HOUSE BILL NO. 390

INTRODUCED BY REAM, BRADLEY, BARDANOUVE, ELLISON, M. HANSON, COCCHIARELLA, GERVAIS, WYATT, DAVIS, RUSSELL, KADAS, YELLOWTAIL

IN THE HOUSE

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JANUARY 24, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
JANUARY 25, 1991	FIRST READING.
FEBRUARY 13, 1991	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 14, 1991	PRINTING REPORT.
FEBRUARY 16, 1991	SECOND READING, DO PASS AS AMENDED.
	SEGREGATED FROM COMMITTEE OF WHOLE REPORT AND PLACED ON SECOND READING.
FEBRUARY 19, 1991	SECOND READING, DO PASS AS AMENDED.
FEBRUARY 20, 1991	ENGROSSING REPORT.
FEBRUARY 23, 1991	THIRD READING, PASSED. AYES, 55; NOES, 45.
	TRANSMITTED TO SENATE.
IN	THE SENATE
FEBRUARY 25, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
MARCH 15, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
	SECOND READING, CONCURRED IN AS AMENDED. MOTION FAILED. AYES, 24; NOES, 25.

MARCH 19, 1991

ON MOTION, INDEFINITELY POSTPONED.

ON MOTION, PREVIOUS ACTION

RECONSIDERED AND BILL PLACED ON SECOND READING THIS DAY.

SECOND READING, CONCURRED IN AS AMENDED.

MARCH 20, 1991

THIRD READING, CONCURRED IN. AYES, 30; NOES, 20.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 23, 1991

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS CONCURRED IN.

MARCH 25, 1991

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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INTRODUCED BY Real Bridge Bridge & 1 "AN ACT ELIMINATING THE SALE OF A BILL FOR AN ACT ENT SPECIAL WILD BUFFALO LICENSES; REMOVING THE WILD BUFFALO FROM DESIGNATION AS A GAME ANIMAL: ESTABLISHING THE WILD 6 7 BUFFALO OR BISON AS A NONGAME SPECIES IN NEED OF MANAGEMENT; 8 ESTABLISHING DEPARTMENTAL MANAGEMENT DUTIES: 9 SECTIONS 87-2-101 AND 87-2-701, MCA; REPEALING 87-2-723, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10

STATEMENT OF INTENT

A statement of intent is required for this bill because [section 3] requires the department of fish, wildlife, and parks to develop rules to implement a program for management of wild buffalo or bison that have not been reduced to captivity and that threaten property or persons in this state. It is intended that the rules be consistent, as far as practicable, with the general nongame wildlife management policy set out in 87-5-103, except that the department may provide for means of controlling or eliminating wild buffalo or bison that pose a potential threat to property or persons in Montana and may adopt other rules specific to wild buffalo or bison as may be necessary for the proper and safe management of the species. It is intended that the authority

Montana Legislative Council

of the department be exercised in coordination with and complementary to the authority of the department of livestock to regulate, control, and eliminate wild buffalo or bison that pose a threat of the transmission of

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

8 Section 1. Section 87-2-701, MCA, is amended to read:

contagious disease to Montana livestock.

*87-2-701. (Temporary) Special licenses. (1) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special license which, in the judgment of the department, is to be issued and shall pay the following fees therefor:

- (a) moose--resident, \$50; nonresident, \$320;
- (b) mountain goat--resident, \$50; nonresident, \$320;
- 19 (c) mountain sheep--resident, \$50; nonresident, \$320;
- 20 (d) antelope--resident, \$6; nonresident, \$120;
- 21 (e) grizzly bear--resident, \$50; nonresident, \$300;
- (f) black or brown bear--nonresident, \$120;
- 23 fq1--wild-buffalo--resident7-\$2007-nonresident7-\$17000.
- 24 (2) In the event a holder of a valid special grizzly
- 25 bear license kills a grizzly bear, he must shall purchase a

INTRODUCED BILL

#8 310

- trophy license for a fee of \$25 within 10 days after date of kill. Such The trophy license shall-authorize authorizes the holder to possess and transport said the trophy.
- 4 (3) Special licenses shall must be issued in a manner 5 prescribed by the department. (Terminates March 1, 6 1994--sec. 12, Ch. 598, L. 1987.)
- 87-2-701. (Effective March 1, 1994) Special licenses.

