or dead must promptly (with little or no delay) be reported to the Commission to determine disposition and/or collection of the animal. Animals that may be lawfully trapped are furbearers for which the season is open, and an individual possession limit has not been reached. A trapper may NOT trap any game animal, game bird, or migratory bird.

12-7-310. Occupied Dwellings and Setbacks.

Ground sets, including all snares, are unlawful within 50 yards of any occupied house or dwelling without written notification of the inhabitant, community, town, city limits, public use or picnic area, campgrounds and recreational sites, roads and trails, trailheads, or other places where public gatherings are likely to take place.

12-7-311. Recorded Animal Sounds.

It is unlawful to use any recorded or electrically amplified bird or animal calls or sounds or imitations of bird or animal calls or sounds to assist in the hunting, taking, killing, or capturing of any wildlife except predatory animals and those birds not protected by tribal or federal law.

12-7-312. Seizure of Traps, Animals.

Authorized law enforcement officers may seize all traps, trapping devices, and wildlife held in violation of these provisions.

12-7-313. Snares.

- (1) A person may not use a snare trap for the purpose of snaring a furbearing animal, a predatory animal, or a nongame species unless the snare trap is tagged with a numbered metal devise identifying the owner's name, address, and telephone number.
- (2) All snares are required to be equipped with a breakaway lock device designed to release when more than 350 pounds of force is applied. Breakaway snares must be fastened to an immovable object solidly secured to the ground.
- (3) The use of drags is unlawful on snares.

12-7-314. Trap Identification.

Metal identification tags must be fastened to all traps. Metal tags must bear the name and address of the trapper or a personal identification number. Metal identification tags for snares must have the trap owner's name, address, and telephones number. Landowners trapping on their own lands and irrigation right-of-way contiguous to their land do not need to tag traps or snares.

12-7-315. Trapping Protected Species Prohibited.

It is unlawful for any person to be in possession of a protected furbearer or any other protected wildlife. If protected species are trapped, accidentally or otherwise, the animal shall be released undisturbed, or if killed, the Commission must be notified before the animal is removed from the trapping device.

Part 4. Laws & Rules Specific to Furbearers.

12-7-401. Destroying Muskrat or Beaver Houses.

A person may not at any time willfully destroy, open or leave open, or partially destroy a house of any muskrat or beaver, except that trapping in the house of muskrats is lawful when authorized by the Commission.

12-7-402. Generally.

Taking of furbearers during the open season by any means other than trapping or snaring is unlawful unless otherwise stated.

12-7-403. Harvest Data Reporting.

Trappers and hunters are required to personally provide harvest registration data for bobcat, otter, marten, fisher, and swift fox at the time the pelt is presented to a designated Commission personnel for tagging.

12-7-404. Kill Site Verification.

As a condition of hunting and trapping on the Reservation, persons may be required to return to the kill site or trap site if requested to do so by an authorized law enforcement officer.

12-7-405. Live Furbearers.

Wild furbearers captured alive must be killed or released. It is unlawful for a person to possess or transport wild furbearers alive. Live furbearing animals may not be possessed or transported.

12-7-406. Marked or Radio-Collared Animals.

It is unlawful to harvest furbearers that have radio collars, neck bands, ear tags, and/or other markers, but markers and radio collars must be returned to the Commission. A person must report the killing of a marked animal to the Commission.

12-7-407. Pelt Possession.

It is unlawful for any person to purchase or possess any untagged bobcat, otter, fisher, or wolverine.

12-7-408. Pelt Tagging and Inspection.

(1) Trappers are required to personally present the pelts of bobcat, fisher, otter, and swift fox, for tagging to a Commission employee within 10 days of the calendar close of season.

(2) Trappers are required to provide harvest registration date for bobcat, fisher, otter, swift fox, and/or marten at the time the pelt is presented for tagging.

(3) Trappers unable to comply with the pelt tagging requirement due to special circumstances of the unavailability of Commission personnel must still report their pelts within 10 days of the calendar close of the season by contacting the Commission to make arrangements for tagging by Commission personnel.

(4) Pelts not presented or reported to Commission personnel within 10 days of the calendar close of the season are subject to confiscation.

12-7-409. Pelt Tags.

The pelt tag is required to remain attached to the pelt until tanned or after being exported.

12-7-410. Quotas and Season Closures.

Furbearer seasons will close in 48 hours when a species quota or subquota is reached or approached prior to the end of the regular season. The Commission has authorized the Executive Director to initiate a closure prior to reaching a quota or subquota when conditions or circumstances indicate the quota may be reached within 48-hour closure notice period.

12-7-411. Reporting.

Tappers and hunters are required to personally report their bobcat, fisher, marten, otter, and/or swift fox harvests within 24 hours by contacting Commission personnel so that the Commission can monitor quota levels. Trappers are required to provide: name telephone number, species, date of harvest, specific location, and sex when reporting a furbearer harvest.

12-7-412. Specimen Collection.

(1) Lower Jaw – Hunters or trappers harvesting a bobcat, otter, and/or swift fox must provide a cleaned and air-dried complete lower jaw (both sides) for aging before a pelt tag is issued. Ages of harvested animals is important information used in setting harvest quotas. Before bringing in the lower jaw, remove as much flesh as possible and allow it to dry in the open air. To prevent decay, do not store or transport in any closed container made of plastic—use a paper bag or cardboard box. The jaw may be returned upon request.

(2) Carcasses – It is mandatory that the entire and intact carcass of all fisher be turned in to Commission personnel in good condition, at the time the pelt is presented for tagging. The skulls will be retained by Commission personnel for processing and examination and then returned to the

owner if requested. Good condition is defined as fresh or frozen and securely wrapped in such a manner as to have prevented decomposition in order that all tissue samples are suitable for lab analysis.

12-7-413. Two-Way Communication.

- (1) The use of two-way electronic communication is prohibited:
 - (a) While in the act of hunting game animals to aid in the taking or locating of live animals.
 - (b) While in the act of hunting mountain lion or bobcats with dogs, beginning when the dogs are placed or physically released on tracks or a scent trail.
 - (c) To avoid game check stations or authorized law enforcement officers.
 - (d) To facilitate unlawful hunting activity.
- (2) The use of two-way electronic communication for the use of safety or other legitimate purposes is exempt.
- (3) Two-way electronic communication includes, but is not limited to, the following: radios (walkie-talkies/CB), cell phones, text messages, and the use of social media or other electronic platforms, applications, or programs.

