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INTRODUCED BY
Rehbein

Daniel Fuchs House BILL NO. 291

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE POSSESSION, TRANSPORTATION, SALE, OR PURCHASE OF THE BONES OF AN ELK OR DEER THAT HAS BEEN LAWFULLY KILLED OR THAT HAS DIED OF NATURAL CAUSES; AND AMENDING SECTION 87-3-111, MCA."

8

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

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10

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

11

"87-3-111. (Temporary) Unlawful to buy, sell, possess, or transport fish or game -- exceptions -- penalties. (1) It is unlawful for ~~any~~ a 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 a different species from that native to the state of Montana, except as specifically permitted by the laws of this state.

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

17

(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;

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(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;

22

(c) the possession, transportation, sale, or purchase of naturally shed antlers or the antlers with a skull or portion of a skull attached from a game animal that has died from natural causes and that has not been unlawfully or accidentally killed; ~~or~~

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(d) the possession, transportation, sale, or purchase of the bones of an elk or deer that has been lawfully killed or that has died of natural causes; or

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

28

(3) ~~Any~~ A 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, 2003--sec. 2, Ch. 196, L. 1993.)

30

HOUSE BILL NO. 291

INTRODUCED BY FUCHS, REHBEIN

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE POSSESSION, TRANSPORTATION, SALE, OR PURCHASE OF THE BONES OF AN ELK, ANTELOPE, MOOSE, OR DEER THAT HAS BEEN LAWFULLY KILLED OR THAT HAS DIED OF NATURAL CAUSES; AND AMENDING SECTION 87-3-111, MCA."

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(c) the possession, transportation, sale, or purchase of naturally shed antlers or the antlers with a skull or portion of a skull attached from a game animal that has died from natural causes and that has not been unlawfully or accidentally killed; ~~or~~

(d) the possession, transportation, sale, or purchase of the bones of an elk, ANTELOPE, MOOSE, or deer that has been lawfully killed or that has died of natural causes; or

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