



Montana Fish, Wildlife & Parks

TO: Environmental Quality Council
FROM: M. Jeff Hagener, Director
DATE: August 20, 2014
RE: Legislative Bill Proposals

The following is a summary of the six legislative bill drafts proposed by the Department of Fish, Wildlife & Parks for the 2015 Legislative Session.

1. Electronic Signature: The Department proposes a bill to allow licensees to submit license applications with an electronic signature. The current law requires that an application be “signed by the licensee in ink or indelible pencil on the face of the license.” MCA §87-2-107. This bill would allow computerized signatures for a valid application.

2. Dock on Wild Horse Island: The Department proposes a bill that would allow for the development of a dock on Wild Horse Island State Park. Current law, MCA § 77-1-405, prohibits development on state-owned island property, including state parks. The bill would provide an exception that would allow the development of a dock on Wild Horse Island to allow for easier access to the state park for elderly and handicapped persons.

3. Automatic Loss of Hunting and Trapping Privileges: The Department proposes a bill that would provide for the automatic loss of hunting and fishing licenses when convicted for misusing duplicate replacement licenses. Currently, MCA § 87-6-304 allows a court the discretion for ordering the loss of privileges for convictions. FWP has seen a rise in the misuse of replacement licenses and Courts are reluctant to use their discretion to order forfeiture. This bill would make it a mandatory loss of privileges if a person is convicted for misusing a replacement license.

4. Prohibit Statewide Transport of Live Fish: The Department proposes a bill that makes it unlawful for any transport of live fish in the state. Currently, MCA § 87-6-202 prohibits the transport of live fish in the state except in the eastern fishing district. This bill would expand the prohibition to the eastern fishing district. The current lack of consistency causes confusion. In addition, prohibiting the transport of live fish throughout the state improves the department’s ability to detect and prevent the illegal introduction of unauthorized fish into waters of the state. This bill would eliminate the exception for the eastern district and make live fish transport consistently prohibited across the state.

5. Prohibiting Dissemination of Names: The Department proposes a bill that prohibits the release of names of persons that harvest wildlife in Montana. Current law, MCA §87-1-214, prohibits the release of names of persons who take a *predator* while hunting but doesn’t include the take of other species of animals such as game animals, species in need of management, or

furbearers. Hunters and trappers have been harassed and threatened because their personal information was shared under current right-to-know provisions. In addition, people are discouraged from sharing this important take information because of the fear it invokes. This bill would expand the prohibition on sharing information to include any information from persons who harvest any game animal, furbearer or species in need of management whether or not through hunting.

6. Creating an Enterprise Fund for Educational Purposes: The Department proposes a bill that creates an enterprise fund. Currently when educational, commemorative, and interpretive merchandise and teaching resource materials are sold, the revenue is lost from the program that originally provided the dollars. The revenue received from these sales go into the general license fund. The proposed law would allow the Department to reinvest the revenue received from the sale of items back into an enterprise account to restock the items sold.