12-7-414. Waste of Furbearers.

A person may not waste a furbearing animal by purposefully or knowingly:

- (1) Failing to pick up traps or snares at the end of the trapping season so that the pelt of a furbearing animal is wasted.
- (2) Attending traps or snares so that the furbearing animals are wasted.
- (3) Wasting the pelt of any furbearing animal.

Part 5. Beaver.

12-7-501. Regulations Specific to Beavers.

- (1) Beaver that have been lawfully trapped can be dispatched with a firearm. Beaver that have not been trapped cannot be taken with a firearm, except as outlined below in damage situations.
- (2) Owners and lessees of property being damaged by beaver or muskrat may request a free permit to remove beaver or muskrat and may remove beaver or muskrat without a permit during dates established by the Commission.
- (3) A person participating in a beaver or muskrat damage complaint must have in their possession the damage permit issued to the landowner (or a copy thereof) during control activities. Damaging beaver or muskrat may be removed by trapping or shooting. A person may possess beaver or muskrat under the damage permit.

Part 6. Bobcat.

12-7-601. License Requirements.

License must be purchased by a date established by the Commission to be valid for bobcat.

12-7-602. Quotas.

Furbearer seasons will close in 48 hours when a species quota is reached or approached prior to the end of the regular season.

12-7-603. Bobcat Hunting Season.

- (1) Bobcat is the only animal defined by law as a furbearing animal that may be taken by hunting. Hunting hours are one-half hour before sunrise to one-half hour after sunset. Bobcat chasing during the hunting season is open each day one-half hour before sunrise to one-half hour after sunset. Bobcats may not be hunted or taken except during bobcat hunting hours.
- (2) Dogs may be used to take bobcat, but no other animals defined by law as furbearing animals. Dogs may be used to hunt or chase bobcats within prescribed hunting hours and seasons.
- (3) It is unlawful for a hound handler or bobcat hunter to release dogs on a bobcat track, or allow dogs to chase a bobcat, or hold a bobcat at bay, when the season is not open to hunting or chasing bobcats.
- (4) Bobcats may not be trapped to be later released for hunting and/or chasing with dogs. Wild furbearers captured alive must be immediately killed or released. It is unlawful for a person to possess or transport wild furbearers alive.
- (5) Persons with a General Trapper License validated for bobcat may lawfully chase bobcats during the open hunting season. A trapper license must be purchased and validated for bobcat by a date established by the Commission of the current license year to be valid.
- (6) Non-members may not hunt or chase bobcats. Members must possess a valid trappers license to hunt and chase bobcats.
- (7) Landowner permission is required to hunt on private land, including releasing dogs.

Part 7. Lynx.

12-7-701. Protected Species.

Lynx are protected by Federal law under the Endangered Species Act. Avoid placing sets that might attract lynx. Trapped lynx that are uninjured must be released immediately and the incident must be reported to Commission personnel. Within **24 hours** of release. If a lynx is injured, trappers must immediately notify Commission personnel to determine disposition and/or collection of the animal. Persons who know about the taking of a lynx shall report it to Commission personnel.

Part 8. Fisher.

12-7-801. Quotas.

Furbearer seasons will close in 48 hours when a species quota or subquota is reached or approved prior to the end of the regular season.

Part 9. Marten.

12-7-901. Avoid Incidental Capture of Fisher.

Marten trappers are encouraged to use cubby boxes with a closed front and 2 ½ inch x 2 ½ inch entrance hole to help avoid incidental take of fisher.

Part 10. Mink.

12-7-1001. Mink Season.

Mink specific closures and season dates to be established by the Commission.

Part 11. Muskrat.

12-7-1101. Regulations Specific to Muskrat.

- (1) Traps may be set in muskrat houses provided the part removed is replaced after insertion of the trap and after removal of the trap. It is unlawful for any person to willfully destroy, leave open, or partially destroy a muskrat house.
- (2) Owners and lessees of property being damaged by beaver or muskrat may request a free permit to remove beaver or muskrat and may remove beaver or muskrat without a permit during dates established by the Commission.
- (3) A person participating in a beaver or muskrat damage complaint must have in their possession the damage permit issued to the landowner (or copy thereof) during control activities. Damaging beaver or muskrat may be removed by trapping or shooting. A person may possess beaver or muskrat under the damage permit.

Part 12. Otter.

12-7-1201. Quotas.

Furbearer season will close in 48 hours when a species quota is reached or approached prior to the end of the regular season.

Part 13. Swift Fox.

12-7-1301. Quotas.

Season will close with 48 hours' notice upon reaching the trapping quota, or on the season closure date, whichever occurs first.

Part 14. Wolverine.

12-7-1401. Incidental Take.

Trappers who capture a furbearer when the season is closed, or trapper limit is met must notify Commission personnel within 24 hours to arrange collection of the animal if the animal cannot be released uninjured. It is unlawful for any person to retain possession of an incidentally taken furbearer.

TITLE 12

FISH AND GAME CODE

CHAPTER 8 – FISHING

Part 1. Definitions.

12-8-101. Definitions.

As used in this Chapter, the following definitions apply:

- (1) “ANGLING/FISHING” means to capture or attempt to capture fish, or the act of a person possessing any instrument, article, or substance for the purpose of taking fish in any location that a fish might inhabit.
- (2) “ARTIFICIAL LURE” means any man-made lure (including flies) that imitates natural bait. Artificial lures may have a scent infused or applied. Artificial lures do not include fish eggs, any natural or artificial food such as corn and marshmallows, any products that are derivatives of natural foods, any chemically treated or processed natural bait such as salted minnows, nor any artificial dough, paste or edible baits.
- (3) “ATTENDED LINE” means a line with/without a pole held in hand or under immediate control. When used through the ice, the angler need not be in immediate control but must be in the vicinity and in visual contact with the line.
- (4) “CALENDAR DAY” means a 24-hour period from midnight to midnight.
- (5) “DAILY LIMIT” means the number of fish that may be legally taken during a calendar day. A fish when landed and not immediately released becomes part of the bag limit of the person originally hooking the fish even if the fish is donated to another person. If you receive fish from another angler, those fish also become part of your daily limit.
- (6) “DRAINAGE” means all of the waters comprising a watershed, including tributary rivers, streams, sloughs, ponds and lakes that contribute to the water supply of the watershed.
- (7) “DRESSED FISH” means a fish which has been cleaned by removing the entrails. Dressed fish also may be filleted and/or have their head, gills and scales removed.
- (8) “ENDANGERED SPECIES” means species in imminent danger of extinction throughout their range and listed by tribal, state, or federal regulation.
- (9) “FISHING FROM BOATS/VESSELS” means fishing while on any boat or vessel. When a water is designated as closed to fishing from boats/vessels, anglers may not fish from a boat or vessel, but may use a boat or vessel to access wade fishing opportunities. An angler must be completely out of the boat or vessel while wade fishing.
- (10) “FLOAT FISHING” means any fishing from a boat or vessel, or wade fishing when fishing access is gained by boat or vessel. When a water is designated as closed to float fishing, an angler may not fish from a boat, and may not wade fish in the river or stream, or from the bank or shoreline of the river or stream, when access is gained by boat or vessel.
- (11) “FLOAT OUTFITTING” means the operation of any boat or vessel for the commercial purpose of float fishing by a fishing outfitter or fishing guide.
- (12) “GAFF” means a hook attached directly to a pole (metal or wooden shaft) or another device. Use of gaffs is permitted only to help land a fish that was lawfully hooked.
- (13) “GAME FISH” means all species of the family Salmonidae (trout, salmon, Arctic Grayling, whitefish, Cisco, and chars); all species of the genus *Sander* (Sauger and Walleye); all species of

the genus *Esox* (Northern Pike and Tiger Muskie); all species of the genus *Micropterus* (Bass); all species of the genus *Polyodon* (Paddlefish); all species of the family *Acipenseridae* (Sturgeon); the genus *Lota* (Burbot or Ling); the species *Perca flavescens* (Yellow Perch); all species of the genus *Pomoxis* (Crappie); and the species *Ictalurus punctatus* (Channel Catfish). Bull Trout are defined as any trout with white leading margins on the lower fins and no markings on the dorsal fin. (Note: it is unlawful to intentionally fish for Bull Trout in any waters.) Cutthroat Trout are defined as any trout with a red or orange stripe under its jaw. Sauger are defined as any *Sander* (Sauger/Walleye) with multiple small, distinct black spots on the spiny (first) dorsal fin ray membranes.

(14) "HOOK" means a hook is a single, double, or treble point attached to a single shank. A lure with multiple hooks is still considered a single hook.

(15) "HOOP NET" means a cylindrical or conical net distended by a series of hoops or frames, covered by web netting. The net has one or more internal funnel-shaped throats whose tapered ends are directed inward from the mouth.

(16) "LEGALLY TAKEN" means any fish caught using legal methods and not immediately released alive.

(17) "LENGTH" means the measure of the greatest length from the tip of the nose to the tip of the tail. Place the fish on a flat surface and squeeze the lobes of the tail fin together so as to achieve the greatest length. Do not measure over the curve of the body.

(18) "LIVE BAIT" means animals such as meal worms, red worms, night crawlers, leeches, maggots, crayfish, reptiles, amphibians and insects, which may be used as live bait on all waters not restricted to artificial flies and lures.

(19) "MAINSTEM" means the primary stream or river into which most tributaries flow in a drainage.

(20) "MOTORBOAT" means a vessel, including a personal watercraft or pontoon, propelled by any machinery/motor/engine of any description, whether or not the machinery/motor/engine is the principal source of propulsion. The term includes boats temporarily equipped with detachable motors/engines.

(21) "NON-GAME FISH" means any wild fish not otherwise legally classified by statute or regulation.

(22) "NOODLING" means a technique for catching fish by hand. It is unlawful to catch fish by hand.

(23) "PERMANENT RESIDENCE" means the physical abode or structure a person maintains as their principal, legal residence. A person may have only one permanent residence.

(24) "POSSESSION LIMIT" means the number of fish that may be possessed at any time in any form: fresh, stored in freezers or lockers, salted, smoked, dried, canned, or preserved.

(25) "RESERVOIR" means a body of water artificially impounded behind a man-made dam that extends upstream to the mouth of its inlet stream(s) or river. Reservoirs do not include waters incidentally impounded on a stream or river by a structure such as a check dam for irrigation, a headgate to divert water for irrigation, or similar structures. An imaginary line connecting the reservoir shoreline across the mouth of the stream marks the boundary between reservoir and stream/river, and the boundary will move as reservoir levels change. Stream regulations apply upstream from the mouth on the reservoir and often are managed under seasons, limits, and special regulations that differ from the reservoir regulations.

- (26) "SALMONIDAE" means any species of Trout, Char, Salmon, Arctic Grayling, Cisco, or Whitefish. Wild salmonids possess an adipose fin (small fleshy on the back near the tail); hatchery-reared fish sometimes have had this fin intentionally removed.
- (27) "SEINE" means a net, usually suspended between two poles, which is pulled through the water to capture fish for bait. Seines used for this purpose must not exceed 12 feet in length and 4 feet in width.
- (28) "SETLINE" means a line or lines with or without a pole set to catch fish without the angler being present or within immediate control. The angler's name and phone number must be attached.
- (29) "SNAGGING" means a technique of angling in which a hook or hooks are cast into the water and manipulated to embed the hook or hooks into the body of the fish. A person has snagged a fish if: (a) the person is fishing in a manner that the fish does not voluntarily take the hook in its mouth, or (b) if the person accidentally hooks the fish in a part of the body other than the mouth.
- (30) "SPEAR" means any sharp-pointed instrument, with or without barbs, used to capture and/or kill fish by penetrating the body. Usually, a spear consists of a shaft with a sharp head or point. Spears may be hand-propelled or propelled with a spring or rubber band.
- (31) "SPECIES OF CONCERN" means native species with limited habitats and/or limited numbers in the state. Such species are at risk of becoming threatened.
- (32) "STREAM" means a sloped streambed that results in a defined current flow between two discernible stream banks.
- (33) "STREAM MOUTH" means the downstream point defined as a straight line running from the most downstream extremity on one stream bank to the most downstream extremity on the other stream bank or a point defined and marked by the Department (also see Reservoir definition).
- (34) "THREATENED SPECIES" means a species that may become endangered within the foreseeable future without conservation measures.
- (35) "TRIBUTARY" means any watercourse that flows into a body of water, including tributaries to a tributary.
- (36) "VESSEL" means every type of watercraft or boat capable of being used as a means of transportation on water except devices that are propelled entirely by kicking fins and the floater sits in the water, such as inner tubes (motor vehicle type), float tubes (belly boats), air mattresses and sailboards when used without mechanical propulsion by an individual.
- (37) "WASTE OF FISH OR GAME" means to purposely waste any part of a game fish suitable for food by transporting, hanging, or storing the carcass or flesh in a manner that renders it unfit for human consumption; or, to abandon or dispose of, in the field or water, the carcass or flesh of any game fish suitable for food; or, to use the carcass or flesh of any game fish as bait except as authorized in the bait regulations.

