HOUSE BILL NO. 530

INTRODUCED BY ELLISON

IN THE HOUSE

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JANUARY 29, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
FEBRUARY 18, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 19, 1987	PRINTING REPORT.
FEBRUARY 20, 1987	SECOND READING, DO PASS.
FEBRUARY 21, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 80; NOES, 12.
	TRANSMITTED TO SENATE.
IN	THE SENATE
FEBRUARY 23, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
MARCH 27, 1987	ON MOTION, TAKEN FROM COMMITTEE ON FISH & GAME AND PLACED ON SECOND READING.
MARCH 30, 1987	SECOND READING, CONCURRED IN AS AMENDED.
	ON MOTION, RULES SUSPENDED AND BILL PLACED ON THIRD READING THIS DAY.
	THIRD READING, CONCURRED IN.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 8, 1987 RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS

CONCURRED IN.

APRIL 9, 1987 THIRD READING, AMENDMENTS

CONCURRED IN.

SENT TO ENROLLING.

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1	House BILL NO. <u>530</u>
2	INTRODUCED BY Ellison
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE SALE OF
5	PROGENY RAPTORS HELD FOR BREEDING PURPOSES; AND AMENDING
6	SECTIONS 87-5-206 AND 87-5-210, MCA."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Section 87-5-206, MCA, is amended to read:
10	"87-5-206. Restrictions on taking, possessing, and
11	selling raptors. (1) A licensee may not at any time possess
12	more than three raptors, including those that have been
13	imported, except as permitted by the department under
14	87-5-210.
15	(2) Licensees may take raptors as young or fledglings
16	from nests (unless specifically prohibited by department
17	rules) or by traps or nets which are humane in their
18	operation and use. Not more than one young may be taken from
19	one nest by a permittee or permittees, and at least one
20	young must be left in the nest. The department may close an
21	area of the state to the taking of raptors at any time or
22	designate other raptors which may not be taken. This

subsection does not permit the removal of raptors in any

national or state refuge or park or in any area in which

local laws may prohibit that activity. Trapping raptors is

2	(3) A licensee may not transfer ownership or
2	(3) A licensee may not cransist ownership of
3	possession of a raptor taken or possessed under the
4	provisions of this part without notifying the department
5	within 10 days after the date of transfer.
6	(4) A person may not sell or offer for sale Montana
7	raptors in this state except as permitted by the department
8	under 87-5-210. A person may not transport raptors out of
9	the state except by permit issued by the department."
10	Section 2. Section 87-5-210, MCA, is amended to read:
11	"87-5-210. Captive breeding of raptors permit
12	fee transfer and revocation rules. (1) The department

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permitted only between September 1 and February 1.

(2) The fee for a captive breeding permit is \$20 a year.

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may grant permits to a person, whether or not licensed under

this part, for the taking and holding of raptors for captive

breeding purposes under such conditions, consistent with

- (3) Captive breeding permits are not transferable and may be revoked at any time by the department for violation of any conditions of the permit or regulations of the department.
- (4) The department may adopt rules for the keeping of records on, and-for the trapping, taking, possession, propagation, and release of, and the sale of progeny of

1 raptors taken and held for captive breeding projects."

NEW SECTION. Section 3. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

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permitted only between September 1 and February 1.

- 2 (3) A licensee may not transfer ownership or 3 possession of a raptor taken or possessed under the 4 provisions of this part without notifying the department 5 within 10 days after the date of transfer.
 - (4) A person may not sell or offer for sale Montana raptors in this state except as permitted by the department under 87-5-210. A person may not transport raptors out of the state except by permit issued by the department."
- Section 2. Section 87-5-210, MCA, is amended to read:
 "87-5-210. Captive breeding of raptors -- permit -fee -- transfer and revocation -- rules. (1) The department
 may grant permits to a person, whether or not licensed under
 this part, for the taking and holding of raptors for captive
 breeding purposes under such conditions, consistent with
 this part, as the department may specify in the permit.
- 17 (2) The fee for a captive breeding permit is \$20 a 18 year.
- 19 (3) Captive breeding permits are not transferable and
 20 may be revoked at any time by the department for violation
 21 of any conditions of the permit or regulations of the
 22 department.
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-5-206, MCA, is amended to read:
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- Section 2. Section 87-5-210, MCA, is amended to read:
 "87-5-210. Captive breeding of raptors -- permit -fee -- transfer and revocation -- rules. (1) The department
 may grant permits to a person, whether or not licensed under
 this part, for the taking and holding of raptors for captive
 breeding purposes under such conditions, consistent with
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- 19 (3) Captive breeding permits are not transferable and
 20 may be revoked at any time by the department for violation
 21 of any conditions of the permit or regulations of the
 22 department.
- 23 (4) The department may adopt rules for the keeping of 24 records on, and—for the trapping, taking, possession, 25 propagation, and release of, and the sale of progeny of

- 1 raptors taken and held for captive breeding projects."
- 2 <u>NEW SECTION.</u> Section 3. Extension of authority. Any
- 3 existing authority of the department of fish, wildlife, and
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 9 the state except by permit issued by the department."
- Section 2. Section 87-5-210, MCA, is amended to read:

 "87-5-210. Captive breeding of raptors -- permit -
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 may grant permits to a person, whether or not licensed under

 this part, for the taking and holding of raptors for captive

 breeding purposes under such conditions, consistent with

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- 1 raptors taken and held for captive breeding projects."
- NEW SECTION. SECTION 3. REPORT. THE DEPARTMENT SHALL
- 3 REPORT TO THE 51ST LEGISLATURE THE RESULTS OF THE PROGRAM
- 4 REGULATING THE SALE OF THE PROGENY OF RAPTORS, INCLUDING BUT
- 5 NOT LIMITED TO THE NUMBERS OF BIRDS SOLD, A DESCRIPTION OF
- 6 THE ENFORCEMENT EFFORTS UNDERTAKEN, AND THE COST OF THE
- 7 PROGRAM TO THE DEPARTMENT.
- 8 NEW SECTION. Section 4. Extension of authority. Any
- 9 existing authority of the department of fish, wildlife, and
- 10 parks to make rules on the subject of the provisions of this
- 11 act is extended to the provisions of this act.

330947N.CWO COMMITTEE OF THE WHOLE AMENDMENT

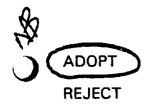
		3-30-87
SENATE		DATE
		9:47
		TIME
	House Bill	530
MR. CHAIRMAN: I MOVE TO AME	ND	No
third	blue	
reading	g copy () as follows:	
	Color	

1. Page 2, line 6.
Following: "sale"
Strike: "Montana"

2. Page 3, following line 1.

Insert: "New Section. Section 3. Report. The department shall report to the 51st legislature the results of the program regulating the sale of the progeny of raptors, including but not limited to the numbers of birds sold, a description of the enforcement efforts undertaken, and the cost of the program to the department."

3. Renumber: subsequent section



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