

1 HOUSE BILL NO. 622

2 INTRODUCED BY M. CUFFE, B. KEENAN, M. NOLAND, A. OLSZEWSKI

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO INVASIVE SPECIES;
5 ESTABLISHING THE INVASIVE SPECIES COUNCIL; ESTABLISHING THE UPPER COLUMBIA
6 CONSERVATION COMMISSION; PROVIDING POWERS AND DUTIES; REQUIRING REPORTING; REVISING
7 LOCATION AND TIMING OF INSPECTIONS IN THE STATEWIDE INVASIVE SPECIES MANAGEMENT AREA;
8 AUTHORIZING COUNTY INVASIVE SPECIES ORDINANCES; ESTABLISHING THE MISSOURI RIVER
9 CONTAINMENT AND QUARANTINE PROGRAM; ESTABLISHING THE UPPER COLUMBIA PILOT PROGRAM;
10 REVISING PENALTIES; PROVIDING APPROPRIATIONS; PROVIDING RULEMAKING AUTHORITY;
11 AMENDING SECTIONS 80-7-1003, 80-7-1007, 80-7-1008, 80-7-1011, 80-7-1014, AND 80-7-1015, MCA; AND
12 PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

13

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

15

16 NEW SECTION. **Section 1. Invasive species council.** (1) There is an invasive species council within
17 the department of natural resources and conservation. The council is attached to the department for
18 administrative purposes only, as prescribed in 2-15-121.

19 (2) The council consists of the following 22 members:

20 (a) the directors of the following departments or their designees:

21 (i) fish, wildlife, and parks;

22 (ii) natural resources and conservation;

23 (iii) transportation;

24 (iv) agriculture; AND

25 (v) commerce;

26 (b) a representative of each of the following appointed by and serving at the pleasure of the governor:

27 (i) county weed districts;

28 (ii) conservation districts;

29 (iii) the Montana state university extension service;

30 (iv) agriculture;

- 1 (v) conservation organizations;
 2 (vi) wildlife organizations;
 3 (vii) fishing organizations;
 4 (viii) hydropower utility industry;
 5 (ix) private landowners; and
 6 (x) each of the tribal governments in Montana.

7 (3) The council shall seek active input and participation in its deliberations from the U.S. army corps of
 8 engineers, the U.S. bureau of reclamation, the U.S. bureau of land management, the U.S. department of
 9 agriculture animal and plant health inspection service, the U.S. fish and wildlife service, the U.S. forest service,
 10 and the national park service.

11 (4) The council members shall serve without pay. Unless otherwise provided by law, each council
 12 member is entitled to be reimbursed for travel expenses pursuant to 2-18-501 through 2-18-503.

13 (5) Council members shall serve staggered 4-year terms.

14 (6) A majority of the membership of the council constitutes a quorum to do business. A favorable vote
 15 of at least a majority of all of the members is required to adopt any resolution, TO APPROVE A motion, or to make
 16 any other decision.

17 (7) The council shall meet no less than twice annually.

18 (8) The governor shall appoint the presiding officer, who shall serve in that capacity for a 2-year term.

19 (9) The presiding officer and the director of the department of natural resources and conservation shall
 20 serve as the council's liaisons to the governor's office.

21
 22 NEW SECTION. **Section 2. Upper Columbia conservation commission.** (1) There is an upper
 23 Columbia conservation commission within the department of natural resources and conservation. The
 24 commission is attached to the department for administrative purposes only, as prescribed in 2-15-121.

25 (2) There are nine voting commission members who are appointed by and serve at the pleasure of the
 26 governor. They include ~~two members~~ ONE MEMBER at large and a representative of each of the following:

27 (a) the hydropower utility industry;

28 (B) ELECTRIC COOPERATIVES LOCATED WITHIN THE COLUMBIA RIVER BASIN IN MONTANA;

29 ~~(b)~~(C) conservation districts;

30 ~~(c)~~(D) recreation organizations;

- 1 ~~(d)~~(E) private industry;
 2 ~~(e)~~(F) private landowners;
 3 ~~(f)~~(G) the Confederated Salish and Kootenai Tribes; and
 4 ~~(g)~~(H) the invasive species council established in [section 1].

