

HOUSE BILL NO. 343

INTRODUCED BY RICE, BOGGIO, BLASDEL, MENDENHALL, HAWK, BECK, EVERETT, ROSS,
BARRETT, RIPLEY, CLARK, LAMBERT, MORGAN, KERNS, STAHL, SINRUD, J. PETERSON, SONJU,
WELLS, MCGILLVRAY

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND TO THE LEGISLATIVE SERVICES DIVISION TO FUND STATE PARTICIPATION IN A PENDING LAWSUIT AGAINST THE FEDERAL GOVERNMENT CHALLENGING THE FAILURE OF THE FEDERAL GOVERNMENT TO REMOVE WOLVES FROM THE ENDANGERED SPECIES LIST; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, wolves are having an intolerable impact on hunting opportunities in Montana in conflict with Article IX, section 7, of the Montana Constitution and section 87-1-217, MCA, as well as a deleterious impact on livestock; and

WHEREAS, since 2000, agents of the federal government have repeatedly intimated to the public that wolves would be imminently removed from the endangered species list, but delisting remains to be accomplished; and

WHEREAS, Friends of the Northern Yellowstone Elk Herd is a Montana public interest membership organization that has preserved the prerogative to sue in federal court over wolf delisting by following the administrative law of the federal Endangered Species Act of 1973; and

WHEREAS, the Budd-Falen law firm of Cheyenne, Wyoming, is counsel for the lawsuit filed by Friends of the Northern Yellowstone Elk Herd in its effort to challenge the failure of the federal government to remove wolves from the endangered species list; and

WHEREAS, participation in this PENDING lawsuit by the State of Montana would benefit Montana citizens and effectuate Article IX, section 7, of the Montana Constitution and section 87-1-217, MCA.

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

NEW SECTION. **Section 1. Appropriation.** There is appropriated \$200,000 from the general fund to the legislative services division to participate in the PENDING lawsuit against the federal government by friends of the northern Yellowstone elk herd challenging the failure of the federal government to remove wolves from the

endangered species list. A total of up to \$150,000 may be used for contract legal services, and up to \$50,000 may be used by the legislative services division for management and administrative expenses.

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

- END -