

HOUSE BILL NO. 42

INTRODUCED BY JEDEDIAH HINKLE

BY REQUEST OF FWP

TITLE

AN ACT ALLOWING QUALIFIED FISH, WILDLIFE, AND PARKS DEPARTMENT EMPLOYEES TO CARRY FIREARMS TO PERFORM THEIR ASSIGNED DUTIES; PROVIDING CRITERIA FOR WHEN AN EMPLOYEE IS ALLOWED TO CARRY A FIREARM

BILL SYNOPSIS

Allows non-enforcement staff that are identified, trained, and certified by the department to be issued and to use firearms where necessary to perform assigned duties. Department-issued firearms may be carried by an employee other than a warden only when the employee is engaged in work that requires the carrying of a firearm, as determined by the department.

REQUIRED ACTION

Implementation: Complete nonenforcement firearms policy that is currently in draft. Recommend it get reviewed one more time by all affected divisions and biologist union. Complete inventory of nonenforcement staff that require firearms to perform their job (may include Fisheries, Hatcheries, Wildlife, POR), and an inventory of firearms currently in possession or needed. Statute allows employees to be issued a firearm only after submitting a form of final approval as determined and approved by the department. That form needs to be developed, distributed, and approval requirements implemented. Enforcement will develop a qualification training for each firearm type (handgun, shotgun, rifle) and will conduct at least one qualification per region per year. Develop record-keeping system to track which employees are authorized to carry and use firearms in the course of their position, what firearms they are issued, and dates qualification was completed for each firearm type. Keep all of this up to date as staff turns over and changes.

Because many nonenforcement staff already have department purchased firearms and are using them in the course of their jobs, and because this bill has an immediate effective date, implementation steps as described above should happen immediately.

Rulemaking: None needed, although rule making authority is included in the title of the bill and in statute.

Chapter Number(s): Chapter No. 117

Effective Date: 04/18/2023

HOUSE BILL 73

INTRODUCED BY D. LOGE

BY REQUEST OF FWP.

TITLE

AN ACT REPEALING SURETY BOND REQUIREMENTS FOR HUNTING AND FISHING LICENSE AGENTS; REPEALING SECTION 87-2-902, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Bill repeals the requirement of FWP license providers to hold a surety bond.

REQUIRED ACTION

Implementation: None.

Rulemaking: None needed.

Chapter Number(s): 27

Effective Date: March 2, 2023

HOUSE BILL NO. 74

INTRODUCED BY ROSS FITZGERALD

BY REQUEST OF FWP

TITLE

AN ACT REMOVING THE REQUIREMENT THAT THE UPLAND GAME BIRD ENHANCEMENT PROGRAM FUND BIRD RELEASES; AMENDING SECTION 87-1-247, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Strikes the requirements of the Upland Game Bird Enhancement Program to set aside 15% of funds collected for the UGBEP for game bird releases, and the requirement that 25% of that 15% must be spent each year on upland game bird releases.

REQUIRED ACTION

Implementation: With the passage of this bill, the primary task will be to reconcile the accounting as there are currently two separate accounts – one for upland game bird releases, and one for habitat improvements. Moving forward, there will only be a single account. The funds in the two accounts can be combined into the single account.

Rulemaking: None needed.

Chapter Number(s): Chapter No. 121

Effective Date: 04/18/2023

HOUSE BILL NO. 86

INTRODUCED BY KENNETH WALSH

BY REQUEST OF FWP AND THE WILDLIFE HABITAT IMPROVEMENT COUNCIL

TITLE

AN ACT REVISING THE MONTANA WILDLIFE HABITAT IMPROVEMENT ACT; REVISING THE SHORT TITLE OF THE ACT; REVISING ELIGIBILITY CRITERIA AND ADVISORY COUNCIL DUTIES; REPEALING THE ACT'S TERMINATION DATE; AMENDING SECTIONS 87-5-801, 87-5-803 AND 87-5-806, MCA; REPEALING SECTION 11, CHAPTER 342, LAWS OF 2017; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

HB 86 brought about 4 changes to the Wildlife Habitat Improvement Act as follows: 1) the title of the Act was revised to the "Kelly Flynn Montana Wildlife Habitat Improvement Act"; 2) the Act's sunset date of June 30, 2023 was removed; 2) program expenditure options were expanded to include "other weed and soil treatment options and methods recommended by the council to reduce noxious weeds and support native vegetation"; and 3) the Act will now allow grantees to add up to 10% of the total project amount in awarded grants to help cover administrative costs.