 (1) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special license which, in the judgment of the department, is to be issued and shall pay the following fees therefor:
- 15 (a) moose--resident, \$50; nonresident, \$300;
- 16 (b) mountain goat--resident, \$50; nonresident, \$300;
- 17 (c) mountain sheep--resident, \$50; nonresident, \$300;
- 18 (d) antelope--resident, \$6; nonresident, \$100;
- 19 (e) grizzly bear--resident, \$50; nonresident, \$300;
- 20 (f) black or brown bear--nonresident, \$100;
- 21 (g)--wild-buffalo--resident;-\$200;-nonresident;-\$1,000.
- 22 (2) In the event a holder of a valid special grizzly
 23 bear license kills a grizzly bear, he must shall purchase a
 24 trophy license for a fee of \$25 within 10 days after date of
 25 kill. Such The trophy license shall-authorize authorizes the

- holder to possess and transport said the trophy.
- 2 (3) Special licenses shall must be issued in a manner
 3 prescribed by the department."
- Section 2. Section 87-2-101, MCA, is amended to read:
- 15 "87-2-101. Definitions. As used in this chapter and 16 chapter 3, unless the context clearly indicates otherwise, 17 the following definitions apply:
- 8 (1) "Angling" or "fishing" means the taking of or 9 attempting to take fish by hook and single line or single 10 rod, in hand or within immediate control.
- 11 (2) "Closed season" means the time during which game 12 birds, fish, and game and fur-bearing animals may not be 13 lawfully taken.
- 14 (3) "Commission" means the state fish and game
 15 commission.
- 16 (4) "Fur-bearing animals" means marten or sable, otter,
 17 muskrat, fisher, mink, bobcat, lynx, wolverine, northern
 18 swift fox, and beaver.
- 19 (5) "Game animals" means deer, elk, moose, antelope,
 20 caribou, mountain sheep, mountain goat, mountain lion, and
 21 bear,-and-wild-buffalo.
- 22 (6) "Game fish" means all species of the family 23 salmonidae (chars, trout, salmon, grayling, and whitefish); 24 all species of the genus stizostedion (sandpike or sauger

and walleyed pike or yellowpike perch); all species of the

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- genus esox (northern pike, pickerel, and muskellunge); all species of the genus micropterus (bass); all species of the genus polyodon (paddlefish); all species of the family acipenseridae (sturgeon); all species of the genus lota (burbot or ling); and the species ictalurus punctatus (channel catfish).
- 7 (7) "Migratory game birds" means waterfowl, including 8 wild ducks, wild geese, brant, and swans; cranes, including 9 little brown and sandhill; rails, including coots; wilson's 10 snipes or jacksnipes; and mourning doves; however, the open 11 season on mourning doves shall be restricted to the open 12 season on upland game birds as defined in subsection (12) 13 below.
- 14 (8) "Nongame wildlife" means any wild mammal, bird,
 15 amphibian, reptile, fish, mollusk, crustacean, or other
 16 animal not otherwise legally classified by statute or
 17 regulation of this state.
- 18 (9) "Open season" means the time during which game
 19 birds, fish, game and fur-bearing animals may be lawfully
 20 taken.
- 21 (10) "Person" means individuals, associations,
 22 partnerships, and corporations.
- 23 (11) "Predatory animals" means coyote, weasel, skunk,
 24 and civet cat.
- 25 (12) "Upland game birds" means sharptailed grouse, blue

- grouse, spruce (Franklin) grouse, prairie chicken, sage hen or sage grouse, ruffed grouse, quail, pheasant, Hungarian partridge, ptarmigan, wild turkey, and chukar partridge.
- 4 (13)-"Wild-buffalo"-means-buffalo-or--bison--which--have

 not-been-reduced-to-captivity="
 - NEW SECTION. Section 3. Wild buffalo as nongame species in need of management policy department duties. (1) The legislature finds that the management of wild buffalo or bison as a game animal is not appropriate but that significant potential exists for the spread of contagious disease to Montana livestock and damage to persons and property by wild buffalo or bison. Therefore, it is the purpose of this section to designate wild buffalo or bison, which have not been reduced to captivity, as a nongame species in need of management and to set out specific departmental duties for management of the species.
- 17 (2) The department is responsible for and shall develop
 18 rules to implement the management of wild buffalo or bison
 19 in this state that threaten persons or property other than
 20 through the transmission of contagious disease.
- 21 (3) The department of livestock shall, within its 22 statutory authority, regulate wild buffalo or bison in this 23 state that pose a threat to Montana livestock through the
- 25 NEW SECTION. Section 4. Codification instruction.

transmission of contagious disease.