5 (3) The speaker of the house and the president of the senate shall each appoint one nonvoting member
 6 to the commission. The appointments must be coordinated so that the appointments are bipartisan.

7 (4) The commission shall seek active input and participation in its deliberations from the U.S. forest
 8 service, the national park service, the U.S. fish and wildlife service, the U.S. department of agriculture natural
 9 resources conservation service, the U.S. army corps of engineers, the U.S. bureau of reclamation, and the
 10 northwest power and conservation council.

11 (5) The commission members shall serve without pay. Unless otherwise provided by law, commission
 12 members are entitled to reimbursement for travel expenses pursuant to 2-18-501 through 2-18-503.

13 (6) Commission members shall serve staggered 4-year terms.

14 (7) A majority of the voting membership of the commission constitutes a quorum to do business. A
 15 favorable vote of at least a majority of the voting members is required to adopt any resolution, TO APPROVE A
 16 motion, or to make any other decision, unless otherwise provided by law.

17 (8) The governor shall appoint the presiding officer.

18
 19 **NEW SECTION. SECTION 3. INVASIVE SPECIES ORDINANCES. (1) SUBJECT TO SUBSECTION (2), COUNTIES**
 20 **LOCATED WITHIN THE COLUMBIA RIVER BASIN MAY ADOPT ORDINANCES AND RESOLUTIONS REGARDING THE PREVENTION**
 21 **OR CONTROL OF INVASIVE SPECIES, AS DEFINED IN 80-7-1003, WITHIN THE COUNTY.**

22 **(2) IF AN INDIAN RESERVATION IS LOCATED WITHIN THE BOUNDARIES OF THE COUNTY, THE BOARD OF COUNTY**
 23 **COMMISSIONERS SHALL CONSULT WITH THE GOVERNING BODY OF THE TRIBE OR TRIBES OF THE INDIAN RESERVATION**
 24 **PRIOR TO ADOPTING AN ORDINANCE PURSUANT TO THIS SECTION.**

25
 26 **NEW SECTION. Section 4. Invasive species council -- purpose and duties -- reporting --**
 27 **definition.** (1) The purpose of the invasive species council is to advise the governor on a science-based,
 28 comprehensive program to identify, prevent, eliminate, reduce, and mitigate invasive species in Montana and to
 29 coordinate with public and private partners to develop and implement statewide invasive species strategic plans.

30 (2) The council shall:

- 1 (a) provide policy level recommendations, direction, and planning assistance for combating infestations
2 of invasive species throughout the state and preventing the introduction of other invasive species;
- 3 (b) foster cooperation, communication, and coordinated approaches that support federal, state,
4 provincial, regional, tribal, and local initiatives for the prevention, early detection, and control of invasive species;
- 5 (c) identify, coordinate, and maintain an independent science advisory panel that informs Montana's
6 efforts based on the current status, trends, and emerging technology as they relate to invasive species
7 management in Montana;
- 8 (d) in coordination with stakeholders, identify and implement priorities for coordination, prevention, early
9 detection, rapid response, and control of invasive species in Montana;
- 10 (e) champion priority invasive species issues identified by stakeholders to best protect the state;
- 11 (f) advise and coordinate with agency personnel, local efforts, and the scientific community to implement
12 program priorities;
- 13 (g) implement an invasive species education and outreach strategy;
- 14 (h) work with regional groups to coordinate regional defense and response strategies; and
- 15 (i) work toward establishing and maintaining permanent funding for invasive species priorities.
- 16 (3) The council may receive and, subject to appropriation by the legislature, expend donations, gifts,
17 grants, and other money necessary to fulfill its duties.
- 18 (4) The council shall report on its activities to the governor, the director of the department of natural
19 resources and conservation, and the environmental quality council annually.
- 20 (5) For the purposes of this section, "invasive species" means plants, animals, and pathogens that are
21 nonnative to Montana's ecosystem and cause harm to natural and cultural resources, the economy, and human
22 health.