REQUIRED ACTION

Implementation: FWP will need to: 1) change documentation to accommodate changes to the program title and any references to the program sunset, including on the program web page, downloadable documents, web grant site, and other outreach resources; 2) inform the council of legislated changes and seek their recommendations on other treatment options potentially funded through the program to reduce noxious weeds and support native vegetation; 3) adjust budget templates in the web grant system to accommodate administrative costs, and 4) decide under what circumstances, if any, current grants could be amended to allow for the addition of administration costs, if grantees make such a request, and proceed accordingly.

Rulemaking: May need to adjust ARM 12.9.1602 which lists eligible expenditures. As currently written, the rule does not include administration costs nor other "weed and soil treatment options and methods recommended by the council..."

Chapter Number(s): Chapter No. 64

Effective Date: 03/16/2023

HOUSE BILL NO. 99

INTRODUCED BY C. KNUDSEN

BY REQUEST OF FWP

TITLE

AN ACT REMOVING A REFERENCE TO A REPEALED NONRESIDENT SNOWMOBILE PERMIT; AMENDING SECTION 23-2-614, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

This bill corrects an omission in Senate Bill 38 that was passed in 2021. SB 38 created the winter trail pass, which is required to operate snowmobiles, dog sleds, other motorized equipment, and bicycles on snow trails groomed with funding from FWP. The winter trail pass replaced the previous Snowmobile Trail Pass for residents and the Temporary Use Snowmobile Permit for nonresidents. References to those former items should've been removed from all statutes as part of SB 38, but they were missed in 23-2-614. HB 99 corrects those omissions and clears up confusion for people wondering if the permit was still required for nonresidents to operate a snowmobile anywhere in Montana. It is not. Only the winter trail pass is now needed, and it's only required for operation on trails groomed with funds from FWP.

REQUIRED ACTION

Implementation: Already implemented after SB 38 in 2021. However, we misbranded the nonresident winter trail pass in 2022 and need to correctly identify what nonresidents purchase as the nonresident winter trail pass in 2023 and beyond.

Rulemaking: None needed.

Chapter Number(s): Chapter No. 22

Effective Date: **02/28/2023**

HOUSE BILL 131

INTRODUCED BY C. HINKLE

BY REQUEST OF FWP.

TITLE

AN ACT REMOVING THE 24-HOUR WAIT REQUIREMENT TO USE A WOLF LICENSE; AMENDING SECTIONS 87-2-523 AND 87-2-524, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Eliminates the 24-hour waiting period after a license is purchased to harvest a wolf.

REQUIRED ACTION

Implementation: Internal and external education, updates to regulations and website.

Rulemaking: None needed.

Chapter Number(s): 90

Effective Date: April 18, 2023

HOUSE BILL NO. 133

INTRODUCED BY R. MINER

BY REQUEST OF FWP

TITLE

AN ACT ALLOWING AN ONLINE APPLICATION FOR NONRESIDENT COLLEGE STUDENT LICENSES; AMENDING SECTION 87-2-525, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Eliminates the requirement for eligible nonresident college students to purchase or apply for licenses at an FWP office.

REQUIRED ACTION

Implementation: Update the ALS/OLS to allow nonresident college student applications. Internal and external education, updates to regulations and website.

Rulemaking: None needed.

Chapter Number(s): Chapter No. 69

Effective Date: **March 16, 2023**

HOUSE BILL NO. 146

INTRODUCED BY J. KASSMIER

BY REQUEST OF FWP

TITLE

AN ACT AUTHORIZING LANDOWNER PREFERENCE HUNTING LICENSES AND PERMITS FOR DEER AND ANTELOPE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Bill establishes landowner preference eligibility requirements for deer and antelope consolidating landowner preference authority for all eligible species (deer antelope and elk). Also established a 15% license/permit quota for landowner preference applications.

REQUIRED ACTION

Implementation: None needed. Landowner preference for deer and antelope has been implemented for many years.

Rulemaking: Licensing ARM 12.3 requires update.

Chapter Number(s): 94

Effective Date: April 18, 2023

HOUSE BILL NO. 162

INTRODUCED BY B. MITCHELL

BY REQUEST OF FWP

TITLE

AN ACT ALLOWING ELECTRONIC VALIDATION FOR ALL SPECIES THAT REQUIRE A CARCASS TAG;
AMENDING SECTION 87-2-119, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Allows for electronic validation of carcass tags for any species for which a tag is issued.

