



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.

1 House BILL NO. 530  
2 INTRODUCED BY E. Ellison

3  
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  
23 subsection does not permit the removal of raptors in any  
24 national or state refuge or park or in any area in which  
25 local laws may prohibit that activity. Trapping raptors is

1 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.

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  
13 may grant permits to a person, whether or not licensed under  
14 this part, for the taking and holding of raptors for captive  
15 breeding purposes under such conditions, consistent with  
16 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.

23 (4) The department may adopt rules for the keeping of  
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25 propagation, and release of, and the sale of progeny of



-2- INTRODUCED BILL  
HB 530

LC 1073/01

1 raptors taken and held for captive breeding projects."  
2 NEW SECTION. Section 3. Extension of authority. Any  
3 existing authority of the department of fish, wildlife, and  
4 parks to make rules on the subject of the provisions of this  
5 act is extended to the provisions of this act.

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APPROVED BY COMM.  
ON FISH AND GAME

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1 raptors taken and held for captive breeding projects."

2 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.

-End-

3-30-87

SENATE

DATE

9:47

TIME

530

House Bill

MR. CHAIRMAN: I MOVE TO AMEND

No.

third

blue

reading 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

ADOPT

REJECT

*Al Bick*