

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA


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MEMORANDUM

TO: Jon Bennion
Assistant Attorney General

FROM: Dan Villa, Director 
Office of Budget and Program Planning

RE: Fiscal note for initiative to "Prohibit trapping on public lands"

DATE: September 16, 2015

In accordance with section 13-27-312, MCA, we are submitting a fiscal note for an initiative to prohibit trapping on public lands based upon the revised initiative language.

Please contact Amy Sassano if you have questions regarding the fiscal note.

c: ✓ Lisa Kimmet, Deputy
Elections & Legislative Bureau
Secretary of State



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note for Initiative

Bill #		Title:	Restrict Traps and Snares for Animals on Montana Public Lands
Primary Sponsor:		Status:	

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:		unknown	unknown	unknown
Revenue:				
State Special Revenue	\$ -	\$ (61,380)	\$ (61,380)	\$ (61,380)
Net Impact-General Fund Balance:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Description of fiscal impact: This initiative prohibits trapping of wild animals on any federal, state, county, and city-owned lands, including public road rights-of-way, airports, schools, etc. It makes exceptions for the Montana Fish, Wildlife and Parks (FWP) to use or issue permits for use of certain traps for specific issues if certain circumstances are met. Revenue impacts are estimated to be a loss of approximately \$61,380 annually from the reduced sale of trapping licenses.

FISCAL ANALYSIS

Assumptions:

Expenditure Impacts:

1. If this initiative passes, exceptions to the ban on trapping on public lands are allowed to enable MFWP to address wildlife conflicts.
2. Before FWP, or permittees authorized by FWP, could address these conflict situations (exceptions described in Section 4(2)), FWP staff would be required to respond to each individual complaint. These tasks would require substantial staff time, necessitating additional FTE and financial resources for FWP. However, these impacts cannot be reasonably quantified at this time. The tasks include:

Fiscal Note Request – (continued)

- a. Verify its validity and to examine on-site evidence, potentially multiple times, to verify that the animal has caused ongoing injury or damage persons, property or livestock.
 - b. Verify that reasonable use of alternative methods was employed before trapping of a problem animal could occur.
 - c. Install and maintain beaver flow devices on publicly owned lands and road right-a-ways.
 - d. Track each complaint including documentation of on-site evidence, use of alternative methods, and disposition of any animal that was captured.
3. Conflicts on public lands associated with livestock depredations could be addressed by USDA Wildlife Services if permitted by FWP and if the livestock owners first employ alternative methods.
 4. Since the last trapping initiative was reviewed, FWP has endorsed Patch Occupancy Modeling (POM) to monitor wolf population numbers. The agency’s plan is to use this model exclusively for our wolf monitoring data. This model relies on documented presence of wolves from 1) a radio-collared pack, 2) hunter harvest, or 3) trapper harvest. Trapping provides 30% of the documented presence data that FWP uses for POM. This initiative would require the agency to replace this data in order to provide sufficient precision on wolf population estimates, ensuring their populations do not decline to the point of requiring federal listing again. Replacing this data would require additional expenses to capture and radio-monitor wolves on public lands. This will be accomplished with more helicopter time, additional wolf specialists, along with additional radio-collars. The cost to the state of Montana is not known at this time but could be significant.

Revenue Impacts

5. It is assumed that current licensed trappers will trap on public land or private land, but not both.
6. There have been no studies to determine whether trappers on public land will switch to trapping on private land as a result of the proposed change in law. Trapping on private land requires permission of the landowner and is not as readily available as trapping on public land. For the purposes of this fiscal note, it is assumed that licensed trappers that trap on public land will not trap on private land if the opportunity to trap on public land is lost.
7. There have been no studies to determine how many current trappers trap on public land. For the purposes of this fiscal note, it is assumed the percentage of licensed trappers that trap on public land is approximately proportionate to the public land available relative to private land.
8. In some regions, there are large areas of private land not open to trapping and, therefore, the percentage of licensed trappers trapping on public land is assumed to be higher. Region 1 is an example of a region where access to private land is limited, public lands are more prevalent, and the percentage of trapping on public land is assumed to be higher.
9. The effective date of the initiative is assumed to be early November 2016, or FY 2017. It is assumed that trappers that trap on public lands will not purchase a license in FY 2017 unless or until they know the initiative has passed, making the license invalid on public land.
10. The following table shows the impact by FWP regions across the state.
11. With these assumptions, FWP will not realize \$61,380 of revenue annually if this initiative is passed.

FWP Region	Public Land (Acres)	Total Land (Acres)	Percent of Public Land	Estimated % of Trappers using Public Land	FY2015 Trapping License Sales	Reduced Trapping License Sales w/o Public Land	Loss of Revenue (@ \$20/lic)
1 Kalispell	6,208,850	8,536,158	73%	90%	1,043	939	\$18,780
2 Missoula	4,703,203	6,751,967	70%	70%	850	595	\$11,900
3 Bozeman	6,967,654	12,480,777	56%	50%	1,247	624	\$12,480

Fiscal Note Request – (continued)

4 Great Falls	4,843,432	17,532,587	28%	30%	736	221	\$ 4,420
5 Billings	2,090,937	11,280,894	19%	30%	897	269	\$ 5,380
6 Glasgow	4,682,584	17,909,510	26%	50%	241	121	\$ 2,420
7 Miles City	4,519,146	19,542,632	23%	50%	599	300	\$ 6,000
TOTAL	34,015,806	94,034,525			5,613	3,069	\$61,380

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Fiscal Impact:				
<u>Expenditures:</u>	0	unknown	unknown	unknown
TOTAL Expenditures	<u>\$ -</u>	<u>unknown</u>	<u>unknown</u>	<u>unknown</u>
<u>Funding of Expenditures:</u>				
General Fund (01)				
State Special Revenue (02)				
TOTAL Funding of Exp.	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<u>Revenues:</u>				
General Fund (01)				
State Special Revenue (02)		\$ (61,380)	\$ (61,380)	\$ (61,380)
TOTAL REVENUES	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	\$ -	\$ -	\$ -	\$ -
State Special Revenue (02)	\$ -	\$ (61,380)	\$ (61,380)	\$ (61,380)