

HOUSE BILL NO. 522

INTRODUCED BY M. MALONE, S. KERNS, P. FIELDER, L. BREWSTER, B. LER, J. ESP, B. BEARD, T.

SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE ISSUANCE OF LANDOWNER PREFERENCE SPECIAL WILD BUFFALO LICENSES; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 87-2-730, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-2-730, MCA, is amended to read:

"87-2-730. Special wild buffalo license -- regulation -- landowner preference. (1) The public hunting of wild buffalo or bison that have been designated as a species in need of disease control under 81-2-120 is permitted only when authorized by the department of livestock under the provisions set forth in 81-2-120.

(2) The department may issue special licenses to hunt wild buffalo or bison designated as a species in need of disease control when authorized by the department of livestock.

(3) The department shall adopt rules in cooperation with the department of livestock. The rules must provide for:

- (a) license drawing procedures;
- (b) application fees consistent with 87-2-113;
- (c) notification of license recipients as to when and where they may hunt;
- (d) fair chase hunting of wild buffalo or bison, including requirements that hunting be conducted on foot and away from public roads and that there be no designation of specific wild buffalo or bison to be hunted;
- (e) means of taking and handling of carcasses in the field, which must include provisions for public safety because of the potential for the spread of infectious disease;
- (f) the use of bows and arrows and other hunting arms;
- (g) tagging requirements for carcasses, skulls, and hides;
- (h) possession limits;

(i) requirements for transportation and exportation; and
(j) requirements and criteria for authorization by the state veterinarian and the department of livestock of any public hunting.

(4) Subject to the limitation in subsection (6), a person who owns or is contracting to purchase 20 640 acres or more of contiguous land that is used for the production of livestock or agricultural crops, at least some of which is used by wild buffalo or bison, in a hunting district where special wild buffalo licenses are available pursuant to this section must be issued, on application, a special wild buffalo license.

(5) An applicant who receives a special wild buffalo license under subsection (4) may designate that the license be issued to an immediate family member or a person employed by the landowner. ~~A corporation owning qualifying land under subsection (4) may designate one of its shareholders to receive the license.~~

(6) ~~Fifteen percent~~ No more than 10% of the special wild buffalo licenses made available each year under this section ~~must may~~ be made available to landowners under subsection (4) depending on commission approval based on recommendations relative to the likelihood of wild buffalo or bison leaving Yellowstone national park received from tribes with treaty rights to hunt wild buffalo or bison, regional department staff, and the multiagency cooperative of federal, state, and tribal entities that guides the management of wild buffalo or bison around Yellowstone national park."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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