REQUIRED ACTION

Implementation: Update the ALS/OLS to allow election for e-tags for wolves and paddlefish. Internal and external education, updates to regulations and website.

Rulemaking: None needed.

Chapter Number(s): 71

Effective Date: March 16, 2023

HOUSE BILL NO. 217

INTRODUCED BY G. PARRY

BY REQUEST OF .

TITLE

AN ACT INCREASING FEES FOR MIGRATORY GAME BIRD LICENSES; 5 AMENDING SECTION 87-2-411, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

BILL SYNOPSIS

Decrease Resident Migratory Bird License fee from \$6.50 to \$5.50. Increases Nonresident Migratory Bird License from \$50 to \$150.

REQUIRED ACTION

Implementation: Update the license fees in ALS/OLS. Internal and external education, updates to regulations and website.

Rulemaking: None needed.

Chapter Number(s): 626

Effective Date: March 1, 2024

HOUSE BILL NO. 290

INTRODUCED BY GARY PARRY

BY REQUEST OF SPONSOR

TITLE

AN ACT REVISING APPOINTMENTS TO THE WETLANDS PROTECTION ADVISORY COUNCIL; AND AMENDING SECTION 2-15-3405, MCA.

BILL SYNOPSIS

Modifies the current migratory bird advisory council from 5 members to 7 members, appointed by the Director. Members will serve staggered, 6-year terms beginning Oct. 1, 2023. They shall represent Montana migratory game bird hunters, nonconsumptive users of wildlife, and the agricultural industry, including one member from each administrative region.

REQUIRED ACTION

Implementation: Notify current members that the current council will be disbanded, but they can apply for the new council if interested. Draft a thank you letter from the Director to current council members. By June 1 send out solicitation for interested persons to serve on the WPAC. Work with Comm Ed to frame and distribute solicitation. Provide list of names and recommendations to the Director by August 1 with appointments in place by Oct. 1, 2023. Convene a meeting of the new WPAC as soon as possible thereafter.

Rulemaking: None needed

Chapter Number(s): Chapter No. 107

Effective Date: October 01 2023

HOUSE BILL NO. 438

INTRODUCED BY REP. LOGE

TITLE

AN ACT REVISING LAWS RELATED TO PUBLIC ACCESS LAND AGREEMENT APPLICATIONS; REMOVING THE FEE TO PROPOSE A PUBLIC ACCESS LAND AGREEMENT; AMENDING SECTION 87-1-295, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

HB 438 changes a 'shall' to a 'may' to allow the department to reject applications that are not eligible or don't represent a sufficient opportunity. It also removes the \$5 application fee.

REQUIRED ACTION

Implementation: POR will remove references to the application fee from program materials and review program rules and guidance to assess whether any changes are needed to provide direction on when regions may opt not to move an application forward.

Rulemaking: May need dependent on assessment of existing rules.

Chapter Number(s): Chapter No. 265

Effective Date: April 25, 2023.

HOUSE BILL NO. 440

INTRODUCED BY S. GUNDERSON

BY REQUEST OF BOARD, COUNCIL, ETC.

TITLE

AN ACT CREATING LIMITS ON THE NUMBER OF RESERVED CAMPSITES IN STATE PARKS, RECREATIONAL AREAS, AND PUBLIC CAMPING GROUNDS UNDER THE JURISDICTION OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS.

BILL SYNOPSIS

HB 440 limits the number of reserved campsites at state parks, fishing access sites and recreation areas to no more than 80% under the jurisdiction of Fish, Wildlife and Parks. Currently, 20 state parks take reservations for the peak season (May-September) and 10 of these parks meet bill requirements of no more than 80% of reservable campsites. Therefore, the remaining 10 locations will require adjustments in the reservation system by reducing the number of reservable sites below 80%. At this point in time, there are no reservable fishing access sites or wildlife management areas that will be impacted. Section 3 of the bill outlines that HB 440 doesn't apply to a river system where camping opportunity is limited to designated float-in sites (i.e., Blackfoot Corridor, Smith River).

REQUIRED ACTION

Implementation: Staff will be immediately notified of this legislation in order to implement this operational change by October 1st, 2023. Parks and Recreation staff will need to change the reservable information on the campsite posts at the affected parks. Parks currently have a one-day minimum reservation window. Sites not reserved are available as a walk-in for that one night. If staff are present, they can register the visitor for more than one night if the site is open (no reservation coming in). An alert regarding the change will need to be set up on the landing pages for reservations and FWP website notifying the affected public. Staff will communicate this change with key partner groups for expanded awareness.

