February 13, 2021

Chairman Joshua Kassmier, Members of the House Agriculture Committee
Montana House of Representatives
P.O. Box 200400
Helena, MT 59620-0400

Buffalo Field Campaign comments on HB 318: Do Not Pass

Chairman Joshua Kassmier, and members of the House Agriculture Committee,

On behalf of Buffalo Field Campaign, I am submitting testimony on HB 318. Mr. Chairman, I request my testimony be entered into the hearing record. Thank you.

Buffalo Field Campaign opposes HB 318 and the sponsor’s attempt to change the legal definition of wild buffalo or bison in Montana.

HB 318 suffers from the same defects in bills introduced in previous sessions to change the legal definition of wild buffalo that were voted down or vetoed in 2019 (HB 132) and 2013 (SB 305).

HB 318 introduces ambiguity into a legal definition recognized by the Montana Supreme Court in Citizens for Balanced Use v. Montana Fish, Wildlife & Parks Commission: a wild buffalo or bison “has not been reduced to captivity and is not owned by a person.” 2013 MT 166, ¶ 15.

The Sponsor’s definition blurs the distinction of wild buffalo held in public trust (wildlife species) with domestic buffalo owned as private property (livestock).
A century ago, buffalo once owned by a person were reintroduced onto the Northern range and held in captivity on the Lamar Ranch in Yellowstone. Yet, the Central interior range buffalo in Yellowstone is the only herd in the United States that has lived in a wild state since prehistoric times.

Would the two buffalo herds meet all three criteria of HB 318’s new definition of wild buffalo or bison?

Under HB 318, by adding criteria, changing verb tenses, and requiring all three conditions be met, wild buffalo, a species of conservation concern and our National Mammal, would no longer be recognized as wild, and the wildlife species would – by definition – be extinct in Montana.

Legal definitions matter.

The current legal definition is clear: wild buffalo or bison are not ‘owned’ like private property, and free from captivity.

HB 318 is not amenable. Thank you for taking action to recognize there are wild buffalo or bison in Montana by voting to defeat HB 318.

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About Buffalo Field Campaign

Buffalo Field Campaign was founded in 1997 to stop government harassment and slaughter of Yellowstone’s wild buffalo herds, to protect the natural habitat of free-roaming buffalo and native wildlife, and to work with all people—especially Indigenous Nations—to honor and protect the sacredness of the buffalo.

Buffalo Field Campaign’s Hebgen Lake office is located near West Yellowstone, in Gallatin County, Montana. Buffalo Field Campaign is supported by people from Montana and around the world who come to visit the region, advocate for native wildlife and the ecosystems upon which they depend, and enjoy the natural wonders of our irreplaceable public trust lands and waters.

As an organization and on behalf of our members, Buffalo Field Campaign is deeply committed and actively involved in protecting the only remaining descendants of indigenous American bison to continuously occupy their territory in the United States.

Buffalo Field Campaign publicizes the plight of American bison, our National Mammal, works to end their slaughter by government agencies, advocates for the enduring protection of viable populations of migratory buffalo and their freedom to roam.

Buffalo Field Campaign actively engages the American people to honor our natural heritage by allowing buffalo to exist as an indigenous wildlife species in their homelands.

Buffalo Field Campaign volunteers patrol habitat where buffalo migrate in the Yellowstone, Gallatin, and Madison river valleys, including the region’s National Parks and National Forests. These direct experiences with buffalo in their territory inform our actions and strengthen our commitment for gaining permanent protections for the migratory species in the wild.