23

24 **NEW SECTION. SECTION 5. MISSOURI RIVER CONTAINMENT AND QUARANTINE PROGRAM. (1) THE**
25 **DEPARTMENT OF FISH, WILDLIFE, AND PARKS SHALL OPERATE A CONTAINMENT AND QUARANTINE PROGRAM FOR WATER**
26 **BODIES FOULED BY INVASIVE MUSSELS IN THE MISSOURI RIVER SYSTEM, INCLUDING BUT NOT LIMITED TO:**

27 **(A) RESTRICTIONS ON MOORED VESSELS WITHIN THE SYSTEM;**

28 **(B) RESTRICTIONS REGARDING THE USE OF LAUNCH SITES AND THE EXIT OF VESSELS FROM FOULED WATER**
29 **BODIES IN THE SYSTEM. LAUNCHING IN AND EXITING FROM FOULED WATER BODIES IS RESTRICTED TO VESSELS CERTIFIED**
30 **BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR LOCAL USE ON THOSE WATER BODIES, UNLESS CHECK STATIONS**

1 AND DECONTAMINATION UNITS ARE PRESENT.

2 (C) RESTRICTIONS ON FISHING DERBIES IN FOULED WATER BODIES.

3 (2) BY DECEMBER 31, 2018, THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS SHALL DEVELOP A CONTAINMENT
 4 AND QUARANTINE PLAN FOR THE MISSOURI RIVER SYSTEM, ALLOWING FOR PUBLIC INPUT AND COMMENT, AND SUBMIT THE
 5 PLAN TO THE INVASIVE SPECIES COUNCIL ESTABLISHED IN [SECTION 1]. THE PLAN MAY PERMIT THE REOPENING OF FOULED
 6 WATER BODIES IN THE SYSTEM TO ALL VESSELS IF LAUNCH SITE INSPECTORS ARE PROPERLY TRAINED, IF THE NECESSARY
 7 INFRASTRUCTURE AND EQUIPMENT ARE IN PLACE AND HAVE BEEN FULLY TESTED IN ADVANCE OF DEPLOYMENT, AND IF
 8 INVASIVE SPECIES ARE FULLY CONTAINED, AFTER DECONTAMINATION, TO THE SOURCE WATER BODY.

9

10 NEW SECTION. Section 6. Upper Columbia conservation commission -- purpose and duties. (1)

11 The purpose of the upper Columbia conservation commission, established in [section 2], is to protect the aquatic
 12 environment in tributaries to the Columbia river from the threat of invasive species.

13 (2) The commission shall:

14 (a) monitor the condition of aquatic resources in the tributaries to the Columbia river and coordinate
 15 development of an annual monitoring plan. The plan must use a cooperative strategy among all water
 16 management agencies within the Columbia river basin in Montana and identify monitoring specific to invasive
 17 species threats.

18 (b) encourage the close cooperation and coordination between federal, state, regional, tribal, and local
 19 water resource managers for establishment of comprehensive monitoring, data collection, and interpretation;

20 (c) encourage and work for international cooperation and coordination between the state of Montana and
 21 the Canadian province of British Columbia;

22 (d) develop and implement an invasive species education and outreach strategy specifically for the upper
 23 Columbia river basin in Montana;

24 (e) encourage economic development by reducing threats from invasive species and conducting
 25 restoration and infestation control measures;

26 (f) provide an annual report of the following to the governor, the director of the department of natural
 27 resources and conservation, and the environmental quality council:

28 (i) a summary of information gathered in fulfillment of its duties under this section;

29 (ii) information on monitoring activities within the portions of the Columbia river basin occurring in
 30 Montana;

1 (iii) an accounting of all money received and expended by source and purpose for the period since the
2 last report; and

3 (g) meet at least biannually, alternating the meeting site between the cities of Kalispell and Missoula.