Rulemaking: No traditional rulemaking effort necessary but FWP will need to update the business rules in the reservation system.

Chapter Number(s): Chapter No. 380

Effective Date: **October 1, 2023**

HOUSE BILL NO. 456

INTRODUCED BY B. LER

BY REQUEST OF

TITLE

AN ACT PROVIDING A FREE SUPER TAG CHANCE TO EACH MONTANA RESIDENT WHO PURCHASES A DEER OR ELK LICENSE; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 87-2-702, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

BILL SYNOPSIS

Resident hunters purchasing a general deer or elk license are awarded one free drawing opportunity for a moose, sheep, or goat license. The Commission will annually designate the eligible species opportunity.

REQUIRED ACTION

Implementation: Update ALS. Internal and external education, updates to regulations and website

Rulemaking: None needed, may need, will need. If it's the latter two, be as specific as possible.

Chapter Number(s): Chapter No. 267

Effective Date: March 1, 2024

HOUSE BILL NO. HB 520

INTRODUCED BY REPRESENTATIVE LOGE

BY REQUEST OF BOARD, COUNCIL, ETC.

TITLE

AN ACT REQUIRING A STUDY ON THE EFFECTS OF PRIVATE PONDS ON THE STATE, PERMITTING, WATER RIGHTS, AND OPTIONS TO MITIGATE NEGATIVE IMPACTS, INCLUDING INVASIVE SPECIES AND THREATS TO WILD FISH AND AQUATIC RESOURCES; ASSIGNING THE STUDY TO THE WATER POLICY INTERIM COMMITTEE; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

BILL SYNOPSIS

Assigns an interim study to the Water Policy Interim Committee (WPIC) on the impacts of private ponds. Includes permitting, water, mitigation, AIS, and other threats to aquatic resources.

REQUIRED ACTION

Implementation: Staff will work with WPIC as needed to provide information on Private Ponds. This will involve Licensing staff, Regional Fisheries and Admin staff, and Headquarters Fisheries and Admin staff. Until WPIC determines interim study priorities it is unclear what staff involvement for implementation will be.

Rulemaking: None

Chapter Number(s): Chapter No. 727

Effective Date: **May 22, 2023**

HOUSE BILL NO. 521

INTRODUCED BY D. LOGE

BY REQUEST OF

TITLE

AN ACT REVISING REQUIREMENTS FOR RECREATIONAL USE ON LANDS MANAGED BY STATE AGENCIES; EXPANDING THE APPLICABILITY OF CONSERVATION LICENSES TO INCLUDE ALL GENERAL RECREATION; EXPANDING THE EXISTING AGREEMENT AUTHORITY BETWEEN THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; REVISING WILDLIFE CONSERVATION LICENSES TO CONSERVATION LICENSES; ESTABLISHING REPORTING REQUIREMENTS; REVISING PENALTIES; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 37-47-303, 37-47-304, 40-5-701, 76-17-102, 77-1-801, 77-1-802, 77-1-804, 77-1-815, 81-7-123, 87-1-266, 87-1-506, 87-2-106, 87-2-201, 87-2-202, 87-2-204, 87-2-403, 87-2- 519, 87-2-525, 87-2-801, 87-2-803, 87-2-805, 87-2-815, 87-2-816, 87-2-817, 87-2-818, 87-6-302, AND 87-6- 303, MCA; AND PROVIDING AN EFFECTIVE DATE.

BILL SYNOPSIS

Requires the purchase of a conservation license to recreate on lands owned or controlled by FWP (with the exception of State Parks) and general recreational use of legally accessible state trust lands under the management of DNRC. Upon implementation of and MOA between FWP and DNRC, civil penalties under DNRC's recreational rules become misdemeanors.

REQUIRED ACTION

Implementation: Internal and external education, updates to regulations and website

Rulemaking: None needed, may need, will need. If it's the latter two, be as specific as possible.

Chapter Number(s): 507

Effective Date: July 1, 2023

HOUSE BILL NO. 593

INTRODUCED BY M. MARLER

BY REQUEST OF

TITLE

AN ACT REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO PUBLISH AN ANNUAL PUBLIC REPORT OF NONRESIDENT LICENSE SALES; AMENDING SECTION 87-1-201, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

BILL SYNOPSIS

Requires FWP to annually publish the number of licenses sold to nonresident.