- [Section 3] is intended to be codified as an integral part
- of Title 87, chapter 5, and the provisions of Title 87,
- 3 chapter 5, apply to [section 3].
- 4 NEW SECTION. Section 5. Repealer. Section 87-2-723,
- 5 MCA, is repealed.
- 6 NEW SECTION. Section 6. Effective date. [This act] is
- 7 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0390, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

This bill eliminates the sale of special wild buffalo licenses; removes the wild buffalo from designation as a game animal; establishes the wild buffalo or bison as a nongame species in need of management; and establishes Department of Fish, Wildlife, and Parks management duties.

ASSUMPTIONS:

- 1. In the past few years, bison control was primarily accomplished by using sportsmen to harvest the animals. The control actions cost more to administer than revenues generated from sale of the licenses (costs of \$272,000 with revenue of \$161,000 over the last 3.5 years).
- 2. If sportsmen do not harvest bison, the costs for the Department of Fish, Wildlife, and Parks to harvest the animals will not exceed what currently is being spend.
- 3. A long-range management plan for bison is currently being developed by the state and the National Park Service. There will be some development costs to the Department of Fish, Wildlife, and Parks, but neither the required details of the plan, nor the involvement of the department is known at this time.

FISCAL IMPACT:

No fiscal implications

ROD SUNDSTED, BUDGET DIRECTOR

Office of Budget and Program Planning

ROBERT R. REAM, PRIMARY SPONSOR

Fiscal Note for HB0390, as introduced

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therefor:

APPROVED BY COMM. ON FISH AND GAME

1	HOUSE BILL NO. 390
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3	M. HANSON, COCCHIARELLA, GERVAIS, WYATT, DAVIS,
4	RUSSELL, KADAS, YELLOWTAIL
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE SALE OF
7	SPECIAL WILD BUFFALO LICENSES; REMOVING THE WILD BUFFALO
8	FROM DESIGNATION AS A GAME ANIMAL; ESTABLISHING THE WILD
9	BUFFALO OR BISON AS A NONGAME SPECIES IN NEED OF MANAGEMENT;
10	ESTABLISHING DEPARTMENTAL MANAGEMENT DUTIES; URGING THE
11	STATE AND THE NATIONAL PARK SERVICE TO ENTER INTO AN
12	AGREEMENT FOR THE LONG-TERM MANAGEMENT OF THE YELLOWSTONE
13	NATIONAL PARK HERD; REQUIRING A REPORT ON THE PROGRESS OF
14	BISON MANAGEMENT TO THE 53RD LEGISLATURE; AMENDING SECTIONS
15	87-2-101 AND 87-2-701, MCA; REPEALING SECTION 87-2-723, MCA;
16	AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
17	
18	STATEMENT OF INTENT
19	A statement of intent is required for this bill because
20	[section 3] requires the department of fish, wildlife, and
21	parks to develop rules to implement a program for management
22	of wild buffalo or bison that have not been reduced to
23	captivity and that threaten property or persons in this
24	state. It is intended that the rules be consistent, as far

as practicable, with the general nongame wildlife management

1	policy set out in 87-5-103, except that the department ma
2	provide for means of controlling or eliminating wild buffal
3	or bison that pose a potential threat to property or person
4	in Montana and may adopt other rules specific to wil
5	buffalo or bison as may be necessary for the proper and saf
6	management of the species. It is intended that the authorit
7	of the department be exercised in coordination with an
8	complementary to the authority of the department of
9	livestock to regulate, control, and eliminate wild buffal
10	or bison that pose a threat of the transmission of
11	contagious disease to Montana livestock.
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-2-701, MCA, is amended to read:

"87-2-701. (Temporary) Special licenses. (1) Any applicant who will be 12 years of age or older prior to September 15 of the season for which the license is issued and is the holder of a resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special license which, in the judgment of the department, is to be issued and shall pay the following fees

- 23 (a) moose--resident, \$50; nonresident, \$320;
 - (b) mountain goat--resident, \$50; nonresident, \$320;
- 25 (c) mountain sheep--resident, \$50; nonresident, \$320;

