

1 SENATE BILL NO. 337

2 INTRODUCED BY BRENDEN, ANKNEY, BALES, BARKUS, DE. BARRETT, T. BROWN, CURTISS,
3 GEBHARDT, HINKLE, KASTEN, RIPLEY, SHOCKLEY, STEINBEISSER, TUTVEDT, ZINKE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE DEPARTMENT OF FISH, WILDLIFE, AND
6 PARKS FROM RELOCATING WILD BUFFALO OR BISON AS A RESULT OF THE STATE-FEDERAL BISON
7 QUARANTINE FEASIBILITY STUDY; PROVIDING AN EXCEPTION; AMENDING SECTION 87-1-216, MCA;
8 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 87-1-216, MCA, is amended to read:

13 **"87-1-216. Wild buffalo or bison as species in need of management -- policy -- department duties.**

14 (1) The legislature finds that significant potential exists for the spread of contagious disease to persons or
15 livestock in Montana and for damage to persons and property by wild buffalo or bison. It is the purpose of this
16 section:

17 (a) to designate publicly owned wild buffalo or bison originating from Yellowstone national park as a
18 species requiring disease control;

19 (b) to designate other wild buffalo or bison as a species in need of management; and

20 (c) to set out specific duties for the department for management of the species.

21 (2) The department:

22 (a) is responsible for the management, including but not limited to public hunting, of wild buffalo or bison
23 in this state that have not been exposed to or infected with a dangerous or contagious disease but may threaten
24 persons or property;

25 (b) shall consult and coordinate with the department of livestock on implementation of the provisions of
26 subsection (2)(a) to the extent necessary to ensure that wild buffalo or bison remain disease free; and

27 (c) shall cooperate with the department of livestock in managing publicly owned wild buffalo or bison that
28 enter the state on public or private land from a herd that is infected with a dangerous disease, as provided in
29 81-2-120, under a plan approved by the governor. The department of livestock is authorized under the provisions
30 of 81-2-120 to regulate publicly owned wild buffalo or bison in this state that pose a threat to persons or livestock

1 in Montana through the transmission of contagious disease. The department may, after agreement and
2 authorization by the department of livestock, authorize the public hunting of wild buffalo or bison that have been
3 exposed to or infected with a contagious disease, pursuant to 87-2-730.

4 (3) The department may adopt rules with regard to wild buffalo or bison that have not been exposed to
5 or infected with a contagious disease but are in need of management because of potential damage to person or
6 property.

7 (4) When adopting and implementing rules regarding the special wild buffalo or bison license issued
8 pursuant to 87-2-730, the department shall consult and cooperate with the department of livestock regarding
9 when and where public hunting may be allowed and the safe handling of wild buffalo or bison parts in order to
10 minimize the potential for spreading any contagious disease to persons or to livestock.

11 (5) The department may not relocate wild buffalo or bison WITHIN THE STATE as a result of the
12 state-federal bison quarantine feasibility study UNLESS THE WILD BUFFALO OR BISON ARE RELOCATED TO THE NATIONAL
13 BISON RANGE AT MOIESE."

14

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

16

- END -