Part 2. Licenses.

12-8-201. Fishing Licenses.

- (1) A valid fishing license is required for all types of fishing on all Crow lands and waters as defined by 18 U.S.C.
- (2) An angler must have their fishing license in their possession while fishing.
- (3) An aquatic invasive species ("AIS") license is required when transporting a watercraft on to Crow lands.

Part 3. Emergency Regulations/Closures.

12-8-301. Emergency Closures.

The Commission may announce short-term emergency fishing closures in response to biological or environmental conditions. Sport fishing regulations in this Chapters for the designated waters will be suspended, and fishing may be curtailed or disallowed for the duration of the emergency period announced by the Commission.

Part 4. Penalties.

12-8-401. Penalties for Violation of the Law.

- (1) Taking an over limit of fish will result in a fine plus restitution to the Tribe for each fish over the limit.
- (2) It is unlawful and a misdemeanor:
 - (a) To violate any regulations in this Chapter.
 - (b) To introduce any fish or viable fish eggs into any waters without permission from the Commission.
 - (c) To refuse to show one's fishing license upon demand.
 - (d) To refuse to show one's fish upon demand.
 - (e) To loan or transfer a fishing license or tags to another person.
 - (f) To sell game fish except as prescribed by Commission regulations.
 - (g) To leave or dump any dead animal, fish, garbage or litter in or on any tribal, federal, or private property where public recreation is permitted.
 - (h) To stun or kill fish by using any carbide, lime, giant powder, dynamite, or other explosive compounds, or any corrosive or narcotic poison. To possess these substances within 100 feet of any stream where fish are found is unlawful.
 - (i) To hire or retain an unlicensed outfitter or guide.
 - (j) To waste any part of game fish suitable for food.
 - (k) To fish or take fish within 200 feet upstream or downstream from any fish passage (ladder) or fish protection (screen) structure.
 - (l) To use scuba gear while taking any fish.

12-8-402. Penalties for Unlawful Introductions.

- (1) Fines of \$2,000 up to \$10,000 and imprisonment for up to one year.
- (2) Liability for all costs to eliminate or mitigate the effects of the violation.
- (3) Loss of hunting, fishing, and trapping privileges for at least 5 years.

12-8-403. Crow Stream Access Law.

The public may use rivers and streams for recreational purposes up to the ordinary high-water marks. Although the law gives recreationists the right to use rivers and streams for water-related recreation, it does not give them the right to enter private lands bordering those streams or to cross private lands to gain access to streams without landowner permission.

12-8-404. Trespass.

A member of the public has the privilege to enter private land, whether fee or allotted, only with the explicit permission of the landowner or his/her agent.

Part 5. Regulations.

12-8-501. Beaver Ponds.

Beaver ponds on streams are governed by the same regulations that govern the streams.

12-8-502. Closed Waters.

Waters operated as fish hatcheries and rearing ponds by the Department and the US Fish and Wildlife Service shall be always closed to fishing. Waters in which the Department operates fish traps and other structures are closed to fishing as posted. Certain water-supply lakes, streams and hazardous areas are also closed as posted.

12-8-503. Dam Closures and Restrictions.

Certain areas above and below most dams are closed to the public. These restrictions include areas where no public access is allowed below the ordinary high-water mark. The restricted areas are identified and delineated by signs and/or boat restraining systems.

12-8-504. Fishing Seasons and Hours.

- (1) The fishing season on rivers/streams/creeks on Crow lands shall be established by the Commission. Game fish may be lawfully taken outside of the fishing season but must be immediately released.
- (2) The fishing season on reservoirs/lakes/ponds on Crow lands is open all year.
- (3) Fishing is allowed at all hours during open fishing seasons.

12-8-505. Irrigation Canals and Ditches.

Man-made irrigation canals and ditches are open year-round unless stated otherwise in exceptions to standard regulations. The same daily and possession limits apply to them as for the rivers/streams from which they derive.

12-8-506. Transporting Live Fish.

An import permit is required to bring live fish of any kind on to Crow lands. It is unlawful to possess or transport any live fish away from the body of water in which the fish were taken without authorization from the Commission with the following exceptions:

- (1) Transportation of fish for authorized commercial purposes (e.g., Baitfish Seining Permit, Commercial Fishponds, Commercial Fishing, etc.), or
- (2) Use as live bait subject to restrictions imposed by the Commission for the taking, transport, and use of live baitfish.

Part 6. Methods of Taking Fish.

12-8-601. In General.

- (1) A valid fishing license is required for all types of fishing.
- (2) Spears and bows are counted as lines for purposes of determining line limits.

- (3) When multiple lines are allowed on a body of water, the number of lines shall not exceed the combination of attended lines, setlines, or spears.
- (4) All unattended fishing devices (crayfish traps, minnow traps, fish traps, setlines, etc.) must have the angler's name and phone number attached.

12-8-602. Hook and Line Limits.