SECOND READING

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- 1 (d) antelope--resident, \$6; nonresident, \$120;
- 2 (e) grizzly bear--resident, \$50; nonresident, \$300;
- 3 (f) black or brown bear--nonresident, \$120;
 - tq)--wild-buffalo--residenty-\$200;-nonresident;-\$1,000.
- 5 (2) In the event a holder of a valid special grizzly
 6 bear license kills a grizzly bear, he must shall purchase a
 7 trophy license for a fee of \$25 within 10 days after date of
 8 kill. Such The trophy license shall-authorize authorizes the
- 9 holder to possess and transport said the trophy.
- 10 (3) Special licenses shall must be issued in a manner
 11 prescribed by the department. (Terminates March 1,
- 12 1994--sec. 12, Ch. 598, L. 1987.)
- 13 87-2-701. (Effective March 1, 1994) Special licenses.
- 14 (1) Any applicant who will be 12 years of age or older prior
- 15 to September 15 of the season for which the license is
- issued and is the holder of a resident wildlife conservation
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- 18 apply for a special license which, in the judgment of the
 - department, is to be issued and shall pay the following fees
- 20 Abanafor
- 20 therefor:

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 - (b) mountain goat--resident, \$50; nonresident, \$300;
 - (c) mountain sheep--resident, \$50; nonresident, \$300;

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- (d) antelope--resident, \$6; nonresident, \$100;
- 25 (e) grizzly bear--resident, \$50; nonresident, \$300;

- 1 (f) black or brown bear--nonresident, \$100;
- 2 (g)--wild-buffalo--residenty-92007-nonresidenty-\$17000.
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 4 bear license kills a grizzly bear, he must shall purchase a
 5 trophy license for a fee of \$25 within 10 days after date of
- 6 kill. Such The trophy license shall-authorize authorizes the
- 7 holder to possess and transport said the trophy.
 - (3) Special licenses shall must be issued in a manner prescribed by the department."
- 10 Section 2. Section 87-2-101, MCA, is amended to read:
- 11 "87-2-101. Definitions. As used in this chapter and 12 chapter 3, unless the context clearly indicates otherwise,
- 13 the following definitions apply:
- 14 (1) "Angling" or "fishing" means the taking of or 15 attempting to take fish by hook and single line or single
- 16 rod, in hand or within immediate control.
- 17 (2) "Closed season" means the time during which game
- 18 birds, fish, and game and fur-bearing animals may not be
- 19 lawfully taken.
- 20 (3) "Commission" means the state fish and game
- 21 commission.

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- 22 (4) "Fur-bearing animals" means marten or sable, otter,
- 23 muskrat, fisher, mink, bobcat, lynx, wolverine, northern
- 24 swift fox, and beaver.
- 25 (5) "Game animals" means deer, elk, moose, antelope,

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caribou, mountain sheep, mountain goat, mountain lion, and bear--and-wild-buffalo.

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- (6) "Game fish" means all species of the family salmonidae (chars, trout, salmon, grayling, and whitefish); all species of the genus stizostedion (sandpike or sauger and walleyed pike or yellowpike perch); all species of the genus esox (northern pike, pickerel, and muskellunge); all species of the genus micropterus (bass); all species of the 8 9 genus polyodon (paddlefish); all species of the family 10 acipenseridae (sturgeon); all species of the genus lota (burbot or ling); and the species ictalurus punctatus 11 12 (channel catfish).
 - (7) "Migratory game birds" means waterfowl, including wild ducks, wild geese, brant, and swans; cranes, including little brown and sandhill; rails, including coots; wilson's snipes or jacksnipes; and mourning doves; however, the open season on mourning doves shall be restricted to the open season on upland game birds as defined in subsection (12) below.
 - (8) "Nongame wildlife" means any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other animal not otherwise legally classified by statute or regulation of this state.
- 24 (9) "Open season" means the time during which game birds, fish, game and fur-bearing animals may be lawfully 25

1 taken.

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- 2 (10) "Person" associations, means individuals.
- partnerships, and corporations.
- 4 (11) "Predatory animals" means coyote, weasel, skunk,
- 5 and civet cat.
- (12) "Upland game birds" means sharptailed grouse, blue grouse, spruce (Franklin) grouse, prairie chicken, sage hen or sage grouse, ruffed grouse, quail, pheasant, Hungarian
- (13)-"Wild--buffalo"--means--buffalo-or-bison-which-have 1.0 11 not-been-reduced-to-captivity-"

partridge, ptarmigan, wild turkey, and chukar partridge.