REQUIRED ACTION

Implementation: Create an annual report representing nonresident license sales from the prior year and post on the website.

Rulemaking: None needed.

Chapter Number(s): Chapter No. 212

Effective Date: March 1, 2024

HOUSE BILL NO. 596

INTRODUCED BY REP. DENLEY LOGEY

BY REQUEST OF BOARD, COUNCIL, ETC.

TITLE: AN ACT REVISING ELK HUNTING ACCESS AGREEMENT COOPERATOR LICENSES; PROVIDING DEFINITIONS; AMENDING SECTION 87-2-513, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.
BILL SYNOPSIS

- This bill further defines the private land that can be enrolled in the Elk Hunting Access Agreement (EHA) program to include adding private property leased by a landowner for agricultural purposes and that public hunters must have access to the same land as a landowner or landowner designee receiving a license/permit or combination of the two through this program.
- Clarified a person receiving a license through this program must be eligible for licensure under Title 87, chapter 2.
- Established that landowners participating in the program must own at least 640 acres of occupied elk habitat and provided the department the ability to consider smaller acreages if the site conditions exist to accommodate successful public hunting.
- Required that at least one public hunter who holds an equivalent license, permit, or combination of the two that is issued to a landowner or the landowner's designee be allowed to hunt on enrolled lands. States the department will select the hunter with consultation from the landowner.
- Required that the commission prioritize approval of applications based on the willingness of the landowner to allow, in either the regular hunting season or a shoulder hunting season, additional cow harvest by public hunters in addition to the number of required public hunters
- Clarified who a landowner may designate a license or permit to if he/she does not want to utilize the complimentary license or permit by defining "employee" and "immediate family member." "Employee" means a person who works full time for the landowner as part of an active farm or ranch operation enrolled in the program. "Immediate family member" means a spouse, parent, grandparent, child, grandchild, sibling, niece, or nephew by blood, marriage, or legal adoption."

REQUIRED ACTION

Implementation: Staff will develop internal and external communication to ensure affected staff and landowners are aware of the changes. Additionally, staff will rebuild processes and timelines for implementation in 2024 and develop a method to capture and evaluate access opportunity being provided for additional public hunters above the minimum required and for those properties less than 640 acres or exceeding 640 acres. Lastly, a ranking process for staff to provide feedback to the commission to prioritize the applications based on a landowner's willingness to allow additional public hunters will be needed.

Rulemaking: The department is proposing a comprehensive update to the Contractual Public Elk Hunting Access Agreements (EHA) administrative rules to remove outdated and unnecessary language and update the rules with current practices and statutory requirements.

Chapter Number(s): Chapter No. 730

Effective Date: March 1, 2024

HOUSE BILL NO. 635

INTRODUCED BY J. KASSMIER

BY REQUEST OF .

TITLE

AN ACT ESTABLISHING A LANDOWNER PREFERENCE POOL FOR CLASS B-10 NONRESIDENT BIG GAME COMBINATION LICENSES; ALLOWING PURCHASE OF AN ADDITIONAL BONUS POINT FOR CERTAIN NONRESIDENT LANDOWNERS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 87-2-115, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

BILL SYNOPSIS

Creates a 15% preference pool in the B-10 nonresident combination licenses drawing for nonresident landowners owning at least 2,500 contiguous acres to be allocated to the landowner or an immediate family member. Allows a landowner enrolled in a department-administered private land access program in the previous license year the opportunity to purchase an additional bonus point for elk or deer license or permit.

REQUIRED ACTION

Implementation: Update ALS/OLS/ALX. Internal and external education, updates to regulations and website.

Rulemaking: None needed.

Chapter Number(s): 487

Effective Date: March 1, 2024

HOUSE BILL NO. 846

INTRODUCED BY T. FRANCE

BY REQUEST

TITLE

AN ACT PROVIDING A BONUS POINT CHANCE FOR SMITH RIVER PERMITS; LIMITING THE NUMBER OF PERMITS AVAILABLE FOR NONRESIDENTS; REQUIRING RULEMAKING; AND AMENDING SECTIONS 23-2-408 AND 23-2-409, MCA.

BILL SYNOPSIS

Establishes 10% nonresident restriction on permits and creates a \$5 resident and \$50 nonresident bonus point for Smith River permits.

REQUIRED ACTION

Implementation: Update ALS/OLS/ALX. Internal and external education, updates to regulations and website.

Rulemaking: ARM needs to outline the use and accumulation of bonus points.