4 (3) The commission may make recommendations to the governor and to federal, state, tribal, provincial,
5 regional, and local agencies for reducing threats from invasive species and for conducting restoration and
6 infestation control measures.

7 (4) The commission may receive and, subject to appropriation by the legislature, expend donations, gifts,
8 grants, and other money necessary to fulfill its duties.

9

10 **NEW SECTION. SECTION 7. UPPER COLUMBIA PILOT PROGRAM -- RULEMAKING. THE FLATHEAD BASIN**
11 **COMMISSION ESTABLISHED IN 2-15-3330 SHALL ADMINISTER A PILOT PROGRAM WITHIN THE FLATHEAD BASIN, AS DEFINED**
12 **IN 75-7-303, TO ENHANCE PROTECTIONS IN THE BASIN AGAINST INVASIVE SPECIES AND MAY:**

13 **(1) WITHIN OR ADJACENT TO THE FLATHEAD BASIN, USE CERTIFICATION STATIONS THAT MAY PROVIDE VOLUNTARY**
14 **INSPECTIONS AND DECONTAMINATION OF VESSELS BUT AT WHICH VESSELS ARE NOT REQUIRED TO STOP. CERTIFICATION**
15 **STATIONS MAY BE OPERATED BY GOVERNMENT OR PRIVATE ENTITIES THAT ARE TRAINED, CERTIFIED, AND MONITORED FOR**
16 **QUALITY ASSURANCE BY THE FLATHEAD BASIN COMMISSION.**

17 **(2) BAND OR TRACK VESSELS THAT HAVE BEEN INSPECTED, REQUIRE DECONTAMINATION, OR ARE CERTIFIED BY**
18 **THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR LOCAL USE;**

19 **(3) IMPLEMENT A BOAT STICKER PROGRAM TO RAISE FUNDS FOR PREVENTION EFFORTS;**

20 **(4) USE AUTOMATED INSPECTION AND DETECTION DEVICES; AND**

21 **(5) PURSUANT TO 2-4-315, PETITION THE FISH AND WILDLIFE COMMISSION TO ADOPT RULES FOR THE FLATHEAD**
22 **BASIN, INCLUDING BUT NOT LIMITED TO RULES THAT:**

23 **(A) REQUIRE INSPECTION OF ALL VESSELS BEFORE THEY ARE LAUNCHED;**

24 **(B) CLOSE LAUNCH SITES, AS NEEDED;**

25 **(C) PROHIBIT OR RESTRICT CERTAIN VESSELS AND EQUIPMENT, SUCH AS WATERBORNE PLANES, BALLAST BOATS,**
26 **AND AQUATIC WEED HARVESTERS, FROM USE ON SPECIFIC OR ALL WATER BODIES WITHIN THE BASIN;**

27 **(D) PROHIBIT OR RESTRICT CERTAIN TYPES OF DEAD AND LIVE BAIT; AND**

28 **(E) CLOSE WATERS WHERE INVASIVE MUSSELS HAVE BEEN DETECTED UNTIL A CONTAINMENT STRATEGY CAN BE**
29 **IMPLEMENTED.**

30

1 **Section 8.** Section 80-7-1003, MCA, is amended to read:

2 **"80-7-1003. Definitions.** As used in this part, the following definitions apply:

3 (1) "Departments" means the department of agriculture, the department of fish, wildlife, and parks, the
4 department of natural resources and conservation, and the department of transportation.

5 (2) "Equipment" means an implement or machinery that has been wholly or partially immersed in surface
6 waters, including but not limited to boat lifts, trailers transporting vessels, floating docks, pilings, dredge pipes,
7 and buoys.

8 (3) "Invasive species" means, upon the mutual agreement of the directors of the departments, a
9 nonnative, aquatic species that has caused, is causing, or is likely to cause harm to the economy, environment,
10 recreational opportunities, or human health.

