

GAME.

(H. B. 133.)

AN ACT

TO AMEND SECTION THREE (3) OF CHAPTER FORTY-FIVE (45) OF THE GENERAL STATUTES OF THE STATE OF COLORADO, ENTITLED "GAME," AND REPEALING INCONSISTENT ACTS.

Be it enacted by the General Assembly of the State of Colorado:

Buffalo.

Mountain
sheep.

Goats

Deer, elk, fawn
or antelope.Not to be killed
for their skins

SECTION 1. Section three (3) of chapter forty-five (45) of the General Statutes, is hereby amended so that it shall read as follows: SEC. 3. No person shall kill, wound, ensnare or trap any bison or buffalo within the State for a period of ten (10) years, from and after the approval of this act. No person shall kill or wound, ensnare or trap any mountain sheep within this State for a period of eight (8) years, from and after the approval of this act. No person shall kill or wound, ensnare or trap any ibex or Rocky Mountain goat within this State for a period of ten (10) years, from and after the approval of this act. No person shall kill or wound, ensnare or trap any deer, elk, fawn or antelope within this State for any purpose whatever, except as provided in section 4, chapter XLV., General Statutes. No person shall kill or wound, ensnare or trap any deer, fawn, or antelope between the first day of December and the first day of September of the succeeding year, except those which have horns. No person shall kill or wound, ensnare or trap any elk between the first day of January and the first day of October, except those which have horns. Nor shall it be lawful at any time for any person to kill, ensnare or trap any deer, elk, fawn or antelope for the sole purpose of securing the skins or horns of any such animal. Nor shall it be lawful for any person or persons or corporation to have in possession any of the game

herein mentioned, for any purpose whatever, except as provided in section four (4) of said chapter forty-five (45), General Statutes. Any person or persons offending against the provisions of this section shall be deemed ^{Penalty.} guilty of a misdemeanor, and upon conviction thereof, as in proceedings in cases of assault and battery, before any justice of the peace, shall be fined in any sum not less than fifty (\$50) dollars, nor more than two hundred (\$200) dollars for the first offense, and for each subsequent offense shall be fined in any sum not less than fifty (\$50) dollars, nor more than two hundred (\$200) dollars, and be imprisoned in the county jail not less than thirty (30) days, nor more than ninety (90) days. Any person arrested and brought before any justice of the peace for any violation of the provisions of this section, shall be entitled to a trial by a jury of six (6) unless he shall waive the same, and if the jury find him guilty the justice of the peace shall assess the fine and costs, and fix the term of imprisonment, as the case may be. The whole amount of said fine shall go to the school fund of the county where such fine is collected.

SEC. 2. All acts or parts of acts inconsistent with ^{Repeal.} the provisions of this act are hereby repealed.

Approved March 22, 1887.

(H. B. 143)

An Act

TO AMEND SECTION THREE OF CHAPTER XLV. OF THE GENERAL STATUTES OF THE STATE OF COLORADO, ENTITLED "GAME," BEING GENERAL SECTION FIFTEEN HUNDRED AND FORTY-FIVE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Section three of chapter XLV. of the General Statutes, entitled "Game," being general section fifteen hundred and forty-five, is hereby amended so that it shall read as follows: SEC. 3. No person shall kill, wound, ensnare, or trap, any bison or buffalo within the State for the period of ten (10) years, from and after the approval of this act; no person shall kill or wound, ensnare or trap, any mountain sheep within this State for a period of eight (8) years from and after the approval of this act; no person shall kill or wound, ensnare or trap, any ibex or Rocky Mountain goat within this State for a period of ten (10) years from and after the approval of this act; no person shall kill or wound, ensnare or trap, any deer, elk, fawn, or antelope within this State for any purpose whatever, at any time, except that those which have horns may be killed between July first and December first of the same year, for food purposes, as provided in section four, chapter XLV. of the General Statutes of Colorado; nor shall it be lawful at any time, for any person to kill, ensnare or trap any deer, elk, fawn, or antelope for the sole purpose of securing the skins or horns of any such animal, and the selling, or offering for sale; or the shipping, or the having in possession for the purpose of transporting out of the State, any of the skins or horns of such animals shall be *prima facie* evidence that such animals were killed for such purpose; nor shall it be lawful for any person or persons, or corporation, to have in possession any of the game herein mentioned, except during the times above specified, for any purpose whatever. Any person or persons offending against the provisions of this section,

Can not kill,
wound, ensnare
or trap any
buffalo.

Mountain sheep.

Ibex or Rocky
mountain goat.

