

HOUSE BILL NO. 826

INTRODUCED BY M. MARLER, T. FRANCE, J. READ, W. CURDY, R. MINER

A BILL FOR AN ACT ENTITLED: "AN ACT PHASING OUT THE PEN-RAISED PHEASANT PROGRAM; REQUIRING A STUDY TO REPLACE THE PEN-RAISED PHEASANT PROGRAM; PROVIDING AN APPROPRIATION; REPEALING SECTION 26, CHAPTER 552, LAWS OF 2021; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Phased termination of pen-raised pheasant program -- interim study**

**required.** (1) (a) Before January 1, 2027, the department of fish, wildlife, and parks and the department of corrections shall terminate the program authorized by section 26, Chapter 552, Laws of 2021.

(b) The pen-raised pheasant program may be reduced in phases, but the funding for and production of pheasants must be reduced by at least 25% in each calendar year after [the effective date of this act].

(2) In preparation for the termination of the pen-raised pheasant program required by subsection (1), the environmental quality council and the law and justice interim committee shall study replacing the pen-raised pheasant program operated through Montana correctional enterprises and, before September 15, 2025, shall:

(a) evaluate the missions of the department of fish, wildlife, and parks and Montana correctional enterprises;

(b) consider options to continue a partnership between the department of fish, wildlife, and parks and Montana correctional enterprises after termination of the pen-raised pheasant program. Options must focus on fulfilling the missions of both organizations while utilizing existing resources, including those obtained for the pen-raised pheasant program.

(c) publish a report, including any proposed legislation.

1            NEW SECTION. Section 2. Repealer. Section 26, Chapter 552, Laws of 2021, is repealed.

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3            NEW SECTION. Section 3. Appropriation. There is appropriated \$50,000 from the general fund to  
4 the legislative services division for the biennium beginning July 1, 2023, for the study required by [section 1].

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6            NEW SECTION. Section 4. Contingent voidness. (1) Pursuant to Joint Rule 40-65, if [this act] does  
7 not include an appropriation prior to being transmitted to the governor, then [this act] is void.

8            (2) If the appropriation in [section 3] is vetoed, then [this act] is void.

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10           NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2023.

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