

EXHIBIT 4
DATE 2-17-05
HB 538

House Bill 538
February 17, 2005
Presented by Robert Lane
House Local Government Committee

Mr. Chairman and committee members, for the record I am Bob Lane, Chief Legal Counsel of Montana Department of Fish, Wildlife & Parks (FWP). I appear before you today in opposition to HB 538.

HB 538 would allow any community volunteer fire, ambulance or emergency service department to raffle or auction an either-sex elk permit and retain the proceeds. FWP opposes this bill because of concerns with precedent and a question as to the appropriateness of the use of wildlife permits to generate revenues for purposes other than fish and wildlife management or conservation. While FWP allows the auction of moose, sheep, deer and elk permits, those proceeds go directly to the benefit of those species.

I mentioned a concern with precedent. FWP would anticipate considerable interest from other groups with no fish or wildlife connection, assuming this legislation passes. FWP believes it begs the question, where do we stop with utilization of special wildlife permits generating revenue for non-fish and wildlife related purposes.

FWP also has concerns with the logistics associated with administration, who decides who is eligible and who is not.