

MEMORANDUM OF UNDERSTANDING

The purpose and intent of this Memorandum of Understanding (MOU) is to define and clarify the terms and conditions underlying an administrative transfer of funds from the Montana Department of Livestock (DOL) to the Montana Department of Fish, Wildlife and Parks (DFWP).

I. RECITALS

1. The DOL is statutorily obligated to exercise general supervision over and, to the extent reasonably possible, to protect Montana's livestock interests from disease. (See 81-12-102, MCA). The DFWP is statutorily obligated to supervise, preserve, and protect Montana's wildlife. (See 87-1-201, MCA).
2. To support and enhance its statutorily mandated efforts concerting Montana's bison population in the GYA, DFWP has requested that DOL transfer \$35,000.00 from its CA funding to DFWP. This funding is necessary to fund a DFWP warden position at .10 FTE including operations, overtime and equipment costs.
3. DOL proposes and intends to provide this \$35,000.00 to DFWP from funds received through the CA.

II. TERM OF AGREEMENT

The DOL annually enters into a Cooperative Agreement (CA) with the United States Department of Agriculture (USDA). Animal and Plant Inspection Service (APHIS). Veterinary Services (VS). This CA allows USDA-APHIS-VS to provide funding to DOL to support and assist DOL's bison management and control efforts in the Greater Yellowstone Area (GYA). The CA, identified by number 11-9730-0124-CA, account number 152-9730-335, depends on Congressional appropriations and has an annual term running from January 1, 2011 through December 31, 2011.

III. UNDERSTANDING

1. DFWP understands that it may expend CA funds received from DOL only to establish the FTE warden position described in paragraph three, above.
2. DOL understands it will administratively transfer \$35,000.00 to DFWP from DOL's CA funds to support the warden position described in paragraph three, above.
3. DFWP understands that annual transfers of funds from DOL to DFWP are absolutely contingent upon DOL's continuing annual receipt of federal funding in accordance with provisions of the CA, and that if federal CA funding is withdrawn, DOL will no longer transfer funding to DFWP pursuant to this MOU.

IV. EXECUTION

The undersigned represent that they each have authority to sign this MOU on behalf of their respective agencies, and that they have each read this MOU, understand its terms and intent, and are each free from the influence of threats, promises, or any form of duress relating to execution of this MOU.

Department of Livestock



Christian Mackay, Chief Executive Officer
Montana Board of Livestock

1/26/11

Date



Dr. Martin Zaluski, DVM
Montana State Veterinarian

1.26.11

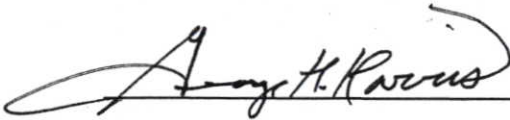
Date

Montana Fish Wildlife and Parks

Joe Maurier, Director
Montana Department of Fish Wildlife & Parks

Date

Approved for Risk Management and Content:



George H. Harris, ARM DOL

1/25/11

Date

Robert Lane, Chief Legal Counsel FWP

Date