- NEW SECTION. Section 3. Wild buffalo nongame species in need of management -- policy -- department duties. (1) The legislature finds that the management of wild buffalo or bison as a game animal is not appropriate but that significant potential exists for the spread of contagious disease to Montana livestock and damage to persons and property by wild buffalo or bison. Therefore, it is the purpose of this section to designate wild buffalo or bison, which have not been reduced to captivity, as a nongame species in need of management and to set out specific departmental duties for management of the species.
- (2) The department is responsible for and shall develop rules to implement the management of wild buffalo or bison in this state that threaten persons or property other than

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- through the transmission of contagious disease.
- 2 (3) The department of livestock shall, within its 3 statutory authority, regulate wild buffalo or bison in this
- 4 state that pose a threat to Montana livestock through the
- 5 transmission of contagious disease.
- 6 (4) THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE
- 7 DEPARTMENT OF LIVESTOCK ARE STRONGLY URGED TO ENTER INTO AN
 - AGREEMENT WITH THE NATIONAL PARK SERVICE FOR THE LONG-TERM
- 9 MANAGEMENT OF THE YELLOWSTONE NATIONAL PARK HERD. THE
- 10 DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT
- 11 OF LIVESTOCK SHALL PREPARE A JOINT REPORT TO THE 53RD
- 12 LEGISLATURE REGARDING THE PRESENT STATE OF BISON MANAGEMENT
- 13 IN MONTANA AND ANY PROGRESS ON AN AGREEMENT FOR THE
- 14 LONG-TERM MANAGEMENT OF THE YELLOWSTONE NATIONAL PARK HERD.
- 15 NEW SECTION. Section 4. Codification instruction.
- 16 [Section 3] is intended to be codified as an integral part
- 17 of Title 87, chapter 5, and the provisions of Title 87,
- 18 chapter 5, apply to [section 3].
- 19 NEW SECTION. Section 5. Repealer. Section 87-2-723,
- 20 MCA, is repealed.

- 21 NEW SECTION. Section 6. Effective date. [This act] is
- 22 effective on passage and approval.

-End-

HB 390

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Τ.	HOUSE BILL NO. 390
2	INTRODUCED BY REAM, BRADLEY, BARDANOUVE, ELLISON,
3	M. HANSON, COCCHIARELLA, GERVAIS, WYATT, DAVIS,
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state. It is intended that the rules be consistent, as far

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5	buffalo or bison as may be necessary for the proper and safe
6	management of the species. It is intended that the authority
7	of the department be exercised in coordination with and
8	complementary to the authority of the department of
9	livestock to regulate, control, and eliminate wild buffalo
10	or bison that pose a threat of the transmission of
11	contagious disease to Montana livestock.
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13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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17	September 15 of the season for which the license is issued

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therefor:

- 23 moose--resident, \$50; nonresident, \$320;
 - mountain goat--resident, \$50; nonresident, \$320;
 - mountain sheep--resident, \$50; nonresident, \$320;

THIRD READING

and is the holder of a resident wildlife conservation

license or a nonresident wildlife conservation license may

apply for a special license which, in the judgment of the

department, is to be issued and shall pay the following fees

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HB 0390/03

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 9 holder to possess and transport said the trophy.
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 12 1994--sec. 12, Ch. 598, L. 1987.)
 - 87-2-701. (Effective March 1, 1994) Special licenses.

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- 23 (c) mountain sheep--resident, \$50; nonresident, \$300;
- 24 (d) antelope--resident, \$6; nonresident, \$100;
- 25 (e) grizzly bear--resident, \$50; nonresident, \$300;

- 1 (f) black or brown bear--nonresident, \$100;
- tgj--wild-buffalo--resident;-\$288;-nonresident;-\$1,888.
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- 4 bear license kills a grizzly bear, he must shall purchase a
- 5 trophy license for a fee of \$25 within 10 days after date of
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- 23 muskrat, fisher, mink, bobcat, lynx, wolverine, northern
- 24 swift fox, and beaver.
- 25 (5) "Game animals" means deer, elk, moose, antelope,

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caribou, mountain sheep, mountain goat, mountain lion, and bear, and wild-buffalo.

