

1 SENATE BILL NO. 327

2 INTRODUCED BY J. ELLSWORTH, M. BLASDEL, M. CUFFE, D. KARY, T. MANZELLA, G. VANCE, W. GALT

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING REGULATIONS FOR WASTING OF GAME BIRDS
5 THAT ARE MORE RESTRICTIVE THAN FEDERAL REGULATIONS; AND AMENDING SECTION 87-6-205,
6 MCA."

7

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

9

10 **Section 1.** Section 87-6-205, MCA, is amended to read:11 **"87-6-205. Waste of game animal, game bird, or game fish.** (1) Except as provided in subsection
12 (3), a person responsible for the death of any game animal, game bird, or game fish suitable for food may not
13 purposely or knowingly waste the game by:14 (a) detaching or removing only the head, hide, antlers, tusks, or teeth or any or all of these parts from
15 the carcass of a game animal;16 (b) transporting, hanging, or storing the carcass in a manner that renders it unfit for human
17 consumption; or18 (c) abandoning the carcass of a game animal or any portion of the carcass suitable for food in the
19 field.20 (2) A person in possession of a game animal or game animal parts, a game bird, or a game fish
21 suitable for food may not purposely or knowingly waste the game by:22 (a) transporting, storing, or hanging the animal, bird, or fish in a manner that renders it unfit for human
23 consumption; or

24 (b) disposing of or abandoning any portion of the animal, bird, or fish that is suitable for food.

25 (3) A person responsible for the death of a mountain lion, except as provided in 87-6-106, may not
26 abandon the head or hide in the field.27 (4) A person responsible for the death of a grizzly bear wastes the game if the person abandons the
28 head or hide or any parts required by department or commission regulation for scientific purposes pursuant to

1 87-3-131.

2 (5) For the purposes of this section, the meat of a grizzly bear or a black bear that is found to be
3 infected with trichinosis is not considered to be suitable for food.

4 (6) A person convicted of a violation of this section may be fined not less than \$50 or more than
5 \$1,000 or be imprisoned in the county jail for a term not to exceed 6 months, or both. In addition, the person,
6 upon conviction or forfeiture of bond or bail, shall:

7 (a) forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt,
8 fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer
9 period; and

10 (b) pay restitution pursuant to 87-6-905 through 87-6-907.

11 (7) A person convicted of waste of game by abandonment in the field may be subject to the additional
12 penalties provided in 87-6-901.

13 (8) Regulations adopted pursuant to this section for game birds may not be more restrictive than
14 comparable federal regulations."

15 - END -