

HOUSE BILL NO. 648

INTRODUCED BY B. LER, E. ALBUS, R. GREGG, C. COCHRAN, S. GIST, R. MINER, J. SCHILLINGER, N. DURAM, Z. WIRTH, S. MANESS

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO NOTIFY COUNTY COMMISSIONERS, SHERIFF'S OFFICES, AND TRIBAL GOVERNMENTS BEFORE THE RELEASE OF A LARGE PREDATOR; AND AMENDING SECTION 87-1-217, MCA."

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

Section 1. Section 87-1-217, MCA, is amended to read:

"87-1-217. Policy for management of large predators -- legislative intent. (1) In managing large predators, the primary goals of the department, in the order of listed priority, are to:

- (a) protect humans, livestock, and pets;
- (b) preserve and enhance the safety of the public during outdoor recreational and livelihood activities; and
- (c) preserve citizens' opportunities to hunt large game species.

(2) With regard to large predators, it is the intent of the legislature that the specific provisions of this section concerning the management of large predators will control the general supervisory authority of the department regarding the management of all wildlife.

(3) For the management of wolves in accordance with the priorities established in subsection (1), the department may use lethal action to take problem wolves that attack livestock if the state objective for breeding pairs has been met. For the purposes of this subsection, "problem wolves" means any individual wolf or pack of wolves with a history of livestock predation.

(4) The department shall work with the livestock loss board and the United States department of agriculture wildlife services to establish the conditions under which carcasses or parts of carcasses from wolves or mountain lions are retrieved during management activities and when those carcasses or parts of carcasses are made available to the livestock loss board for sale or auction pursuant to 2-15-3113.

1 (5) (a) The department shall ensure that county commissioners and tribal governments in areas
2 that have identifiable populations of large predators have the opportunity for consultation and coordination with
3 state and federal agencies prior to state and federal policy decisions involving large predators and large game
4 species.

5 (b) At least 30 days before the release or relocation of a large predator within the boundaries of a
6 county or tribal government, the department shall provide verbal and written notice to the county
7 commissioners, sheriff's office, and tribal government located within the county or tribal government boundaries
8 where the large predator is to be released or relocated.

9 (6) As used in this section:

10 (a) "consultation" means to actively provide information to a county or tribal government regarding
11 proposed policy decisions on matters that may have a harmful effect on agricultural production or livestock
12 operations or that may pose a risk to human health or safety in that county or on those tribal lands and to seek
13 information and advice from counties or tribal governments on these matters;

14 (b) "large game species" means deer, elk, mountain sheep, moose, antelope, and mountain goats;
15 and

16 (c) "large predators" means bears, mountain lions, and wolves."
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18 NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a
19 copy of [this act] to each federally recognized tribal government in Montana.

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