

HOUSE BILL NO. 108

INTRODUCED BY B. SMITH

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT REAUTHORIZING THE ALLOCATION OF FREE WILD BUFFALO LICENSES TO TRIBES FOR TRADITIONAL PURPOSES; PROVIDING TERMS OF USE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Allocation of wild buffalo licenses to tribes for traditional purposes.

(1) If the commission authorizes the issuance of 40 or more special wild buffalo licenses in any license year, the department shall also issue special licenses to two members of each tribe designated in subsection (3) to hunt wild buffalo during the regular season for wild buffalo in accordance with this section and department rules and regulations. The licenses must be issued free of charge.

(2) Wild buffalo taken with special licenses issued pursuant to this section must be harvested by tribal members FOR TRADITIONAL PURPOSES in accordance with the traditional ceremonies of each tribe. All parts of ~~a~~ wild buffalo taken pursuant to this section ~~MUST BE REMOVED FROM THE SITE OF THE KILL AND~~ may be possessed and used by each designated tribe in the manner that the tribe sees fit. The tribes must be informed of and abide by any rules adopted pursuant to 87-2-730(3)(c) through (3)(i), except that fair chase hunting by tribal members may include hunting conducted on horseback.

(3) Each of the following tribal governments in Montana may designate two tribal members to receive department-issued special licenses for use in accordance with this section:

(a) Assiniboine and Sioux tribes of the Fort Peck reservation;

(b) Blackfeet tribe;

(c) Chippewa Cree Indians of the Rocky Boy's reservation;

(d) Confederated Salish and Kootenai tribes;

~~(e) Crow tribe;~~

~~(f)~~(E) Fort Belknap Indian community of the Fort Belknap reservation;

~~(g)~~(F) Northern Cheyenne tribe; and

~~(H)~~(G) Little Shell Chippewa tribe.

(4) AS USED IN THIS SECTION, "TRADITIONAL PURPOSES" MEANS THE HARVESTING OF BUFFALO BY PLAINS INDIANS THROUGH UTILITARIAN AND SPIRITUAL PRACTICES HANDED DOWN FROM GENERATION TO GENERATION TO OBTAIN FOOD, SHELTER, AND CLOTHING AND TO CONDUCT CEREMONIES AND CELEBRATIONS.

NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 87, chapter 2, part 7, and the provisions of Title 87, chapter 2, part 7, apply to [section 1].

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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