

**Testimony in support of HB 514**  
**Tom France, National Wildlife Federation**  
**March 1, 2005**

Last summer, Pete Howard, the Justice of the Peace in Teton County, called me up to complain about his lack of authority to assess meaningful fines for the illegal killing of grizzly bears on the Rocky Mountain Front. Justice Howard was particularly troubled by the fact that restitution penalties for many other wildlife species were considerably higher than for a species listed under the Endangered Species Act.

After discussing the situation with Pete, the National Wildlife Federation approached the Department of Fish, Wildlife and Parks to see whether the restitution statutes for grizzly bears could, or should, be adjusted. As a result of these conversations, we worked with Representative Gutshe to have HB 514 introduced and I appear here today to support its passage.

The National Wildlife Federation has worked long and hard to help build a solid framework for delisting grizzly bears in the Yellowstone Ecosystem. The grizzly population in the Greater Yellowstone has met and exceeded recovery targets for several years. All three states, Wyoming, Montana, and Idaho, have developed solid bear management plans and the Forest Service is presently amending its forest plans to adopt standards for managing grizzly habitat after bears are delisted. In short, state and federal agencies and NGO's are working to return bear management to the states.

One piece of work that remains undone is to enact a restitution statute that reflects both the high value that Montana places on grizzly bears and which truly serves as a deterrent for those that would illegally kill one of these animals. HB 514 addresses this shortcoming by setting restitution for grizzly bears at the same level it is presently set for antlered elk - \$8,000.

In the near term, we hope this level of restitution will facilitate delisting by both demonstrating the seriousness with which Montana takes its grizzly management responsibilities, and reducing the illegal take of bears. Over the longer term, and after delisting occurs, we believe that HB 514 will enhance the Department's enforcement efforts, give local judges an additional tool for enforcing Montana law, and help prevent the need to relist grizzlies under the ESA.

Thank you very much for this opportunity to testify.