

HOUSE BILL NO. 259

INTRODUCED BY P. FIELDER, L. SCHUBERT, M. VINTON, S. KLAKKEN, E. ALBUS, K. LOVE, T. SHARP, E. BYRNE, C. SCHOMER, V. MOORE, C. COCHRAN, T. MILLETT, T. MANZELLA, J. FULLER, S. GIST, C. HINKLE, M. REGIER, M. YAKAWICH, S. FITZPATRICK, C. GLIMM, B. LER, J. SCHILLINGER, L. DEMING, G. HERTZ, M. NOLAND, J. HINKLE, B. PHALEN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE MANAGEMENT OF GRAY WOLVES; REQUIRING THE FISH AND WILDLIFE COMMISSION TO APPLY DIFFERENT TECHNIQUES FOR THE MANAGEMENT OF GRAY WOLVES; ALLOWING THE USE OF THERMAL AND INFRARED SCOPES FOR GRAY WOLF MANAGEMENT; AMENDING SECTION 87-1-901, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-1-901, MCA, is amended to read:

"87-1-901. Gray wolf management -- rulemaking -- reporting. (1) Except as provided in subsection (3), the commission shall establish by rule hunting and trapping seasons for wolves with the intent to reduce the wolf population in this state to a sustainable level, but not less than the number of wolves necessary to support at least 15 breeding pairs. Trapping seasons must allow for the use of snares by the holder of a trapping license.

(2) For game management purposes, the commission may shall apply different management techniques depending on the conditions in each administrative region, with the most liberal harvest regulations applied in regions with the greatest number of wolves. In doing so, the commission may shall authorize:

- (a) the issuance of more than one Class E-1 or Class E-2 wolf hunting license to an applicant;
(b) the trapping or snaring of more than one wolf by the holder of a trapping license;
(c) the harvest of an unlimited number of wolves by the holder of a single wolf hunting or wolf trapping license;
(d) during the wolf trapping season, the use of bait while hunting or trapping wolves as long as no

1 trap or snare trap is set within 30 feet of exposed bait visible from above; and

2 (e) the hunting of wolves on private lands outside of daylight hours with the use of artificial light, or
3 night vision scopes, infrared scopes, or thermal imagery scopes.

4 (3) The commission shall adopt rules to allow a landowner or the landowner's agent to take a wolf
5 on the landowner's property at any time without the purchase of a Class E-1 or Class E-2 wolf license when the
6 wolf is a potential threat to human safety, livestock, or dogs. The rules must:

7 (a) be consistent with the Montana gray wolf conservation and management plan and the adaptive
8 management principles of the commission and the department for the Montana gray wolf population;

9 (b) require a landowner or the landowner's agent who takes a wolf pursuant to this subsection (3)
10 to promptly report the taking to the department and to preserve the carcass of the wolf;

11 (c) establish a quota each year for the total number of wolves that may be taken pursuant to this
12 subsection (3); and

13 (d) allow the commission to issue a moratorium on the taking of wolves pursuant to this subsection
14 (3) before a quota is reached if the commission determines that circumstances require a limitation of the total
15 number of wolves taken.

16 (4) Public land permittees who have experienced livestock depredation must obtain a special kill
17 permit authorized in 87-5-131(3)(b) to take a wolf on public land without the purchase of a Class E-1 or Class
18 E-2 license.

19 (5) The department shall report annually to the environmental quality council in accordance with 5-
20 11-210 regarding the implementation of 87-5-131, 87-5-132, and this section."

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22 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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