

Good news from the 2009 legislative session

The 2009 legislative session was another in which lawmakers debated dozens of bills affecting people interested in fish, wildlife, and state parks. Their often-impassioned discussions about hunting, fishing, and parks legislation showed the importance Montanans place on the resources this department is entrusted with managing and conserving.

Of the many bills that passed, we consider these among the most significant:

- Landowners may attach a livestock fence to a county road bridge as long as the fence is modified to allow anglers to get through to the river (see “Our Point of View,” May–June) (HB 190).
- FWP will establish a citizen’s advisory council and develop a strategic plan for managing pheasants, sharp-tailed grouse, and other upland game birds (HB 499).
- FWP may raise up to 750,000 trout and other coldwater fish at the Fort Peck Fish Hatchery, though rearing walleyes and other warmwater species will remain the facility’s top priority. Starting in 2012, funding for the hatchery will come from general fishing licenses and federal funds (SB 425).
- Anyone who commits criminal mischief on FWP property, such as damaging signs or tipping latrines, will lose their hunting, fishing, and trapping privileges (HB 223).
- It is now unlawful to purposefully use feed to attract deer, elk, other ungulates, bears, or mountain lions (SB 202).
- Up to 500 nonresident elk-deer combination and 500 nonresident deer combination licenses will be available for adult nonresident family members of Montana residents (HB 585).
- Nonresidents attending college in Montana and former Montana residents attending college in another state may buy a big game



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license at the resident price (SB 185).

The department was particularly pleased with a bill that applies the good neighbor policy to all FWP lands. Sponsored by Senator Debby Barrett of Dillon, SB 164 requires that before FWP buys any new property, we must develop a noxious weed management plan for the site. The department must also set aside the equivalent of 20 percent of the purchase price, up to \$300,000, to go into a land maintenance

account. The account may be used to fund operations and maintenance on any FWP lands, including fishing access sites, wildlife management areas, and state parks.

This legislation will help FWP be a better land steward and neighbor. We’ll use the fund to improve fencing and signage, grade roads, pick up trash, control weeds, and conduct other aspects of land operations and maintenance. The new fund will be particularly valuable for the state’s 320-plus fishing access sites. In addition to the maintenance listed above, these FWP lands need boundary fencing, parking areas, boat ramps, latrines, and signs indicating recreational opportunities.

I like that this new legislation allows us to put additional resources on the ground so that FWP lands can benefit recreational users while not inconveniencing neighboring landowners. More recreational opportunities on public land with fewer impositions on private property—that’s a combination hard to beat.

—JOE MAURIER, *Director, Montana Fish, Wildlife & Parks*

For details on these or other bills passed by the 2009 Montana Legislature, visit <http://leg.mt.gov> and enter the bill number.

Q. I read that we now have to buy a permit to take photographs at state parks. Is that true?

A. Not for the vast majority of photographers. But since 2007, anyone taking photographs on any FWP lands for commercial sale must first purchase a \$50 annual permit, which is good statewide for all state parks, fishing access sites, and wildlife management areas. For more information, visit fwp.mt.gov/parks/permits/commercialuse.html.

Q. I often see a gray jaylike bird on my mountain hikes. How can I tell if it's a gray jay or a Clark's nutcracker?

A. The birds look similar at a distance. Both are the same size, roughly 12 inches from head to tail tip, and both live in western Montana mountains. The main physical differences:

Gray jay: This species has a gray tail, gray wings, a white forehead, face, and neck, and a short bill. (It is quite bold and will often enter campsites and come close to hikers if it thinks they have food.)

Clark's nutcracker: This bird has a mostly black tail and wings, a gray belly and head, and a longer bill.