- (1) Open Water:
 - (a) Rivers, Streams, and Creeks: 6 lines with 6 hooks per line. The line(s) must be attended and in the angler's immediate control unless they are used as setlines.
 - (b) Lakes, Ponds, and Reservoirs: 2 lines with 2 hooks per line. All lines must be attended and in the angler's immediate control unless they are used as setlines.
- (2) Ice Fishing:
 - (a) Lakes, Reservoirs, and Ponds: 6 lines with 2 hooks per line through the ice. When the line is used through the ice, the angler need not be in immediate control but must be in the vicinity and in visual contact with the line unless they are used as setlines.
 - (b) Size of Hole: There is no size limit for a hole used for ice fishing or with a spear.
 - (c) Shelters: It is unlawful to use any ice fishing shelter not conforming to the following rules:
 - (i) Definition/use: Any hut or enclosure constructed of any material, except ice or snow, for the purpose of ice fishing.
 - (ii) Identification: Identification must be painted on or otherwise affixed to all unattended shelters in legible, 2-inch letters plainly visible at a distance of 100 feet. Identification must include the owner's name and address, name and phone number.
 - (iii) Inspection: Each closed shelter shall have a door that an officer may readily open from the outside for inspection when it is occupied.
 - (iv) Waste and Rubbish Disposal: Owners and occupants of shelters are required to keep their shelters (and the area immediately around them) free from rubbish and trash. Anglers must remove waste materials before they leave for the day.
 - (v) Removal After the Season: The owner of an ice fishing shelter shall remove it from the ice before it becomes irretrievable at the end of the season.

12-8-603. Setlines.

It is unlawful to use setlines.

12-8-604. Bow and Arrow.

All waters open to angling are open to taking non-game fish by bow and arrow.\

12-8-605. Crossbows.

It is unlawful to use crossbows.

12-8-606. Nets and Traps.

Landing nets may be used for landing hooked fish. It is unlawful to use nets and traps for any other purpose.

12-8-607. Hoop Nets.

The use of hoop nets is limited to licensed member anglers.

12-8-608. Snagging.

It is unlawful to purposefully snag fish.

12-8-609. Spearing.

It is unlawful to use a spear for fishing.

Part 7. Bait Regulations.

12-8-701. In General.

(1) Game fish, including Yellow Perch, may not be used as bait except as authorized below under Dead Bait.

(2) Possession of live bait fish is prohibited on waters closed to using live bait.

(3) It is unlawful to release live bait of any kind into Crow waters; do not empty any live bait containers at your fishing site.

(4) Where live fish may be used as bait, legal non-game fish may be taken for use as bait in the following manner:

(a) with hook and line; or

(b) with seines no larger than 12 feet by 4 feet; or

(c) with minnow traps (the dimensions shall not exceed 24 inches x 12 inches x 12 inches); or

(d) with cast nets (maximum 6-foot radius) and dip nets (no larger than 3 feet x 3 feet).

(5) Landowner permission is required to capture live bait from privately owned ponds.

(6) All unattended fishing devices (crayfish traps, minnow traps, fish traps, setlines, etc.) must have the angler's name and phone number attached.

12-8-702. Dead Bait.

(1) Non-game fish that are freshly killed or have been preserved by freezing, salting or pickling may be used as bait on all waters not restricted to artificial lures only. Heads and entrails of non-game fish may also be used as bait.

(2) Whole game fish may not be used as bait.

(3) Parts/pieces of Bass, Burbot (Ling), Channel Catfish, Crappie, Northern Pike, Paddlefish, Sauger, Shovelnose Sturgeon, Tiger Muskie, Walleye, or Yellow Perch may be used as bait if edible portions are not wasted.

(4) The eggs of Char, Cisco, Arctic Grayling, Salmon or Trout may be used as bait. Parts/pieces of Salmonids may not be used as bait.

12-8-703. Live Bait.

(1) Live bait fish may not be imported on to Crow lands.

(2) Live animals such as meal worms, red worms, night crawlers, leeches, maggots, crayfish, reptiles, amphibians, and insects may be used as bait on all waters not restricted to artificial lures only.

(3) Leeches may only be imported from Commission-approved leech dealers. Anglers who import leeches must have in their possession a bill-of-sale (a receipt) from the approved leech dealer when fishing with leeches on Crow lands.

(4) Fish species that may be collected and used as live bait include only the following: Fathead Minnow, Flathead Chub, Western Silvery Minnow, Plains Minnow, Emerald Shiner, Longnose Dace, Lake Chub, Creek Chub, Longnose Sucker, and White Sucker.

Part 8. General Regulations.

12-8-801. Possession Limit.

- (1) Possession limit means the number of fish that you may possess at any time in any form: fresh, stored in freezers or lockers, salted, smoked, dried, canned or otherwise preserved.
- (2) It is unlawful to exceed the possession limit.
- (3) It is unlawful to preserve fish (salted, smoked, dried, canned, or otherwise preserved) before taking them to your permanent residence (the physical abode or structure you maintain as your principal, legal residence) unless those fish can be counted.
- (4) Mobile recreational vehicles, travel trailers, tents or storage/freezer lockers do not qualify as permanent residences.
- (5) No person may sell or take for the purpose of sale any fish.

12-8-802. Daily Limit.

- (1) Daily limit means the number of fish you may legally take during a calendar day.
- (2) It is unlawful to exceed the standard daily limit unless the regulations for the water body where you are fishing specify a different limit.
- (3) “Legally taken” means fish caught and not immediately released alive.
- (4) Where catch-and-release is allowed, fish immediately released alive are considered not taken. A fish when landed and not immediately released becomes part of the daily limit of the person originally hooking the fish, even if the fish is donated to another person.
- (5) If a person receives fish from another angler, those fish become part of the person’s daily limit.
- (6) Anglers may possess the daily limit allowed only for the body of water on which they are fishing.

12-8-803. Handling and Transporting Legally Taken Fish.

- (1) While a person is fishing, or while on the water or on the ice:
 - (a) All fish in possession must be visibly identifiable to species.
 - (b) All fish in possession must be whole with head, skin, fins and tail attached. Gills and entrails may be removed. This doesn’t prohibit the consumption of fish on the ice or water. However, the fish consumed are part of the angler’s daily limit.
- (2) Once off the water or ice, fish may be dressed and filleted for transport to your permanent residence, unless size limits apply, under the following conditions:
 - (a) All fish can be counted and identified. Two fillets will be counted as one fish. If the catch is frozen prior to transport, each fish or fillet must be packaged so it can be counted.
 - (b) Salmonids (Trout, Salmon, Arctic Grayling, Char, and Whitefish): the entire skin must be attached to the fillet for identification.

