

SENATE BILL NO. 103

INTRODUCED BY SMITH, TURNAGE, TVEIT, BOYLAN, KOLSTAD,
McCALLUM, JOHNSON, S. BROWN, STIMATZ, SEVERSON

IN THE SENATE

January 12, 1981	Introduced and referred to Committee on Fish and Game.
February 13, 1981	Committee recommend bill do pass. Report adopted.
February 14, 1981	Bill printed and placed on members' desks.
February 16, 1981	Second reading, do pass.
February 17, 1981	Correctly engrossed.
February 18, 1981	Third reading, passed. Ayes, 43; Noes, 6. Transmitted to House.

IN THE HOUSE

February 19, 1981	Introduced and referred to Committee on Fish and Game.
March 4, 1981	Committee recommend bill be concurred in. Report adopted.
March 5, 1981	Second reading, concurred in. Bill segregated.
March 7, 1981	Second reading, concurred in as amended.
March 10, 1981	Third reading, concurred in. Ayes, 92; Noes, 5.

IN THE SENATE

March 11, 1981

Returned from House with amendments. Concurred in as amended.

March 13, 1981

Second reading, concurred in as amended.

March 14, 1981

Third reading, concurred in as amended. Ayes, 46; Noes, 1.

Sent to enrolling.

Reported correctly enrolled.

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Just BILL NO. *103*
INTRODUCED BY *Smith Turnage & Target Only*
McBellen Johnson *THE BROWN KALIST*
Sawyer Smith

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE TRAFFICKING
IN BODY PARTS OF UNLAWFULLY TAKEN WILDLIFE PROTECTED BY THE
STATE OF MONTANA A FELONY PUNISHABLE BY \$10,000 FINE OR 1
YEAR IMPRISONMENT, OR BOTH; AMENDING SECTION 87-3-111, MCA."

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

Section 1. Section 87-3-111, MCA, is amended to read:

"87-3-111. Unlawful to buy, sell, possess, or
transport fish or game -- exceptions -- ~~penalties.~~ (1) It is
hereby made unlawful for any person to purchase, sell, offer
to sell, possess, ship, or transport any game fish, game
bird, migratory game bird, game animal, or fur-bearing
animal or part thereof protected by the laws of this state,
whether belonging to the same or different species from that
native to the state of Montana, except as specifically
permitted by the laws of this state.

(2) The provisions of this section shall not prohibit
the possession or transportation within the state of any
legally taken fish, game bird, migratory game bird, game
animal, or fur-bearing animal or part thereof or the sale,
purchase, or transportation of hides, heads, or mounts of
lawfully killed game animals, game birds, game fish, or

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fur-bearing animals.

~~(3) AnyExcept as provided in subsection (4), any
person violating any of the provisions of this section shall
be--deemed is guilty of a misdemeanor and upon conviction
thereof shall be punished as provided by law.~~

~~(4) Any person engaging in the activities prohibited
in subsection (1) in furtherance of a scheme to traffic in
the body parts of unlawfully taken species is guilty of a
felony and shall be punished by a fine of \$10,000 or
imprisonment in the state prison for a term of 1 year, or
both."~~

-End-

Approved by Comm.
on Fish and Game

1 *Sen. Smith* BILL NO. *103*
 2 INTRODUCED BY *Smith Turvey & Travis*
 3 *Mohellum Johnson* *THE BROWN HAIKAL*
 4 *Sawtooth Shadys*

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE TRAFFICKING
 6 IN BODY PARTS OF UNLAWFULLY TAKEN WILDLIFE PROTECTED BY THE
 7 STATE OF MONTANA A FELONY PUNISHABLE BY \$10,000 FINE OR 1
 8 YEAR IMPRISONMENT, OR BOTH; AMENDING SECTION 87-3-111, MCA."

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

10 Section 1. Section 87-3-111, MCA, is amended to read:

11 "87-3-111. Unlawful to buy, sell, possess, or
 12 transport fish or game -- exceptions -- penalties. (1) It is
 13 hereby made unlawful for any person to purchase, sell, offer
 14 to sell, possess, ship, or transport any game fish, game
 15 bird, migratory game bird, game animal, or fur-bearing
 16 animal or part thereof protected by the laws of this state,
 17 whether belonging to the same or different species from that
 18 native to the state of Montana, except as specifically
 19 permitted by the laws of this state.

20 (2) The provisions of this section shall not prohibit
 21 the possession or transportation within the state of any
 22 legally taken fish, game bird, migratory game bird, game
 23 animal, or fur-bearing animal or part thereof or the sale,
 24 purchase, or transportation of hides, heads, or mounts of
 25 lawfully killed game animals, game birds, game fish, or

1 fur-bearing animals.

2 ~~(3) Any person violating any of the provisions of this section shall~~
 3 ~~be deemed is guilty of a misdemeanor and upon conviction~~
 4 ~~thereof shall be punished as provided by law.~~

5 ~~(4) Any person engaging in the activities prohibited~~
 6 ~~in subsection (1) in furtherance of a scheme to traffic in~~
 7 ~~the body parts of unlawfully taken species is guilty of a~~
 8 ~~felony and shall be punished by a fine of \$10,000 or~~
 9 ~~imprisonment in the state prison for a term of 1 year, or~~
 10 ~~both."~~

-End-

1 *Smith* BILL NO. *103*
 2 INTRODUCED BY *Smith Turrag & Tajit*
 3 *Mobellon Johnson* *JOE BROWN*
 4 *Sawyer* *Head*

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 5 IN BODY PARTS OF UNLAWFULLY TAKEN WILDLIFE PROTECTED BY THE
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-End-

-2- THIRD READING
 SB 103

SENATE BILL NO. 103

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McCALLUM, JOHNSON, S. BROWN, STIMATZ, SEVERSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE TRAFFICKING
IN BODY PARTS OF UNLAWFULLY TAKEN WILDLIFE PROTECTED BY THE
STATE OF MONTANA A FELONY PUNISHABLE BY \$10,000 FINE OR 1
YEAR IMPRISONMENT, OR BOTH; AMENDING SECTION 87-3-111, MCA;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-3-111, MCA, is amended to read:

"87-3-111. Unlawful to buy, sell, possess, or
transport fish or game -- exceptions -- penalties. (1) It is
hereby made unlawful for any person to purchase, sell, offer
to sell, possess, ship, or transport any game fish, game
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the body parts of unlawfully taken species is guilty of a
felony and shall be punished by a fine of \$10,000 or
imprisonment in the state prison for a term of 1 year, or
both."

SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
PASSAGE AND APPROVAL.

-End-

COMMITTEE OF THE WHOLE AMENDMENT

MR. CHAIRMAN: I MOVE TO AMEND House amendments to Senate Bill 103

March 7, 1981
4 pm
Mueller

1. Title, line 7.

Following: "MCA"

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 11

Insert: "Section 2. Effective date. This act is effective on
passage and approval."