Chapter Number(s): 736

Effective Date: 10/01/2023

SENATE BILL NO. 58

INTRODUCED BY STEVE HINEBAUCH

BY REQUEST OF DEPARTMENT OF FISH, WILDLIFE, & PARKS

TITLE

AN ACT INCREASING THE MAXIMUM ANNUAL BLOCK MANAGEMENT PROGRAM ALLOWABLE PAYMENT TO LANDOWNERS; AMENDING SECTION 87-1-265, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

87-1-264 section 8(a) and (b) increases the maximum amount of payment to participating landowners from \$25,000 to \$50,000 annually as follows: 8 (a) Except as provided in 87-1-264 and subsection (8)(b) of this section, payments to a landowner who participates in a hunting access program through an annual agreement may not exceed \$50,000 per year. 8(b) Each landowner who participates in a unified cooperative agreement pursuant to subsection (3) may be eligible for payments not to exceed \$50,000 per a year.

REQUIRED ACTION

Implementation: Staff will complete the following internal tasks to ensure coordination across regions: update the Block Management database, update internal forms, coordination across regions, complete contract addendums with approximately 30 landowners, and complete regular internal processes to ensure timely payment. The following external tasks to ensure appropriate communication will occur: letter to landowners explaining cap increase and pertinent contract changes, press release regarding the payment increase, update marketing and outreach materials to reflect payment increase.

Rulemaking: Not needed to implement.

Chapter Number(s): Chapter No. 230

Effective Date: April 24, 2023

SENATE BILL NO. 76

INTRODUCED BY E. MCCLAFFERTY

BY REQUEST OF FWP

TITLE

AN ACT REMOVING THE REQUIREMENT THAT A PAPER LICENSE OR TAG BE ATTACHED TO A GAME ANIMAL OR TURKEY; ALLOWING FOR A PAPER LICENSE OR TAG TO ACCOMPANY THE CARCASS OF A GAME ANIMAL OR TURKEY; AMENDING SECTIONS 87-3-310, 87-6-305, 87-6-411, AND 87-6-412, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Requires a validated carcass tag to accompany a harvested animal rather than attached to the carcass.

REQUIRED ACTION

Implementation: Internal and external education, updates to regulations and website.

Rulemaking: None needed

Chapter Number(s): 316

Effective Date: May 1, 2023

SENATE BILL NO. 84

INTRODUCED BY SENATOR BOB BROWN

BY REQUEST OF FWP

TITLE

AN ACT REVISING LAWS FOR AIRCRAFT USE IN RELATION TO WILDLIFE AND NATIONAL FOREST LANDS; DEFINING AN AIRCRAFT TO INCLUDE UNMANNED AERIAL VEHICLES AND OTHER AIRBORNE DEVICES FOR THE PURPOSES OF HUNTING, HAZING, HARASSING, AND OTHERWISE INTERACTING WITH WILDLIFE; REMOVING THE OBLIGATION FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO PERMIT AIRCRAFT ACTIVITY ON NATIONAL FOREST LAND; AMENDING SECTIONS 87-6-101, 87-6-107, AND 87-6-208, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Defining an aircraft as it pertains to Title 87. Definition of an aircraft includes UAV's/drones. Clarifying that a person cannot use an aircraft to harass game animals and game birds. Clarifies that a person cannot use an aircraft to locate any game animal for the purpose of hunting that animal during the same calendar day.

REQUIRED ACTION

Implementation: Notify all staff and change all regulations to match statute.

Rulemaking: None

Chapter Number(s): Chapter No. 317

Effective Date: May 1, 2023

SENATE BILL NO. 88

INTRODUCED BY W. CURDY

BY REQUEST OF FWP

TITLE

AN ACT EXCLUDING THE REQUIREMENT TO OBTAIN AN AQUATIC INVASIVE SPECIES PREVENTION PASS TO ACQUIRE A LIFETIME FISHING LICENSE FOR THE BLIND; AMENDING SECTIONS 87-2-130 AND 87-2-803, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Eliminates the requirement for license holders of a lifetime blind fishing license to purchase an aquatic invasive species prevention pass.

REQUIRED ACTION

Update ALS/ALX. Internal and external education, updates to regulations and website.

