



AN ACT AUTHORIZING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO MAKE WOLF CARCASSES OR PARTS OF WOLF CARCASSES RETRIEVED DURING WOLF MANAGEMENT ACTIVITIES AVAILABLE TO THE LIVESTOCK LOSS REDUCTION AND MITIGATION BOARD; AUTHORIZING THE BOARD TO SELL OR AUCTION THE CARCASSES OR PARTS OF CARCASSES TO BENEFIT THE LIVESTOCK LOSS REDUCTION AND MITIGATION PROGRAM; AND AMENDING SECTIONS 2-15-3113 AND 87-1-217, MCA.

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

Section 1. Section 2-15-3113, MCA, is amended to read:

"2-15-3113. Additional powers and duties of livestock loss reduction and mitigation board. (1)

The livestock loss reduction and mitigation board shall:

- (a) process claims;
 - (b) seek information necessary to ensure that claim documentation is complete;
 - (c) provide payments authorized by the board for confirmed and probable livestock losses, along with a written explanation of payment;
 - (d) submit monthly and annual reports to the board of livestock summarizing claims and expenditures and the results of action taken on claims and maintain files of all claims received, including supporting documentation;
 - (e) provide information to the board of livestock regarding appealed claims and implement any decision by the board;
 - (f) prepare the annual budget for the board; and
 - (g) provide proper documentation of staff time and expenditures.
- (2) The livestock loss reduction and mitigation board may enter into an agreement with any Montana tribe, if the tribe has adopted a wolf management plan for reservation lands that is consistent with the state wolf management plan, to provide that tribal lands within reservation boundaries are eligible for mitigation grants pursuant to 2-15-3111 and that livestock losses on tribal lands within reservation boundaries are eligible for

reimbursement payments pursuant to 2-15-3112.

(3) The livestock loss reduction and mitigation board shall:

(a) coordinate and share information with state, federal, and tribal officials, livestock producers, nongovernmental organizations, and the general public in an effort to reduce livestock losses caused by wolves;

(b) establish an annual budget for the prevention, mitigation, and reimbursement of livestock losses caused by wolves;

(c) perform or contract for the performance of periodic program audits and reviews of program expenditures, including payments to individuals, incorporated entities, and producers who receive loss reduction grants and reimbursement payments;

(d) adjudicate appeals of claims;

(e) investigate alternative or enhanced funding sources, including possible agreements with public entities and private wildlife or livestock organizations that have active livestock loss reimbursement programs in place;

(f) meet as necessary to conduct business; and

(g) report annually to the governor, the legislature, members of the Montana congressional delegation, the board of livestock, the fish, wildlife, and parks commission, and the public regarding results of the programs established in 2-15-3111 through 2-15-3113.

(4) The livestock loss reduction and mitigation board may sell or auction any wolf carcasses or parts of wolf carcasses received pursuant to 87-1-217. The proceeds, minus the costs of the sale including the preparation of the carcass or part of the carcass for sale, must be deposited into the livestock loss reduction and mitigation special revenue account established in 81-1-110(2)(a) and used for the purposes of 2-15-3111 through 2-15-3114."

Section 2. 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) As used in this section:

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

(b) "large predators" means bears, mountain lions, and wolves.

(3) 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.

(4) 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, so long as 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.

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

- END -

I hereby certify that the within bill,
HB 0287, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2011.

President of the Senate

Signed this _____ day
of _____, 2011.

HOUSE BILL NO. 287

INTRODUCED BY C. CLARK

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