

House Bill 719

In The House

February 11, 1981

Introduced and referred
to Committee on Fish and
Game.

February 19, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 719
2 INTRODUCED BY Ernst

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
5 DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ISSUE PERMITS FOR
6 THE TAKING AND HOLDING OF RAPTORS FOR CAPTIVE BREEDING
7 PROJECTS; AMENDING SECTIONS 87-5-204 AND 87-5-206, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 87-5-204, MCA, is amended to read:

11 "87-5-204. License and rules for falconry. (1) The
12 department may adopt specific rules for the keeping of
13 records and for the trapping, taking, possession,
14 ~~propagation~~, or training of raptors used in the practice of
15 falconry and may authorize the issuance of licenses to
16 persons for the practice of falconry. It is unlawful for any
17 person to possess a raptor or to train a raptor in the
18 practice of falconry without a license.

19 (2) The fee for a falconry license is \$3 a year or any
20 part of a year. A license expires April 30 each year.

21 (3) A license may not be issued to a person under the
22 age of 12 years.

23 (4) Licensees shall have in possession a valid
24 falconer's license when engaged in the practice of falconry.
25 In addition, falconers loosing raptors at game birds shall

1 have in possession a valid resident or nonresident game bird
2 license.

3 (5) Falconry licenses or permits are not transferable
4 and may be revoked for due cause at any time by the
5 department."

6 Section 2. Section 87-5-206, MCA, is amended to read:

7 "87-5-206. Restrictions on taking, possessing,
8 ~~propagating~~ and selling raptors. (1) A licensee may not at
9 any time possess more than three raptors, including those
10 that have been imported.

11 (2) Licensees may take raptors as young or fledglings
12 from nests (unless specifically prohibited by department
13 rules) or by traps or nets which are humane in their
14 operation and use. Not more than one young may be taken from
15 one nest by a permittee or permittees, and at least one
16 young must be left in the nest. The department may close an
17 area of the state to the taking of raptors at any time or
18 designate other raptors which may not be taken. This
19 subsection does not permit the removal of raptors in any
20 national or state refuge or park or in any area in which
21 local laws may prohibit that activity. Trapping raptors is
22 permitted only between September 1 and February 1.

23 ~~(3) The department may issue permits for the taking~~
24 ~~and holding of raptors for captive breeding projects.~~

25 ~~(3)(4)~~ A licensee may not transfer ownership or

HB 719

LC 2085/01

1 possession of a raptor taken or possessed under the
2 provisions of this part without notifying the department
3 within 10 days after the date of transfer.

4 ~~(4)~~ 51 A person may not sell or offer for sale Montana
5 raptors in this state. A person may not transport raptors
6 out of the state except by permit issued by the department.*

-End-