

HOUSE BILL NO. 251

INTRODUCED BY PAVLOVICH, MENAHAN

IN THE HOUSE

JANUARY 20, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
JANUARY 28, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 29, 1993	PRINTING REPORT.
JANUARY 30, 1993	SECOND READING, DO PASS.
FEBRUARY 1, 1993	ENGROSSING REPORT.
FEBRUARY 3, 1993	THIRD READING, PASSED. AYES, 97; NOES, 0.
FEBRUARY 4, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 4, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
MARCH 11, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 12, 1993	SECOND READING, CONCURRED IN.
MARCH 13, 1993	THIRD READING, CONCURRED IN. AYES, 46; NOES, 1.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 15, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 *House* BILL NO. *251*
2 INTRODUCED BY *Carlisle Menahan*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE
5 POSSESSION, TRANSPORTATION, SALE, OR PURCHASE OF ANTLERS AND
6 ATTACHED SKULL FROM A GAME ANIMAL THAT HAS NOT BEEN
7 UNLAWFULLY KILLED; AND AMENDING SECTION 87-3-111, MCA."

8
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. (Temporary) Unlawful to buy, sell, possess,
12 or transport fish or game -- exceptions -- penalties. (1) It
13 is unlawful for any person to purchase, sell, offer to sell,
14 possess, ship, or transport any game fish, game bird,
15 migratory game bird, game animal, or fur-bearing animal or
16 part thereof protected by the laws of this state, whether
17 belonging to the same or different species from that native
18 to the state of Montana, except as specifically permitted by
19 the laws of this state.

20 (2) The provisions of this section do not prohibit:

21 (a) the possession or transportation within the state
22 of any legally taken fish, game bird, migratory game bird,
23 game animal, or fur-bearing animal or part thereof;

24 (b) the sale, purchase, or transportation of hides,
25 heads, or mounts of lawfully killed game birds, game fish,

1 fur-bearing animals, or game animals, except that the sale
2 or purchase of a hide, head, or mount of a grizzly bear is
3 prohibited, except as provided in 87-3-110;

4 (c) the possession, transportation, sale, or purchase
5 of naturally shed antlers; or

6 (d) the donation and sale of paddlefish roe as caviar
7 under the provisions of 87-4-601.

8 (3) Any person violating any of the provisions of this
9 section is guilty of a misdemeanor and upon conviction shall
10 be punished as provided in 87-1-102. (Terminates June 30,
11 1993--sec. 5, Ch. 409, L. 1989.)

12 87-3-111. (Effective July 1, 1993) Unlawful to buy,
13 sell, possess, or transport fish or game -- exceptions --
14 penalties. (1) It is unlawful for any person to purchase,
15 sell, offer to sell, possess, ship, or transport any game
16 fish, game bird, migratory game bird, game animal, or
17 fur-bearing animal or part thereof protected by the laws of
18 this state, whether belonging to the same or different
19 species from that native to the state of Montana, except as
20 specifically permitted by the laws of this state.

21 (2) The provisions of this section shall do not
22 prohibit:

23 (a) the possession or transportation within the state
24 of any legally taken fish, game bird, migratory game bird,
25 game animal, or fur-bearing animal or part thereof;

1 (b) the sale, purchase, or transportation of hides,
2 heads, or mounts of lawfully killed game birds, game fish,
3 fur-bearing animals, or game animals, except that the sale
4 or purchase of a hide, head, or mount of a grizzly bear is
5 prohibited, except as provided in 87-3-110; or
6 (c) the possession, transportation, sale, or purchase
7 of naturally shed antlers or the antlers with a skull or
8 portion of a skull attached from a game animal that has not
9 been unlawfully killed.
10 (3) Any person violating any of the provisions of this
11 section is guilty of a misdemeanor and upon conviction shall
12 be punished as provided in 87-1-102."

-End-

APPROVED BY COMM.
ON FISH AND GAME

HOUSE BILL NO. 251

INTRODUCED BY PAVLOVICH, MENAHAN

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE POSSESSION, TRANSPORTATION, SALE, OR PURCHASE OF ANTLERS AND ATTACHED SKULL FROM A GAME ANIMAL THAT HAS DIED FROM NATURAL CAUSES AND THAT HAS NOT BEEN UNLAWFULLY OR ACCIDENTALLY KILLED; AND 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. (Temporary) Unlawful to buy, sell, possess, or transport fish or game -- exceptions -- penalties. (1) It is 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 do not prohibit:

(a) 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;

(b) the sale, purchase, or transportation of hides,

heads, or mounts of lawfully killed game birds, game fish, fur-bearing animals, or game animals, except that the sale or purchase of a hide, head, or mount of a grizzly bear is prohibited, except as provided in 87-3-110;

(c) the possession, transportation, sale, or purchase of naturally shed antlers; or

(d) the donation and sale of paddlefish roe as caviar under the provisions of 87-4-601.

(3) Any person violating any of the provisions of this section is guilty of a misdemeanor and upon conviction shall be punished as provided in 87-1-102. (Terminates June 30, 1993--sec. 5, Ch. 409, L. 1989.)

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1 game animal, or fur-bearing animal or part thereof;

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3 heads, or mounts of lawfully killed game birds, game fish,
4 fur-bearing animals, or game animals, except that the sale
5 or purchase of a hide, head, or mount of a grizzly bear is
6 prohibited, except as provided in 87-3-110; or

7 (c) the possession, transportation, sale, or purchase
8 of naturally shed antlers or the antlers with a skull or
9 portion of a skull attached from a game animal THAT HAS DIED
10 FROM NATURAL CAUSES AND that has not been unlawfully OR
11 ACCIDENTALLY killed.

12 (3) Any person violating any of the provisions of this
13 section is guilty of a misdemeanor and upon conviction shall
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