



MEMORANDUM

TO: Rep. Steve Gunderson, Chair, Environmental Quality Council
Sen. Willis Curdy, Vice Chair, Environmental Quality Council

CC: Jason Mohr, Environmental Analyst

FROM: Dustin Temple, Director
MT Fish, Wildlife & Parks

RE: **PROPOSED AGENCY LEGISLATION**

DATE: September 13, 2024

The following summarizes each item of proposed agency legislation from Fish, Wildlife & Parks:

- A. Motion Tracking Devices:** Amends current statute to prohibit the use of motion-tracking devices within the same calendar day of hunting. The current statute refers only to use “while hunting.”
- B. Petition-Initiated Rulemaking:** Amends current statute to clarify that citizen or Legislator petitions to initiate rulemaking must relate to an issue that the agency has jurisdiction to regulate.
- C. Bird Dog Training License:** Amends current statute to require license applicants to report the number of bird dogs to be trained on wild birds under the existing Class D-5 license and authorizes the Commission to limit Class D-5 licenses if deemed necessary.
- D. Authority to Regulate Public Use of Private Property Under Access Agreement:** Amends current statute to recognize Commission authority to establish rules for public use of private property managed by the Department under active public access agreements with private landowners.
- E. Authorize Second Mountain Lion License / Remove Reporting Requirements for Tendoy Mountain Sheep:** Amends current statute to allow issuance of second mountain lion license in same license year and remove special reporting requirements for Tendoy mountain sheep harvest.
- F. Beaver Damage:** Amends current statute to authorize damage-based muskrat or beaver harvest for damage to structures other than just irrigation infrastructure or stock water ponds.

- G. E-Tag Possession:** Amends current statute to clarify that a person can have their spouse's or minor child's e-tag in their possession or control.
- H. Trapper Apprentice Program:** Proposes creation of new trapper apprentice program analogous to existing hunter apprentice program.
- I. Game Bird Farm Requirements:** Amends current law to remove reporting requirements for game bird farm operators, remove timeline for processing application, and extend the duration of game bird farm licenses.
- J. Shooting Preserve Requirements:** Amends current law to require that shooting preserves be located on private property without contiguous acreage limitation, extend duration of license period, remove minimum release numbers, and simply harvest reporting requirements.
- K. Reclassification of Wolves as Furbearers:** Proposes classification of the gray wolf as a furbearer and alignment of existing wolf tagging and furbearer hunting restrictions.
- L. Commercial Licensing Standardization.** Amends current law to standardize licensing requirements (*e.g.*, expiration dates, duration, record keeping) for a range of commercial activities regulated by the Department (*e.g.*, taxidermy, fur dealers, shooting preserves, menageries, alternative livestock ranches, etc.).
- M. Repeal of Predatory Bird Statute.** Proposes repeal of statute authorizing the killing of predatory hawks and owls, which is prohibited by Federal Migratory Bird Treaty Act.
- N. Paddlefish Caviar.** Proposes repeal of current structure allowing for donation of paddlefish roe for commercial caviar sale.