Part 9. Standard Daily and Possession Limits.

12-8-901. Standard daily and possession limits shall be established by the Commission.

Part 10. Other License Requirements and Laws.

12-8-1001. Aquatic Invertebrates – Crayfish/Mussels.

- (1) A valid fishing license is required to harvest crayfish for personal use.
- (2) Crayfish may be taken in traps no larger than 24x12x12 inches.
- (3) Mussels may be harvested for personal use.
- (4) No fishing license is required to harvest mussels.

12-8-1002. Commercial Collection of Aquatic Invertebrates and Mussels.

It is unlawful to take or possess aquatic invertebrates and freshwater mussels or their shells for sale or commercial distribution.

12-8-1003. Commercial Fishing.

It is unlawful to sell or commercially distribute otherwise lawfully taken fish.

12-8-1004. Fishing Contests.

A permit from the Department is required for fishing contests.

12-8-1005. Import Permits for Fish.

A permit is required to import live fish on to Crow lands.

12-8-1006. Private Fishponds.

A person who owns or lawfully controls a private fish or ornamental pond may obtain a license from the Department to stock the pond with fish. Only lawfully purchased fish may be planted. No fishing license is required to fish on licensed, privately stocked fishponds. Fishing license requirements apply to all other ponds and/or waters on private land.

Part 11. Motorboat and Vessel Restrictions.

12-8-1101. Personal Flotation Devices.

All passengers under the age of 12 must always wear a personal flotation device when the motorboat or vessel is in motion if the motorboat or vessel is less than 26 feet long. A wearable, U.S. Coast Guard approved personal flotation device must be available for each occupant.

12-8-1102. Youth Restrictions.

(1) Children 12 years of age or younger may not operate a motorboat or a personal watercraft (jet skis, water bikes, etc. that use a motor or engine to power a water jet pump as the primary source of propulsion and that is designed to be operated by a person standing or kneeling on the vessel) powered by a motor rated at more than 10 horsepower unless accompanied by someone 18 years of age or older.

(2) Youths 13 and 14 may not operate those vessels without possessing a valid Crow motorboat operator's safety certificate or evidence of completing an approved water safety course, unless accompanied by someone 18 years of age or older.

12-8-1103. Watercraft Registration.

(1) Sailboats 12 feet long and longer, and all motorboats and personal watercraft must be registered and numbered.

(2) Non-motorized sailboats less than 12 feet long and manually propelled boats, regardless of length, are exempt from registration and taxation. Also exempt are a vessel's lifeboat, government-

owned boats, and properly registered boats from out-of-state or country that will not be on Crow lands for more than 90 consecutive days.

12-8-1104. General Boating Restrictions.

- (1) It is illegal to:
 - (a) Anchor a vessel in a position that obstructs a passageway ordinarily used by others.
 - (b) Operate a vessel within:
 - (i) 20 feet of a designated swimming area marked by white and orange buoys.
 - (ii) 50 feet of a swimmer in the water except for boats towing water skiers.
 - (iii) 75 feet of an angler or a waterfowl hunter unless it is unavoidable. If unavoidable, travel at no wake speed or at the minimum speed necessary to maintain upstream progress.
 - (iv) 200 feet of a diver's flag.
- (2) Motorboats and vessels 16 feet and longer (except canoes and kayaks) must also have a throwable type IV PFD on board.
- (4) It is unlawful to operate or be in actual physical control of a motorboat while under the influence of alcohol or drugs.
- (5) All motorboats and vessels must carry equipment as required by the Crow Boating Laws.

12-8-1105. Diver Down Flags.

Motorboats must stay at least 200 feet away from a diver down flag.

Part 12. Aquatic Invasive Species

12-8-1201. Aquatic Invasive Species.

It is illegal to:

- (1) Transport aquatic invasive species into or within Crow lands.
- (2) Transport live fish and bait into Crow lands.
- (3) Transport surface water.
- (4) Move live fish, aquatic plants, or invertebrates from one waterbody to another without authorization from the Commission.
- (5) Release unwanted bait fish into water.

12-8-1202. When Transporting Watercraft Within Crow Lands.

- (1) All watercrafts are required to stop at all open watercraft inspection stations.
- (2) Boats with ballasts or bladders, such as wakeboard or wake-surfing boats must obtain a decontamination before launching.

12-8-1203. When Transporting Watercraft into Crow Lands.

- (1) All watercraft entering Crow lands are required to be inspected before launching, including residents returning to Crow lands.
- (2) Boats with ballasts or bladders, such as wakeboard or wake-surfing boats, which intend to launch on Crow waters must obtain a decontamination before launching.
- (3) Non-resident boats (motorized and non-motorized) launching on Crow waters must purchase an Aquatic Invasive Species vessel prevention pass.

TITLE 12

FISH AND GAME CODE

CHAPTER 9 – RECREATION

Part 1. Recreation

12-9-101. General Regulations.

- (1) All non-members must have on their person, whenever engaged in recreation activities within the exterior boundaries of the Reservation, a valid Basic Recreation License unless otherwise excepted by this Title. Recreation activities include but are not limited to hiking, camping, boating, snowmobiling, packing with livestock, and related activities excluding swimming.
- (2) Exceptions.
 - (a) No Basic Recreation License is required of a non-member when engaged in recreational activities on non-tribal fee status lands within the Reservation.
 - (b) No Basic Recreation License is currently required of a non-member when engaged in recreational activities within the boundaries of the Big Horn Canyon National Recreation Area.

12-9-102. Prohibited Acts.

The following acts are prohibited while engaging in recreational activities unless otherwise addressed elsewhere in these regulations:

- (1) Discharge of any firearm in a negligent manner in or around home sites.
- (2) Building or fabricating any structure for any purpose with the exception that Tribal members may build or fabricate sweat lodges for religious or cultural purposes.
- (3) Leaving refuse, littering, or wasting materials.
- (4) Leaving campfires unattended.
- (5) Leaving a camp unattended for a period of twenty-four hours or longer.
- (6) Using or cutting live vegetation and trees for campfires.
- (7) Allowing pets or livestock to run unattended.
- (8) Disposal of human body wastes other than in sanitation facilities when available.
- (9) Hunting or fishing unless a valid hunting or fishing permit is license to the Basic Recreation License.
- (10) No person shall destroy, deface, injure, remove, or otherwise damage any natural or improved property or cut, destroy, or mutilate any tree, shrub, plant, sign, or any geological, historical, or archeological features.

