

HOUSE BILL NO. 440

INTRODUCED BY D. BARRETT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
5 TO UPDATE THE STATE WOLF MANAGEMENT PLAN, INCLUDING PROVISIONS FOR PUBLIC HEALTH
6 AND SAFETY THROUGH MORE EFFECTIVE RADIO TRACKING AND IMPROVED COMMUNICATION
7 BETWEEN THE DEPARTMENT AND LANDOWNERS REGARDING ACTIVE PACKS IN EACH AREA WHERE
8 DEPREDATIONS ARE CHRONIC OR LIKELY; AMENDING SECTIONS 87-5-131 AND 87-5-132, MCA; AND
9 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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13 **Section 1.** Section 87-5-131, MCA, is amended to read:

14 **"87-5-131. Process for delisting of gray wolf -- management following delisting.** (1) If the United
15 States fish and wildlife service removes the Northern Rocky Mountain or gray wolf from the United States' list of
16 endangered or threatened wildlife, the department is authorized to remove the wolf from the state list of
17 endangered species upon a determination by the department pursuant to this part that the wolf is no longer
18 endangered.

19 (2) Following state delisting of the wolf, the department shall manage the wolf as a species in need of
20 management until the department and the commission determine that the wolf no longer needs protection as a
21 species in need of management and can be managed and protected as a game animal. Upon making that
22 determination, the commission may declare the wolf a big game animal or a furbearer and may regulate the
23 taking of a wolf as a big game animal or furbearer.

24 (3) Following state delisting of the wolf, the department; or the department of livestock, pursuant to
25 81-7-102 and 81-7-103, may control wolves for the protection and safeguarding of livestock if the control action
26 is consistent with a wolf management plan approved by both the department and the department of livestock.

27 ~~(4) The department shall revise AS PART OF THE DEPARTMENT'S ROUTINE EVALUATION OF the state wolf~~
28 ~~management plan that is in effect on [the effective date of this act]. Revisions must, THE DEPARTMENT SHALL~~
29 include:

30 (a) an evaluation of the assumptions underlying the wolf management plan and the correction of any

1 assumptions that have been shown to be erroneous by scientific research or field observations;
 2 ~~—— (b) a provision that any money in excess of \$600,000 received by the department for wolf management~~
 3 ~~from the federal government after [the effective date of this act] must be directed to:~~
 4 ~~—— (i) funding a livestock reimbursement program to compensate livestock owners for livestock lost because~~
 5 ~~of wolf predation;~~
 6 ~~—— (ii) funding a study of the effects of wolf predation on the state's ungulate populations; and~~
 7 ~~—— (iii) addressing issues of public health and safety related to the presence of wolves in this state;~~
 8 ~~(e)(B) reconsideration of the incremental management of predatory wolf packs to allow lethal removal~~
 9 ~~of an entire pack when the state population objective has been met; and~~
 10 ~~(d)(C) implementation of a policy to provide lethal removal of a wolf following a single incident of~~
 11 ~~predation on livestock in order to prevent chronic predation."~~
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13 **Section 2.** Section 87-5-132, MCA, is amended to read:

14 **"87-5-132. Use of radio-tracking collars for monitoring wolf packs.** (1) As part of a wolf management
 15 plan approved by the department, a radio-tracking collar must be attached to at least one wolf in each wolf pack
 16 that is active near livestock or near a population center in areas where depredations are chronic or likely. As a
 17 matter of public health and safety and in order to facilitate more effective radio tracking and enhance
 18 communication between the department and landowners regarding active packs in each area where depredations
 19 are chronic or likely, the department shall initiate a process to notify all counties and their citizens of the location
 20 and movement of wolf packs and provide a 24-hour toll-free telephone number that citizens can use to notify the
 21 department of wolf pack locations and movements.

22 (2) The department shall expend only the federal funds for wolf management purposes to fulfill the
 23 requirements of this section.

24 (3) The department may collaborate and cooperate with other state and federal agencies to fulfill the
 25 requirements of this section."
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27 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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