11 (4) "Invasive species management area" means a designation made by a department under 80-7-1008
12 for a specific area or for a body or bodies of water for a specific or indeterminate amount of time that regulates
13 invasive species or potential carriers of invasive species within the boundaries of that area.

14 (5) "Person" means an individual, partnership, corporation, association, limited partnership, limited
15 liability company, governmental subdivision, agency, or public or private organization of any character.

16 (6) "Tributaries to the Columbia river" means all water bodies in Montana from which water drains into
17 the Columbia river.

18 ~~(6)~~(7) "Vessel" has the meaning provided in 61-1-101."
19

20 **Section 9.** Section 80-7-1007, MCA, is amended to read:

21 **"80-7-1007. Rulemaking authority.** (1) Unless otherwise provided in Title 81, chapters 2 and 7, or this
22 chapter, each of the departments may adopt rules for the prevention, early detection, and control of invasive
23 species under the departments' jurisdiction, including rules for the:

24 (a) implementation of the invasive species strategic plan adopted pursuant to 80-7-1006;

25 (b) transportation of an invasive species or any agent likely to be a carrier of an invasive species;

26 (c) designation, regulation, and treatment of an invasive species management area under 80-7-1008,
27 including rules pertaining to:

28 (i) the use of quarantine regulations and measures;

29 (ii) the movement of vessels and equipment within, to, or from the area; and

30 (iii) the inspection and cleaning of vessels and equipment moving within, to, or from the area; and

1 (d) manner in which vessels and equipment, including bilges, livewells, bait containers, and other
 2 boating-related equipment, traveling in the state must be cleaned to ensure that they are free from the presence
 3 of an invasive species; and

4 (e) prohibition on the use of felt-soled waders.

5 (2) The departments shall adopt rules for the administration of the statewide species management area
 6 established in 80-7-1015, including rules specifying the method or methods for preventing the introduction or
 7 further introduction of invasive species into the state, and shall adopt rules for:

8 (a) the use of quarantine measures;

9 (b) the movement of vessels and equipment into the state; and

10 (c) the manner in which check stations will be used to inspect, clean, and decontaminate vessels and
 11 equipment moving into the state."

12

13 **Section 10.** Section 80-7-1008, MCA, is amended to read:

14 **"80-7-1008. Invasive species management area -- authorization.** (1) Except as provided in 80-7-1015,
 15 when an invasive species is identified as infesting or threatening an area, the department with jurisdiction over
 16 that invasive species may designate and administer an invasive species management area for a specific area
 17 of land or for a body or bodies of water for a specific or indeterminate amount of time to prevent and control the
 18 infestation or spread of that invasive species.

19 (2) To the extent practicable, prior to the designation of an invasive species management area, the
 20 department making the designation shall coordinate with all of the departments in order to further the purposes
 21 of this part.

22 (3) The designation of an invasive species management area must specify:

23 (a) the invasive species present or considered threatening; and

24 (b) the method or methods for preventing the introduction of the species or controlling or eradicating the
 25 species, including regulations pertaining to:

26 (i) the use of quarantine measures;

27 (ii) the movement of vessels and equipment within, to, and from the area; and

28 (iii) whether check stations will be used to inspect and clean vessels and equipment moving within, to,
 29 or from the area. ~~A department may conduct mandatory~~ Mandatory inspections of any interior portion of a vessel
 30 or equipment that may contain water may occur only if ~~the department has included~~ the use of mandatory

1 inspections is included as part of quarantine measures established pursuant to subsection (3)(b)(i).

2 (4) As far as practical, signs indicating that an invasive species management area is in place must be
3 posted in an effective manner at access points to the designated area and along the boundaries and within the
4 area. The signs must include information about the specific regulations that apply to the area. The signs must
5 be paid for with funds from the invasive species account established in 80-7-1004. The departments may
6 coordinate with any other governmental entity for the posting of signs."