TITLE 12

FISH AND GAME CODE

CHAPTER 10 – OFF-RESERVATION HUNTING

Part 1. Policy

12-10-101. Jurisdiction.

(2) The Crow Tribe has exclusive jurisdiction over its enrolled members exercising treaty rights on off-Reservation Unoccupied Lands owned by the Federal Government.

12-10-102. Crow Tribal Court.

The Crow Tribal Court shall have jurisdiction over all violations of this Title.

12-10-103. Reciprocal and Cooperative Agreements.

The Crow Tribal Executive Branch is hereby authorized to negotiate reciprocal and cooperative agreements with the States of Montana and Wyoming, and any other governments or government agencies, federal or otherwise, to facilitate the exercise of Crow Tribal member off-reservation treaty hunting. Such agreements must be ratified by the Crow Tribal Legislature before becoming effective.

12-10-104. Severability and Non-Liability.

If any Part, provision, or portion of this Title is adjudged unconstitutional or invalid by the Crow Tribal Court, the remainder of this Title shall not be affected thereby. The Crow Tribe further asserts sovereign immunity in its part and that of its agencies, employees, and/or agents from any action or damages that may occur as a result of reliance upon and conformance with this Title.

Part 2. Conservation

12-10-201. Waste Prohibited.

(1) It is the policy of the Tribe to promote the fullest use of fish and game resources; therefore, the waste of these resources will not be tolerated.

(2) It shall be unlawful for any person to abandon all or any part suitable for food of any bird, wild animal, or fish killed by that person.

12-10-202. Conservation Fund.

(1) The conservation fund shall consist of all monies received from the sale of licenses and permits, the penalties collected for violations of this Title, monies received from the sale of confiscated property, donations, and other funds appropriated by the Tribe for conservation purposes.

(2) Expenditures from the conservation fund shall only be used for conservation and enforcement purposes, and for the reasonable and necessary implementation or operation of the activities governed by this Title. The use of these funds for any other purpose is hereby prohibited.

Part 3. Licensing

12-10-301. Obtaining, Validating Licenses.

Licenses can be obtained only through the Natural Resource Director's office during regular business hours (Monday - Friday, 8:00 a.m. to 5:00 p.m.).

- (1) Only one license per regulated activity may be obtained by an individual.
- (2) A licensee must sign his/her name in ink on each license to validate the license.
- (3) Licenses are non-transferable and must be in the licensee's possession while hunting.
- (4) A licensee must display his/her license upon demand of any authorized law enforcement officer.

12-10-302. Term of License.

Any license issued shall be void after the last day of December, following its issuance unless otherwise designated.

12-10-303. Lost License.

Lost licenses may be replaced by the Commission for a specified fee upon proof of purchase.

12-10-304. License Possession and Use.

It is unlawful to:

- (1) Hunt or attempt to hunt for any game animal unless the person is carrying the required license at the time.
- (2) Refuse to produce a license or license and the identification used in purchasing a license for inspection to an authorized law enforcement officer.
- (3) Alter or change a license in any material manner.
- (4) Loan or transfer any license to another person.
- (5) Use a license issued to another person.
- (6) Attach the person's license to a game animal killed by another person.
- (7) Have physical control over a valid and unused hunting license or license issued to another person while in any location that the species to be hunted may inhabit. This prohibition does not apply to a person who is carrying or has physical control over a license or license issued to that person's spouse or to any minor when the spouse or minor is hunting with that person.

Failure to possess a valid License, with appropriate stamps attached, as required by this Title shall constitute a violation and will be prosecuted.

12-10-305. Requirement to Present Licenses Upon Request.

All persons must have in their possession and must present to authorized law enforcement officers upon request, their applicable licenses, when engaged in hunting. To engage in the hunting of migratory waterfowl, persons must also present a Federal Migratory Waterfowl stamp. The Commission shall provide an informational sheet annually as to where the Federal Migratory Waterfowl stamps may be obtained.

12-10-306. Categories of Licenses.

- (1) Hunting License: To lawfully take or hunt Big Game and Small Game, a person must possess a valid Hunting License appropriate to the category of game hunted.

- (2) Bow and Arrow License: To lawfully hunt with a bow and arrow on the Reservation, a person must possess a valid Bow and Arrow License. The Bow and Arrow License applies for all applicable game during the season.
- (3) Trapping License: To lawfully trap furbearers or small game mammals, a person must possess a valid Trapping License.
- (4) Waterfowl License: To lawfully hunt or take migratory waterfowl, a person must possess a valid Waterfowl License and Federal Migratory Bird Stamp.
- (5) Upland Game License: To lawfully hunt or take upland game birds, a person must possess a valid Upland Game Bird License.

12-10-307. Age Restrictions.

- (1) No Hunting License will be issued to a person under the age of fourteen (14) years unless he/she presents to the license seller a certificate of hunter competency issued by an approved hunter safety course.
- (2) Any person accompanying a member engaged in any activity regulated herein, shall have valid license and appropriate licenses on his or her person.

12-10-308. Grounds for Denial, Suspension, or Revocation of License.

A license or right to apply for and hold a tribal license issued under this section may be denied, suspended, or revoked or other disciplinary conditions may be applied upon any of the following grounds:

- (1) Having ceased to meet all of the qualifications for holding a tribal license, as required under this section and rules adopted pursuant to this section.
- (2) Fraud or deception in procuring a tribal license.
- (3) Fraudulent, untruthful, or misleading advertising.
- (4) Having pleaded guilty, nolo contendere, or no contest to or been adjudged by a court guilty of a felony, including a case in which the sentence is suspended, or imposition of the sentence is deferred, unless civil rights have been restored pursuant to law.
- (5) A conviction or bond forfeiture for a violation of the fish and game laws or regulations of the Tribe or the United States.

12-10-309. Appeal Procedure.

A person denied issuance of a license or whose license is suspended or revoked may appeal to the Commission. The Commission shall review the appeal and issue a decision on the appeal with 10 days of receipt. The decision of the Commission shall be final.

