

House BILL NO. 262

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR SPECIAL WILD BUFFALO DISEASE CONTROL LICENSES AND FOR REGULATION OF THOSE LICENSES; AMENDING SECTION 87-2-701, MCA; REPEALING SECTION 87-1-215, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Regulation of special wild buffalo disease control license -- dedication

for tribal use -- disposition of revenue. (1) The department shall adopt rules regulating special wild buffalo disease control licenses as provided in 87-2-701(1)(g). The rules must provide:

- (a) license drawing procedures based on a year-round season, including a procedure for designating 10% of the wild buffalo disease control licenses as provided in subsection (2);
- (b) an entry fee for the drawing, which must be a minimum of \$5;
- (c) notification of license recipients as to when and where they may hunt;
- (d) means of tagging;
- (e) tagging requirements for carcasses, skulls, and hides;
- (f) possession limits; and
- (g) requirements for transportation and exportation.

(2) Ten percent of the wild buffalo disease control licenses within a drawing must be awarded to a license holder who:

- (a) is an enrolled member of a Montana Indian tribe; or
- (b) is allowed to take a buffalo but is required to donate the carcass to the department for distribution to a Montana Indian tribe.

(3) The revenue collected from the drawing and license fees must be placed in a state special revenue fund to the credit of the department to manage and control the wild buffalo entering Montana from the Yellowstone national park herd.

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

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

5 (a) moose--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 6 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

7 (b) mountain goat--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 8 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

9 (c) mountain sheep--resident, ~~\$60 beginning March 1, 1992, and \$75 beginning March 1, 1994;~~
 10 nonresident, ~~\$450 beginning March 1, 1992, and \$475 beginning March 1, 1994;~~

11 (d) antelope--resident, ~~\$9 beginning March 1, 1992, and \$11 beginning March 1, 1994;~~
 12 nonresident, ~~\$145 beginning March 1, 1992, and \$150 beginning March 1, 1994;~~

13 (e) grizzly bear--resident, \$50; nonresident, \$300;

14 (f) black or brown bear--nonresident, \$120;

15 (g) wild buffalo disease control--resident, \$200; nonresident, \$1,000.

16 (2) In the event a that the holder of a valid special grizzly bear license kills a grizzly bear, ~~he the~~
 17 license holder shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy
 18 license authorizes the holder to possess and transport the trophy.

19 (3) Special licenses must be issued in a manner prescribed by the department. (Terminates March
 20 1, 2006--secs. 1, 2, Ch. 241, L. 1993.)

21 **87-2-701. (Effective March 1, 2006) Special licenses.** (1) Any applicant who will be 12 years of
 22 age or older prior to September 15 of the season for which the license is issued and is the holder of a
 23 resident wildlife conservation license or a nonresident wildlife conservation license may apply for a special
 24 license ~~which~~ that, in the judgment of the department, is to be issued and shall pay the following fees
 25 ~~therefor~~:

26 (a) moose--resident, \$75; nonresident, \$455;

27 (b) mountain goat--resident, \$75; nonresident, \$455;

28 (c) mountain sheep--resident, \$75; nonresident, \$455;

29 (d) antelope--resident, \$11; nonresident, \$130;

30 (e) grizzly bear--resident, \$50; nonresident, \$300;

1 (f) black or brown bear--nonresident, \$100;

2 (g) wild buffalo disease control--resident, \$200; nonresident, \$1,000.

3 (2) In the event a that the holder of a valid special grizzly bear license kills a grizzly bear, ~~he~~ the
4 license holder shall purchase a trophy license for a fee of \$25 within 10 days after date of kill. The trophy
5 license authorizes the holder to possess and transport the trophy.

6 (3) Special licenses must be issued in a manner prescribed by the department."
7

8 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
9 integral part of Title 87, chapter 2, part 7, and the provisions of Title 87, chapter 2, part 7, apply to
10 [section 1].

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12 **NEW SECTION. Section 4. Repealer.** Section 87-1-215, MCA, is repealed.

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14 **NEW SECTION. Section 5. Effective date.** [This act] is effective on passage and approval.

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0262, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A act providing for special wild buffalo disease control licenses and for regulation of those licenses effective upon passage and approval.

ASSUMPTIONS:

1. The Department of Fish, Wildlife and Parks (FWP) will receive 3,000 buffalo license applications each year. An annual entry fee of \$5.00 will be charged for each application.
2. FWP will issue 200 licenses each year, of which 5% or 10 licenses will be sold to non-residents.
3. The cost for FWP to process each application and conduct the drawing will be \$6.00 per application received.
4. From FY88 through FY91, the average FWP regional staff costs associated with buffalo control was \$68,000. Because of anticipated public attention to the hunt, the \$68,000 plus an additional \$20,000 will be needed for regional staff support. However, FWP has \$21,000 budgeted annually for buffalo control, resulting in a need for \$67,000 for buffalo management costs.

FISCAL IMPACT:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
<u>Expenditures:</u>		
Application Processing/Printing	18,000	18,000
Computer Costs/one time	1,000	0
Buffalo Management Costs	<u>67,000</u>	<u>67,000</u>
Total	86,000	86,000
<u>Revenues:</u>		
Drawing Fees (02)	15,000	15,000
License Sales (02)	<u>48,000</u>	<u>48,000</u>
Total	63,000	63,000
<u>Net Impact:</u>	(23,000)	(22,000)

TECHNICAL NOTES:

The Department of Fish, Wildlife and Parks' license year begins on March 1. The sponsor may want to consider making the effective date of this bill coincide with the license year.

Dave Lewis 1-24-95

 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

Menahan

 WILLIAM MENAHAN, PRIMARY SPONSOR DATE

Fiscal Note for HB0262, as introduced

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