7

8 **Section 11.** Section 80-7-1011, MCA, is amended to read:

9 **"80-7-1011. Check stations.** (1) The departments shall establish a check station within or adjacent to
10 an invasive species management area to prevent the introduction, importation, infestation, and spread of the
11 invasive species for which the designation was issued.

12 (2) At a check station established under subsection (1), the departments may examine vessels and
13 equipment for the presence of an invasive species and compliance with regulations imposed under
14 80-7-1008(3)(b) and with this section. ~~A department may examine~~ Examination of any interior portion of a vessel
15 or equipment that may contain water, including bilges, livewells, and bait containers, for compliance may occur
16 only if inspection of interior portions is included as part of quarantine measures established pursuant to
17 80-7-1008(3)(b)(i).

18 (3) The owner, operator, or person in possession of a vessel or equipment shall stop at any check station
19 unless a medical emergency makes stopping likely to result in death or serious bodily injury.

20 (4) If during an inspection of a vessel or equipment the presence of an invasive species is detected, that
21 vessel or equipment may not leave the check station without authorization until it is cleaned and decontaminated
22 in a manner established in accordance with 80-7-1008(3)(b). ~~The department shall make every~~ Every effort must
23 be made to ensure decontamination of the vessel or equipment as expeditiously as possible."

24

25 **SECTION 12. SECTION 80-7-1014, MCA, IS AMENDED TO READ:**

26 **"80-7-1014. Penalty.** (1) Except as provided in subsection (2), the following penalties apply:

27 (a) The offense of negligently violating the provisions of 80-7-1010 through 80-7-1012 and 80-7-1015
28 or rules adopted under 80-7-1010 through 80-7-1012 and 80-7-1015 pertaining to an invasive species
29 management area or the statewide invasive species management area is a misdemeanor punishable by a fine
30 not to exceed \$500 for the first offense and \$750 for subsequent offenses.

1 (b) The offense of purposely or knowingly violating the provisions of 80-7-1010 through 80-7-1012 and
 2 80-7-1015 or rules adopted under 80-7-1010 through 80-7-1012 and 80-7-1015 pertaining to an invasive species
 3 management area or the statewide invasive species management area is a misdemeanor punishable by a fine
 4 not to exceed ~~\$1,000~~ \$975. In addition, the person shall forfeit the following as issued by this state:

5 (i) any current fishing license and the privilege to fish in this state for a period of time set by the court;
 6 and

7 (ii) any current sticker or decal required under this part to operate a vessel on the waters of this state.

8 (c) Purposely or knowingly attempting to introduce an invasive species in Montana is a felony. Any
 9 person found guilty under this subsection (1)(c) is subject to a criminal penalty of up to 2 years in prison, a fine
 10 not to exceed ~~\$5,000~~ \$10,000, or both. A person convicted of violating this subsection (1)(c) may also be required
 11 to surrender an involved vessel and pay restitution for any cost incurred to mitigate the effect of the violation.

12 (d) A civil penalty not to exceed ~~\$250~~ \$2,500 may be imposed on any person who violates any other
 13 provision of 80-7-1010 through 80-7-1012 and 80-7-1015 or rules adopted under 80-7-1010 through 80-7-1012
 14 and 80-7-1015 not enumerated in subsections (1)(a) through (1)(c).

15 (2) A warning without penalty may be issued to any person violating the provisions of 80-7-1010 through
 16 80-7-1012 and 80-7-1015 or rules adopted under 80-7-1010 through 80-7-1012 and 80-7-1015 if it is determined
 17 that a warning best serves the public interest.

18 (3) Civil penalties collected under this section must be deposited in the general fund."
 19

20 **Section 13.** Section 80-7-1015, MCA, is amended to read:

21 **"80-7-1015. Statewide invasive species management area.** (1) There is established a statewide
 22 invasive species management area for the purpose of preventing the introduction, importation, and infestation
 23 of invasive species through the mandatory inspection of vessels and equipment ~~at key entry points to entering~~
 24 the state ~~on a seasonal basis~~ and the mandatory decontamination of any vessel or equipment on or in which an
 25 invasive species is detected.