Part 4. Penalties and Enforcement

12-10-401. Civil Penalties - Injunctions Not Barred.

- (3) Civil action to impose penalties, as provided under this section, does not bar injunctions to enforce compliance with this ordinance or to enforce compliance with a rule adopted by the Commission pursuant to this Part.

12-10-402. Penalties - Disposition of Fines.

- (1) A person who violates any provision of this Part or rule adopted under this Part is guilty of a misdemeanor and will be prosecuted in the Crow Tribal Court.

12-10-403. Enforcement.

Investigations and arrests for violations of this Part or rules adopted pursuant to this Part may be made by any authorized law enforcement officer.

Part 5. Big Game – General Provisions

12-10-501. Licenses, Seasons and Fees

The Commission shall establish and publish by March 1 of each year:

- (1) a total number of licenses available for antelope, black bear, deer, elk, moose, mountain lion, mountain goat and buffalo;
- (2) quotas, archery only seasons, seasons, and fees.

12-10-502. Use of Dogs.

(1) The use of dogs to hunt, harass, chase or herd big game is prohibited, except for fall and winter mountain lion seasons as specifically determined each year by the Commission. Dogs may be utilized to recover or locate wounded game animals, but handlers shall maintain physical control of the dog at all times by means of a maximum 50-foot lead attached to the dog's collar or harness.

12-10-503. Firearms and Bow and Arrow Only for Big Game.

Hunting of big game by methods other than with a firearm or bow and arrow is prohibited. Firearms and bow and arrows must be within the following classifications.

- (1) Firearms:
 - (a) Firearms must discharge a projectile of a diameter greater than 22/100 of an inch (.222 Remington is the smallest cartridge allowable.) All .22 caliber rimfire weapons are prohibited.
 - (b) Auto-loading firearms capable of holding more than six (6) cartridges, or any firearms capable of holding more than six (6) cartridges, or capable of being operated as a fully automatic firearm are prohibited for hunting big game.
 - (c) Handguns smaller than .41 caliber are prohibited for hunting big game.
 - (d) Muzzle loading rifles must be .44 caliber or larger.
 - (e) Shotguns must discharge a 0 shot, 00 shot, or single ball or rifled slug weighing at least one-half (½) ounce.
 - (f) Use of any mechanism to silence, muffle, or minimize the report of any firearm while hunting big game is prohibited.
- (2) Bow and Arrow:
 - (a) Minimum bow pull must be 60 pounds, and the bow must be able to shoot an arrow 125 yards.
 - (b) The cutting edge of the arrowhead must be of steel and not less than 7/8 inches long. The shaft of the arrow must be at least 28 inches long.
 - (c) Explosive, poisonous, or barbed points are prohibited.
 - (d) Cross bows are prohibited.

12-10-504. Tagging, Transportation Requirements.

No big game animals shall be transported unless a tag bearing the licensee's number for the season is securely attached to the carcass.

12-10-505. Evidence of sex.

Evidence of sex must be left attached to the carcass of any harvested big game animal. Suitable evidence of sex shall include scrotum, udder, head, or identifiable portions of reproductive organs.

Part 6. Antelope.

12-10-601. Antelope Definitions.

- (1) "Buck (Horned)" means any antelope with a horn or horns at least 4 inches long as measured from the top of the skull.
- (2) "Doe/fawn" means any antelope with horns less than 4 inches long as measured from the top of the skull.
- (3) "Either-sex" means a male or female animal of any age.

Part 7. Buffalo.

12-10-701. Off-Reservation Buffalo Specific Regulations.

- (1) To protect public safety and minimize traffic obstructions, no buffalo hunting is allowed within 100 yards of US HWYs 20, 89, 191, or 287.
- (2) Hunting on national forest lands must follow restrictions in USFS order 36 CFR 261.10(d) (firearm discharges are prohibited within 150 yards of residence, building, campsite, developed recreation site, or occupied area or across a forest service road or body of water).
- (3) Hunting shall be only by foot or horseback.
- (4) Hunters who harvest a buffalo shall, upon field dressing the carcass, cut open the rumen and remove and spread its vegetative contents.
- (5) Hunters who harvest a buffalo near a roadway or any other facility shall remove all unutilized parts of the carcass (entrails, tissues, bones, hides, fetuses, legs, etc.) to an area at least 200 yards from any roadway, dwelling, campground, designated trail or trailhead. These unutilized parts shall be placed in a manner as to be inconspicuous to passersby.

Part 8. Deer

12-10-801. Deer Definitions.

The following definitions apply to both mule and whitetail species:

- (1) "Antlered Buck" means a deer with an antler at least 4 inches long as measured from the top of the skull.
- (2) "Antlerless" means a deer without antlers, or with antlers less than 4 inches long as measured from the top of the skull.
- (3) "Either-sex" means a male or female animal of any age.

Part 9. Elk

12-10-901. Elk Definitions.

- (1) "Antlered Bull" means any elk having an antler or antlers at least 4 inches long as measured from the top of the skull.
- (2) "Antlerless" means a female or juvenile male with antlers less than 4 inches long as measured from the top of the skull.

- (3) “Either-sex” means a male or female animal of any age.

Part 10. Safety Regulations

12-10-1001. Unlawful Hunting from Public Highway.

It is unlawful for anyone to hunt or attempt to hunt any game animal: on, from, or across any public highway or the shoulder, berm, barrow pit or right-of-way of any public highway (the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel).

12-10-1002. Unlawful Use of Vehicle While Hunting.

(1) A person may not hunt or attempt to hunt any game animal or game bird from any self-propelled, motor-driven, or drawn vehicle.

(2) A person may not concentrate, drive, rally, stir up, run, molest, flush, herd, chase, harass, or impede the movement of or attempt to concentrate, drive, rally, stir up, run, molest, flush, herd, chase, harass, or impede the movement of a game animal or game bird from or with the use or aid of a self-propelled, motor-driven, or drawn vehicle.

12-10-1003. Hunting Hours.

Authorized hunting hours for the taking of game animals begin one-half hour before sunrise and end one-half hour after sunset each day of the hunting season.

12-10-1004. Hunter Orange Requirement.

Any person hunting or accompanying a hunter as an outfitter or guide must wear a minimum of 400 square inches of hunter orange (fluorescent) material above the waist, visible at all times.