

HOUSE BILL NO. 266
INTRODUCED BY REAM, JACOBSON

IN THE HOUSE

JANUARY 17, 1987 INTRODUCED AND REFERRED TO COMMITTEE
 ON FISH & GAME.

JANUARY 30, 1987 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 31, 1987 PRINTING REPORT.

FEBRUARY 2, 1987 SECOND READING, DO PASS.

FEBRUARY 3, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 93; NOES, 5.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 4, 1987 INTRODUCED AND REFERRED TO COMMITTEE
 ON FISH & GAME.

MARCH 13, 1987 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

MARCH 17, 1987 SECOND READING, CONCURRED IN.

MARCH 19, 1987 THIRD READING, CONCURRED IN.
 AYES, 49; NOES, 0.

 RETURNED TO HOUSE.

IN THE HOUSE

MARCH 19, 1987 RECEIVED FROM SENATE.

 SENT TO ENROLLING.

1
2 INTRODUCTION BY House BILL NO. 266
Ream Jacobson

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE
5 DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO PROPOSE
6 LEGISLATION FOR ANY ADDITION OR DELETION OF SPECIES OF
7 WILDLIFE ON THE ENDANGERED SPECIES LIST; AND AMENDING
8 SECTION 87-5-107, MCA."

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

11 Section 1. Section 87-5-107, MCA, is amended to read:

12 "87-5-107. List of endangered species. (1) (a) On the
13 basis of investigations on nongame wildlife provided for in
14 87-5-104 and other available scientific and commercial data
15 and after consultation with other state wildlife agencies,
16 appropriate federal agencies, and other interested persons
17 and organizations but not later than 1 year after July 1,
18 1973, the department shall recommend to the legislature a
19 list of those species and subspecies of wildlife indigenous
20 to the state which are determined to be endangered within
21 this state, giving their common and scientific names by
22 species and subspecies.

23 (b) The department shall ~~have authority to recommend~~
24 ~~that the legislature propose legislation to specifically~~
25 include any species or subspecies of fish and wildlife

1 appearing on the United States' list of endangered native
2 fish and wildlife (part 17 of Title 50 of the Code of
3 Federal Regulations, appendix D) as it appears on July 1,
4 1973, as well as any species or subspecies of fish and
5 wildlife appearing on the United States' list of endangered
6 foreign fish and wildlife (part 17 of Title 50 of the Code
7 of Federal Regulations, appendix A), as such list may be
8 modified hereafter.

9 (2) The department shall conduct a review of the state
10 list of endangered species within not more than 2 years from
11 its effective date and every 2 years thereafter. The
12 department shall ~~request the legislature~~ propose specific
13 legislation to amend the list by such additions or deletions
14 as are deemed appropriate and at such times as are deemed
15 appropriate.

16 (3) Except as otherwise provided in this part, it
17 shall be unlawful for any person to take, possess,
18 transport, export, sell, or offer for sale and for any
19 common or contract carrier knowingly to transport or receive
20 for shipment any species or subspecies of wildlife appearing
21 on any of the following lists:

22 (a) the list of wildlife indigenous to the state
23 determined to be endangered within the state pursuant to
24 subsection (1);

25 (b) any species or subspecies of fish and wildlife



1 included by the department and appearing on the United
2 States' list of endangered native fish and wildlife (part 17
3 of Title 50, Code of Federal Regulations, appendix D) as it
4 appears on July 1, 1973; and the United States' list of
5 endangered foreign fish and wildlife (part 17 of Title 50,
6 Code of Federal Regulations, appendix A), as such list may
7 be modified hereafter.

8 (4) Any species or subspecies of wildlife appearing on
9 any of the foregoing lists which enters the state from
10 another state or from a point outside the territorial limits
11 of the United States and which is transported across the
12 state destined for a point beyond the state may be so
13 entered and transported without restriction in accordance
14 with the terms of any federal permit or permit issued under
15 the laws or regulations of another state.

16 (5) In the event the United States' list of endangered
17 native fish and wildlife is modified subsequent to July 1,
18 1973, by additions or deletions, such modifications, whether
19 or not involving species or subspecies indigenous to the
20 state, may be accepted as binding under subsections (3) and
21 (4) if, after the type of scientific determination described
22 in subsection (1), the department ~~recommends~~ proposes and
23 the legislature accepts such modification for the state."

-End-

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10 list of endangered species within not more than 2 years from
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