26 (2) To the greatest extent possible, the department of transportation shall cooperate with the department
 27 of fish, wildlife, and parks to utilize ports of entry or adjacent department of transportation facilities as locations
 28 for check stations established pursuant to this section.

29 (3) As far as practical, signs indicating that the statewide invasive species management area is in place
 30 must be posted in an effective manner along the boundaries of and within the state. The signs must include

1 information about the specific regulations that apply to the area. The signs must be paid for with funds from the
 2 invasive species account established in 80-7-1004. The departments may coordinate with any other governmental
 3 entity for the posting of signs.

4 (4) At a check station established pursuant to this section, the departments may examine vessels and
 5 equipment for the presence of an invasive species and compliance with this section and rules adopted pursuant
 6 to 80-7-1007. ~~A department may examine~~ Examination of any interior portion of a vessel or equipment that may
 7 contain water, including bilges, livewells, and bait containers, for compliance may occur only if inspection of
 8 interior portions is included as part of quarantine measures established pursuant to rules adopted under
 9 80-7-1007.

10 (5) The owner, operator, or person in possession of a vessel or equipment shall:

11 (a) comply with this section and rules imposed under 80-7-1007; and

12 (b) stop at any check station established pursuant to this section unless a medical emergency makes
 13 stopping likely to result in death or serious bodily injury.

14 (6) If during an inspection of a vessel or equipment the presence of an invasive species is detected, that
 15 vessel or equipment may not leave the check station without authorization until it is cleaned and decontaminated
 16 in a manner established in accordance with rules adopted pursuant to 80-7-1007. ~~The department shall make~~
 17 ~~every~~ Every effort must be made to ensure decontamination of the vessel or equipment as expeditiously as
 18 possible.

19 (7) After use in a body of water within the statewide invasive species management area, all vessels,
 20 equipment, bait containers, livewells, bilges, and other boating-related equipment, excluding marine sanitary
 21 systems, must be drained in a way that does not impact any state waters before being transported on land or on
 22 a public highway, as defined in 61-1-101, except when allowed by the department of fish, wildlife, and parks."
 23

24 NEW SECTION. **Section 14. Appropriation.** For the biennium beginning July 1, 2017, there is
 25 appropriated from the invasive species account established in 80-7-1004:

26 (1) \$95,000 to the invasive species council established in [section 1]; and

27 (2) \$10,000 to the upper Columbia conservation commission established in [section 2].
 28

29 NEW SECTION. **Section 15. Notification to tribal governments.** The secretary of state shall send
 30 a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell

1 Chippewa tribe.

2

3 NEW SECTION. Section 16. Codification instruction. (1) [Sections 1 and 2] are intended to be
4 codified as an integral part of Title 2, chapter 15, part 33, and the provisions of Title 2, chapter 15, part 33, apply
5 to [sections 1 and 2].

6 (2) [SECTION 3] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 7, CHAPTER 22, AND THE
7 PROVISIONS OF TITLE 7, CHAPTER 22, APPLY TO [SECTION 3].

8 (2)(3) [Section 3 4] is intended to be codified as an integral part of Title 80, chapter 7, and the provisions
9 of Title 80, chapter 7, apply to [section 3 4].

10 (3)(4) [Section 4] is [SECTIONS 5 THROUGH 7] ARE intended to be codified as an integral part of Title 80,
11 chapter 7, part 10, and the provisions of Title 80, chapter 7, part 10, apply to [section 4] [SECTIONS 5 THROUGH 7].

12

13 NEW SECTION. Section 17. Effective dates. (1) Except as provided in subsection (2), [this act] is
14 effective on passage and approval.

15 (2) [Section 10] [SECTION 14] is effective July 1, 2017.

16

17 NEW SECTION. SECTION 18. TERMINATION. [SECTION 7] TERMINATES JUNE 30, 2019.

18

- END -