Deer, elk, fawn
or antelope.

Not lawful.

Skins or horns.

Prima facie
evidence.

Cannot have in
possession any
game mentioned.

shall be deemed guilty of a misdemeanor, and upon conviction thereof, as in proceedings in case of assault and battery, before any justice of the peace, shall be fined in any sum not less than fifty (50) dollars nor more than two hundred (200) dollars for the first offense, and for each subsequent offense shall be fined in any sum not less than fifty (50) dollars nor more than two hundred (200) dollars, and be imprisoned in the county jail not less than thirty (30) days nor more than ninety (90) days. Guilty of a misdemeanor.

Any person arrested and brought before any justice of peace for any violation of the provisions of this section, shall be entitled to a trial by a jury of six (6), unless he shall waive the same, and, if the jury find him guilty, the justice of the peace shall assess the fine and costs, and fix the term of imprisonment, as the case may be; one-half of the fine in all such cases shall be paid to the person informing against such offender, and the other half of said fine shall go to the school fund of the county where such fine is collected; *Provided,* Fine and imprisonment.

That nothing in this section or act, or in the acts of which this amendatory, shall be construed to give justices of the peace exclusive jurisdiction over such offenses; but such offenders may be prosecuted in other courts having jurisdiction over misdemeanors. Arrested persons brought before a justice of peace tried by jury.

One-half of fine paid to informer.

Proviso.

SEC. 2. All act or parts of acts inconsistent with the provisions of this act are hereby repealed. Repeal.

Approved March 26, 1889.

1887 COLORADO LAW PROTECTS ROCKY MOUNTAIN GOATS

Rocky Mountain goats, bighorn sheep, buffalo, deer, elk and antelope were first protected in Colorado when the Legislature stopped hunting for several years,. HB133 in 1887 and HB 143 in 1889 were designed to stop so-called 'market hunting' of Colorado's native species. That type of hunting was believed to be the cause of wiping out Colorado's Rocky Mountain goat populations, which were reintroduced in 1948. The Colorado Wildlife Commission reaffirmed the native status of the Rocky Mountain goat in March 1993.

INTERNATIONAL ORDER OF

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1966

ROCKY MOUNTAIN GOATS

SALIDA, COLORADO 80201

FOR IMMEDIATE RELEASE

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1887 LAW PROTECTS COLORADO ROCKY MOUNTAIN GOATS

3/12/93

Denver — The discovery of a 1887 state law has lead to the designation of native status for Colorado's Rocky Mountain Goats. The action was taken yesterday (Thursday) by the Colorado Wildlife Commission following a presentation by Mike Wynn, President of the Colorado based International Order of Rocky Mountain Goats.

Wynn said, "In addition to the 1887 law, 3 other pieces of evidence were discovered, plus 8 additional items that lead to the conclusion that the Rocky Mountain Goat is indigenous to the State of Colorado.

In 1889 the Legislature reaffirmed the protection of the goats as well as other big game animals with House Bill 143. At the turn of the century, two books by President Theodore Roosevelt, who hunted in Colorado, stated "Rocky Mountain Goats are found in Wyoming, Colorado and New Mexico."

Another book, discovered in a Leadville antique shop, titled "Where to Hunt American Game" was published by the United States Cartridge Company of Lowell, Mass, and quoted Gordon Land, the Commissioner of the Colorado Fish and Game Department in 1898 who said in the chapter on Colorado, "...there are some Rocky Mountain Goats but they are not abundant."

Hearsay reports of the existence of Rocky Mountain Goats as late as 1937 were considered to be rumors and as a result of that kind of speculation (true or false) over the years, and the transplanting of Rocky Mountain Goats from Montana in 1948, many Coloradoans were lead to believe the goats were not native to the state. "Not so," said Wynn, "and we are delighted that the Rocky Mountain Goat now enjoys the same native status as the deer, elk, and Rocky Mountain Bighorn Sheep."

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DEDICATED TO PROFESSIONAL WILDLIFE MANAGEMENT...AND TO THE MAGNIFICENT ROCKY MOUNTAIN GOAT

COLORADO & THE WEST 3/12/93

Steve Campbell, State/Region Editor ■ 892-5381

Rocky Mountain goat declared native

Wildlife officials unsure of impact, say decision could affect management where other species live

By Gary Gerhardt

Rocky Mountain News Staff Writer

The state Wildlife Commission caught Division of Wildlife officials off guard Thursday when it passed a resolution declaring the Rocky Mountain goat a native species in Colorado.