Rulemaking: None needed

Chapter Number(s): 318

Effective Date: May 1, 2023

SENATE BILL NO. 280

INTRODUCED BY MIKE LANG

TITLE AN ACT TO REVISING BIRD DOG TRAINING LAWS; REQUIRING A LICENSE TO USE WILD BIRDS, REVISING RULEMAKING AUTHORITY; AMENDING SECTIONS 87-3-602 AND 87-3-604 MCA

BILL SYNOPSIS

Creates a D-5 license and requires that license for training bird dogs using game birds not raised in captivity. Cost is \$5 for residents and \$10 for nonresidents. It is free for youths aged 12-18. Requires the Commission to adopt rules to implement the bill, including limiting the number of D-5 licenses.

REQUIRED ACTION

Implementation: Need to establish and be able to sell D-5 licenses. Regulations for training bird dogs on wild birds need to be established and approved by the Commission, and then included in the Upland Game Bird regulations. Proposed rules will be presented to the Commission for their approval at their June 8, 2023, meeting.

Rulemaking: Rules for this statute will initially be through commission regulation. In the future these regulations may be incorporated into ARM.

Chapter Number(s): Chapter No. 668

Effective Date: 05/19/2023

SENATE BILL NO. 281

INTRODUCED BY P. FLOWERS

BY REQUEST OF

TITLE

AN ACT REVISING LAWS RELATED TO THE ISSUANCE OF CLASS B-8 NONRESIDENT DEER B TAGS; AMENDING SECTIONS 87-2-104 AND 87-2-504, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

BILL SYNOPSIS

A holder of a nonresident combination license may purchase up to two nonresident deer B tags while other eligible persons may purchase only one.

REQUIRED ACTION

Implementation: Update ALS/OLS/ALX. Internal and external education, updates to regulations and website.

Rulemaking: None needed

Chapter Number(s): Chapter No. 404

Effective Date: March 1, 2024

SENATE BILL NO. 295

INTRODUCED BY B. GILLESPIE, M. CUFFE, D. SALOMON, K. REGIER, J. WELBORN, J. COHENOUR, B. 2 MOLNAR, C. GLIMM, M. LANG, F. MANDEVILLE, W. MCKAMEY, M. NOLAND, D. LOGE, R. FITZGERALD, 3 S. VINTON, B. BEARD, J. SMALL, M. HOPKINS, R. TEMPEL, N. DURAM, J. FULLER, K. BOGNER, T. 4 MOORE, P. FLOWERS, B. PHALEN, K. ZOLNIKOV, A. REGIER, S. KERNS, S. GALLOWAY, S. GIST, G. 5 FRAZER, R. MARSHALL, M. THANE, C. FRIEDEL, M. YAKAWICH, G. OBLANDER, N. NICOL, D. EMRICH, 6 S. VANCE, T. VERMEIRE, G. NIKOLAKAKOS, Z. WIRTH, T. MCGILLVRAY

BY REQUEST OF FWP

TITLE

AN ACT REVISING LAWS RELATED TO THE REGULATION OF GRIZZLY BEARS ON DELISTING; ALLOWING THE FISH AND WILDLIFE COMMISSION OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ADOPT RULES PRIOR TO THE DELISTING OF GRIZZLY BEARS TO ALLOW LIVESTOCK OWNERS TO TAKE GRIZZLY BEARS ATTACKING OR KILLING LIVESTOCK AND TO ESTABLISH A QUOTA; ALLOWING LIVESTOCK OWNERS TO MAKE A COMPLAINT TO THE DIRECTOR OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ABOUT GRIZZLY BEARS THREATENING LIVESTOCK; PROVIDING RULEMAKING AUTHORITY; PROVIDING A DEFINITION; AND AMENDING SECTIONS 87-5-301 AND 87-6-106, MCA.

BILL SYNOPSIS

Requires FWP to manage grizzly bears at a level to maintain their delisted status, which for the GYE and NCDE would be within agreed upon mortality thresholds and within distribution and occupancy requirements as described in respective conservation strategies.

Makes clear that mortalities from all sources, including take by livestock owners and translocations out of the delisted population would count against agreed upon mortality thresholds.

Makes clear that preventative and nonlethal measures are expected part of management.

Requires the commission to adopt rules to allow a livestock owner to take a bear that is attacking or killing livestock and lists minimum items that must be included in the rules including establishing a quota for the number of bears that may be taken under this provision.

Provides that the Director or his/her designee may issue take permits to livestock producers whose livestock are threatened by a grizzly bear. Those would also be subject to the quota established by the Commission and subject to mortality thresholds.

Requires the department to the greatest extent possible, to prioritize genetic exchange between ecosystems when capturing and translocating a grizzly bear.

