

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



JOHN WALSH
LT. GOVERNOR

April 22, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 396 (HB 396), "AN ACT REQUIRING APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS BEFORE THE DEPARTMENTS OF LIVESTOCK OR FISH, WILDLIFE, AND PARKS MAY AUTHORIZE ANY RELEASE, TRANSPLANTATION, OR RELOCATION OF WILD BUFFALO OR BISON CERTIFIED AS BRUCellosIS-FREE INTO A MONTANA COUNTY; AMENDING SECTIONS 81-2-120 AND 87-1-216, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 396 sets a dangerous precedent by transferring authority for management of certain of the state's wildlife from the state to the counties. Montana's wildlife resources are managed by the state for good reasons, and the soundness of this policy is reflected in current statute in section 7-1-111(12), MCA (prohibiting counties with self-government powers, which includes almost all counties, from exercising any power that applies to or affects fish and wildlife). Management of the public's wildlife should not be parsed out in a confusing manner among 56 counties and along arbitrary political boundaries that have little to do with how fish and wildlife are present on or utilize the landscape.

As an illustration of the problem, HB 396 fails to establish criteria by which counties must make decisions regarding wildlife transplantation, and it provides no appropriate public process for doing so. This would be in contrast to the current process, where wildlife management is defined by science, well-established criteria, and opportunity for public input. HB 396 is not sound public policy.

Finally, HB 396 runs counter to Montana's established laws for disease control and the transport of wildlife and livestock, by allowing county government to exercise veto authority over the transport

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of one particular species. Proper application and harmonization of these laws belongs in the hands of the state veterinarian and state livestock inspectors.

I am committed to ensuring that state government works cooperatively with Montana counties. On April 5, I signed into law SB 249, which further defines "consultation" with respect to the relationship between the Department of Fish, Wildlife & Parks and counties and tribes regarding management of predators and large game species. I have asked the department to carry forward the spirit of SB 249 as it works with counties and tribes on the management of all fish and wildlife.

For these reasons, I respectfully ask for your support in sustaining my veto.

Sincerely,

A handwritten signature in black ink, appearing to be "Steve Bullock", with a long horizontal flourish extending to the right.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Secretary of State