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- (6) "Game fish" means all species of the family salmonidae (chars, trout, salmon, grayling, and whitefish); all species of the genus stizostedion (sandpike or sauger and walleyed pike or yellowpike perch); all species of the genus esox (northern pike, pickerel, and muskellunge); all species of the genus micropterus (bass); all species of the genus polyodon (paddlefish); all species of the family acipenseridae (sturgeon); all species of the genus lota (burbot or ling); and the species ictalurus punctatus (channel catfish).
- (7) "Migratory game birds" means waterfowl, including wild ducks, wild geese, brant, and swans; cranes, including little brown and sandhill; rails, including coots; wilson's snipes or jacksnipes; and mourning doves; however, the open season on mourning doves shall be restricted to the open season on upland game birds as defined in subsection (12) below.
- (8) "Nongame wildlife" means any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other animal not otherwise legally classified by statute or regulation of this state.
- (9) "Open season" means the time during which gamebirds, fish, game and fur-bearing animals may be lawfully

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- 2 (10) "Person" means individuals, associations,
- 3 partnerships, and corporations.
- 4 (11) "Predatory animals" means coyote, weasel, skunk,
- 5 and civet cat.
- (12) "Upland game birds" means sharptailed grouse, blue grouse, spruce (Franklin) grouse, prairie chicken, sage hen or sage grouse, ruffed grouse, quail, pheasant, Hungarian partridge, ptarmigan, wild turkey, and chukar partridge.
- 10 (13)-"Wild-buffalo"-means-buffalo-or-bison-which-have
 11 not-been-reduced-to-captivity-"

NEW SECTION. Section 3. Wild buffalo as

- species in need of management -- policy -- department duties. (1) The legislature finds that the management of wild buffalo or bison as a game animal is not appropriate but that significant potential exists for the spread of contagious disease to Montana livestock and damage to persons and property by wild buffalo or bison. Therefore, it is the purpose of this section to designate wild buffalo or bison, which have not been reduced to captivity, as a nongame species in need of management and to set out specific departmental duties for management of the species.
- 23 (2) The department:
- 24 <u>(A)</u> is responsible for and shall develop rules to 25 implement the management of wild buffalo or bison in this

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nongame

- state that threaten persons or property other than through
 the transmission of contagious disease;
- 3 (B) SHALL DEVELOP RULES TO MANAGE AND REDUCE THE NUMBER
 4 OF WILD BUFFALO OR BISON THAT LEAVE YELLOWSTONE NATIONAL
 5 PARK.
- 6 (3) The department of livestock shall, within its
 7 statutory authority, regulate wild buffalo or bison in this
 8 state that pose a threat to Montana livestock through the
 9 transmission of contagious disease.
- 10 (4) THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT OF LIVESTOCK ARE STRONGLY URGED TO ENTER INTO AN 11 12 AGREEMENT WITH THE NATIONAL PARK SERVICE FOR THE LONG-TERM 13 MANAGEMENT OF THE YELLOWSTONE NATIONAL PARK HERD. THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT 14 15 OF LIVESTOCK SHALL PREPARE A JOINT REPORT TO THE 53RD LEGISLATURE REGARDING THE PRESENT STATE OF BISON MANAGEMENT 16 17 IN MONTANA AND ANY PROGRESS ON AN AGREEMENT FOR THE LONG-TERM MANAGEMENT OF THE YELLOWSTONE NATIONAL PARK HERD. 18
- NEW SECTION. Section 4. Codification instruction.

 [Section 3] is intended to be codified as an integral part of Title 87, chapter 5, and the provisions of Title 87, chapter 5, apply to [section 3].

 NEW SECTION. Section 5. Repealer. Section 87-2-723, MCA, is repealed.
- 25 NEW SECTION. Section 6. Effective date. [This act] is

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HR. PRESIDENT:

We. your committee on Fish and Game having had under consideration House Bill No. 390 (third reading copy as amended -- blue), respectfully report that House Bill No. 390 be amended and as so amended be concurred in:

1. Title, lines 7 and 8. Following: "LICENSES;" on line 7 Strike: remainder of line 7 through "ANIMAL;" ON LINE 8

2. Title, line 9. Strike: "NONGAME"

3. Title, line 14. Strike: "SECTIONS" Insert, "SECTION"

4. Title, line 15. Strike: "B7-2-101 AND"

5. Page 1, line 20. Strike: "3" Insert: "2"

6. Page 4, line 10 through page 6, line 11. Strike: section 2 in its entirety Renumber: subsequent sections

7. Page 6, line 13. Strike, "nongame"

8. Page 6, line 14. Following: "management" Insert: "through hunting"

9. Page 6, line 15. Strike: "as a game animal"

10. Page 6, line 21. Strike: "nongame"

11. Page 7, lines 20 and 22. Strike: "3" Insert: "2"

12. Page 7, lines 21 and 22. Strike: "5" Insert: "1"