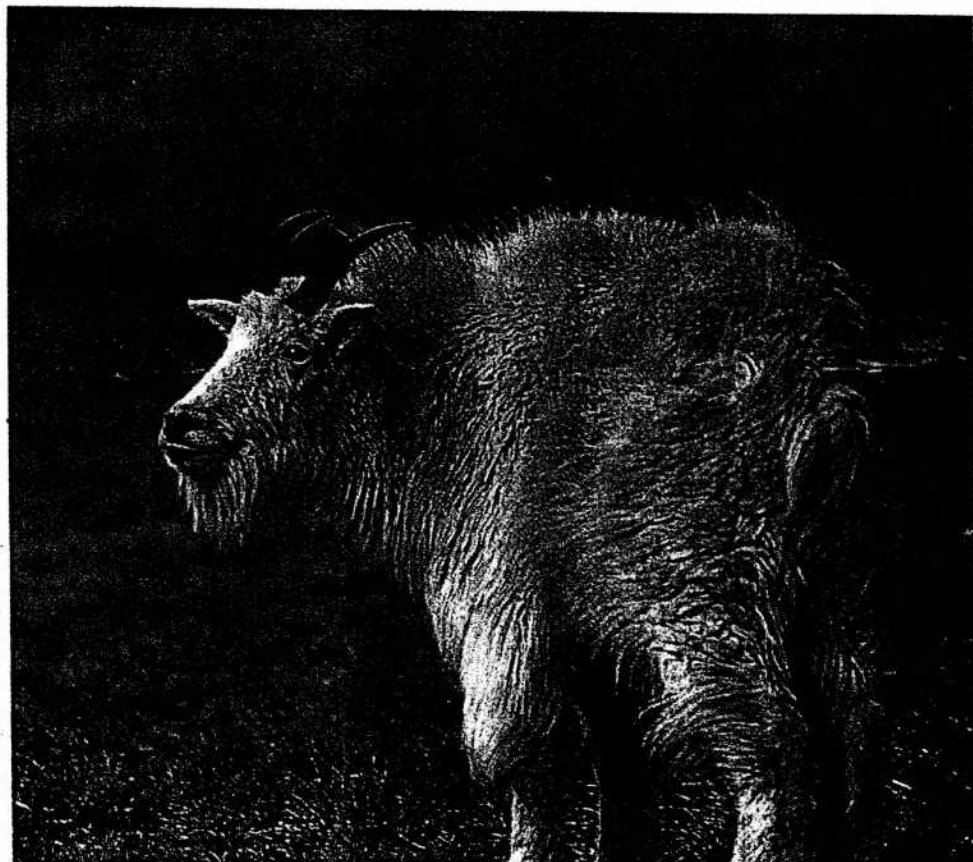
The status of the high-altitude dwellers has been debated for years and it was generally accepted they were an "exotic" species, having been introduced into the state between 1948 and 1975 through wildlife trades with other states and Canadian provinces.

State wildlife manager Len Carpenter said Thursday he wasn't sure what ramifications the commission's decision will have, but it could affect the management of goats in areas where they conflict with other species, especially the state animal, bighorn sheep.

"We advised the commission to reject the resolution until we had more time to study the information concerning these animals," Carpenter said. "Now I don't know how it will affect our management decisions."

The resolution was presented by members of the International Order of Rocky Mountain Goats, a group started in 1966 to support professional management of goats that boasts "herds" (chapters) in two dozen states and England.

"We presented historic proof, including the fact the state legislature acknowledged existence of goats in Colorado on March 22, 1887, when it prohibited killing them for a period of 10 years,"



Gary Gerhardt/Rocky Mountain News

Wildlife officials have debated the exotic-vs.-native status of the Rocky Mountain goat for years.

said Arch Andrews, a member of the International Order.

The group cited two accounts of President Teddy Roosevelt hunting in the 1890s in which he accurately described goats in Colorado.

In *Ranch Life and the Hunting Trail* published in 1901, Roosevelt states his guide killed five goats, the first of which was shot

near Cañon City. Having never seen a goat before, the guide buried it to avoid trouble, and it wasn't until "14 years later, when he shot another near Coeur d'Alene, Idaho, he became aware of what he had killed."

In 1898, U.S. Cartridge Co. of Lowell, Mass., published a hunting book and stated in a chapter on

Colorado: "Mountain sheep are not abundant; perhaps there are 100 in Routt and Rio Blanco counties. They are protected by law."

State wildlife officials said the resolution could affect National Park Service policy, calling for removal of goats wandering into Rocky Mountain National Park, because they were exotic species.