Also included an appropriation in HB2 for implementation including 2 FTE. Wording in the appropriation was for grizzly bear management but primary intent is for genetic exchange.

REQUIRED ACTION

Implementation: Requires rule making by the Commission prior to delisting, which would be September 2024 at the earliest. The rule should contain a process for establishing annual quotas for take by livestock producers.

Define roles and responsibilities of the FTE that was appropriated for this bill, produce job description, and initiate hiring process with intent of hiring by July 2023.

Complete procurement process for traps that are dedicated to the genetic exchange effort.

Work with and obtain permission from Wyoming for translocation of bears from NCDE to GYE as early as Summer 2023. Follow adopted protocol for movement of bears for genetic exchange.

Work with USFWS on approval to move a bear from NCDE to GYE.

Provide direction to NCDE monitoring team to make available a bear that meets the protocol requirements for genetic exchange, assuming a place to move it is approved.

Rulemaking: Prior to delisting, develop rules as required by this bill and containing at least the provisions required by the statute in subsection 3: The rules adopted by the commission must:

(a) be consistent with the most recent state of Montana grizzly bear management plan, conservation strategies, including mortality thresholds, and the adaptive management principles of the commission and the department for the grizzly bear population;

(b) require a livestock owner or other authorized person who takes a grizzly bear pursuant to this subsection (3) to promptly report the taking of the grizzly bear to the department within 24 hours and to preserve the carcass of the grizzly bear;

(c) establish a quota each year for the total number of grizzly bears that may be taken pursuant to subsection (3) subject to mortality thresholds; and

(d) allow the commission to adjust quotas for the taking of grizzly bears pursuant to subsection (3) before a quota is reached if the commission determines the circumstances require adjustment of the total number of grizzly bears taken.

Chapter Number(s): Chapter No. 670

Effective Date: 10/01/2023

SENATE BILL NO. 324

INTRODUCED BY BOB BROWN

BY REQUEST OF

TITLE

AN ACT REVISING INFORMATION DISCLOSURE LAWS RELATING TO HARVESTING LARGE PREDATORS; PROTECTING THE IDENTITY OF PERMIT AND LICENSE HOLDERS; PROVIDING FOR THE DISCLOSURE OF HARVEST LOCATIONS AT THE HUNTING DISTRICT LEVEL; AMENDING SECTION 87- 1-214, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

Expands current law to make it so that FWP cannot disclose any identifying information on any person who obtains a permit or license to take a large predator unless we get written consent. We can only publish harvest information for large predators at a district level.

REQUIRED ACTION

Implementation: Adjust our public records request policy/process to reflect this change.

Rulemaking: None needed

Chapter Number(s): Chapter No. 461

Effective Date: 05/08/2023

SENATE BILL NO. 354

INTRODUCED BY B. BROWN

BY REQUEST OF .

TITLE

AN ACT REVISING LAWS RELATED TO RECIPROCITY FOR NONRESIDENTS SEEKING TO TRAP IN MONTANA; AMENDING SECTION 87-2-603, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BILL SYNOPSIS

A nonresident seeking to trap fur-bearing species must provide a notarized affidavit listing the person's legal resident state along with documentation that the person's resident state issues nonresident trapping licenses that allow Montana residents to trap the same species for which the person seeks to trap in Montana; or an affidavit that the person's resident state does not offer reciprocity for trapping the fur-bearing species the person seeks to trap in Montana because the species does not exist in the resident state; and(c) provide evidence that the person completed a trapping education course that is equivalent to the trapping education requirements for residents.

REQUIRED ACTION

Implementation: Update ALS/OLS/ALX. Internal and external education, updates to regulations and website.

Rulemaking: None needed

Chapter Number(s): 466

Effective Date: 05/08/2023

SENATE BILL NO. 356

INTRODUCED BY SENATOR HINEBAUGH

AN ACT PROVIDING REQUIREMENTS

TITLE

AN ACT REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO NOTIFY THE COUNTY SHERIFF BEFORE ESTABLISHING CHECKING STATIONS.

BILL SYNOPSIS

All wildlife biologists, fisheries biologists and enforcement staff will need to notify the county sheriff before conducting any check station under MCA 87-1-207. This does not apply to AIS Inspection Stations under Title 80.

REQUIRED ACTION

Implementation: Notify all staff. Coordination should occur within the regions between Wildlife and Fisheries managers and Warden Captains.

Rulemaking: None needed.

Chapter Number(s): Chapter No. 467

Effective Date: 10/01/2023