

**Fish, Wildlife and Parks
Proposed Legislation for 2013 Session
August 21, 2012**

Wolf Legislation

The 2011-12 wolf hunting season ended with a total harvest of 166 wolves, 75 percent of the overall quota. One of the insights from this season is that we clearly need more tools to enable hunters to reduce the wolf population to better manage the impacts on deer and elk populations and landowners. These proposed legislative changes would: (1) allow the use of electronic calls to hunt wolves, (2) allow the commission the authority to issue more than one wolf license, (3) decrease the price of nonresident wolf licenses and (4) eliminate the requirement for wolf hunters to wear hunter orange when hunting outside the general big game season.

Electronic calls: 87-6-401, MCA prohibits the use of electronic calls to hunt wolves. Use of electronic calls could improve hunter effectiveness as wolves are responsive to calls because of their strongly territorial behavior.

Harvest more than one wolf: 87-2-523 and -524, MCA precludes FWP from issuing more than one wolf hunting license per year to a hunter. Wolf harvest can be increased by allowing the Commission by regulation to issue more than one license annually per hunter.

Decrease nonresident license price: The current price of a nonresident wolf license is \$350. By decreasing the price to \$50 we project that we will increase the number of nonresident licenses sold and thus provide the opportunity for additional wolf harvest.

Eliminate the requirement for hunter orange after the general big game season closes: Under existing statute, hunters are required to wear hunter orange when hunting game animals. However, wearing hunter orange reduces wolf hunter effectiveness, and with fewer hunters afield following the closure of the general big game season, safety concerns are significantly less. 87-6-414, MCA could be amended to provide an exception to the hunter orange requirement for wolf hunting outside the general big game season.

Restore Language to the Dingell-Johnson Assent Statute

This bill would restore language to 87-1-701, MCA that is necessary in order for FWP to receive federal fisheries funding from the U.S. Fish and Wildlife Service. The language was innocently removed by the 2009 Legislature without anyone realizing the financial consequences to the department until the Legislative Auditor caught the mistake following the session.

HB 37 was a 1,439 page bill proposed by the Code Commissioner in order to make language in the Montana Codes Annotated gender neutral and consistent with current bill drafting standards. The bill removed from state law a quotation from the federal Dingell-Johnson Act that is required in order for Montana to be eligible to receive \$4 million to \$6 million of federal funding annually for fisheries management. This money funds virtually every component of the department's fisheries program including our field biologists, hatcheries, the fishing access site program and fish health and aquatic invasive species programs.

The Dingell-Johnson Act establishes a federal excise tax on the sale of fishing rods, reels, lines and other tackle. The funding is then distributed to states that agree through statute to spend the money solely on fisheries management. If the appropriate passage is not restored to 87-1-701, MCA during the 2013

Legislature, then Montana will no longer be eligible to receive this funding, even though Montana anglers will continue to pay the federal excise tax on their angling purchases.

Good Neighbor Bill

This legislation would make permanent a temporary program scheduled to sunset on June 30, 2013. Enacted in 2009, the "Good Neighbor" statute requires FWP, when purchasing land with most funding sources, to set aside an amount of funding equal to 20% of the purchase price (up to \$300,000) for maintenance of department-owned land.

This legislation was enacted in order to establish a revenue stream for the maintenance of land purchased by FWP, and to link the revenue stream to the actual acquisition of the land. It also establishes a maintenance account in the special revenue fund and provides for a statutory appropriation for spending those funds.

Youth Combo Bill

This is a clean-up bill that allows a nonresident youth to apply for a combination hunting license at the same time as the adult family member who is sponsoring them.

Prior to the 2011 Legislature, the number of youth combination licenses was capped at 300. An additional requirement was that a youth applicant must be sponsored by an adult immediate family member who *already has obtained a valid resident elk or deer tag or a valid nonresident elk or deer permit*. Because the nonresident permit drawing doesn't happen until April and residents simply need to buy an elk or deer license to qualify, the March 1 statutory date for applications gave resident sponsors of nonresident youth an advantage in obtaining one of these 300 licenses. The 2011 Legislature amended several statutes that changed these circumstances and necessitate the need for this clean-up legislation. First, the legislature eliminated the cap of 300 youth combination licenses and made them unlimited, so the March 1 deadline is no longer needed in order to provide residents sponsors an advantage in obtaining these licenses. Second, the legislature added two new nonresident license (B-7 deer and B-15 elk) categories that could be used to sponsor a youth combination license applicant. Accordingly, the process prescribed in 87-2-511(7), MCA for issuing nonresident youth combination licenses needs to be updated to reflect these additional licenses that were added by the 2011 legislature.