

FISH AND GAME COMMITTEE

January 13, 1977

The committee was called to order at 11 a.m., with all members present except Representative Ellis, who was excused.

House Bill 76 was discussed. Rep. Mular, chief sponsor, said this bill would make the mourning dove a migratory game bird. Senator Frank Dunkle appeared before the committee as a proponent of the bill. He said the doves are excellent shooting for sportsmen--it takes an average of a box of shells to kill 2 of them. There are problems between landowners and sportsmen because the season for doves is during harvest, but the length of the season could be shortened to take care of this problem. Mr. Wed Woodgerd presented prepared testimony in favor of the bill (attached). There were no opponents.

House Bill 126 was discussed. Rep. Rudaily, chief sponsor, said he was requested to submit this legislation because there is a growing problem of dogs chasing elk and deer, especially when there is deep snow or ice. There is a law giving landowners the right to shoot dogs that chase livestock. The people of Montana have a stake in game animals and they should be able to destroy game-chasing dogs, too. On page 3, the changes in (5) are clarification and recodification language. The substantive change is contained in subsection (b) on page 3, and it is taken verbatim from Idaho law.

There were no opponents. The committee went into executive session to consider the bills.

Rep. Seifert moved that House Bill 76 DO PASS. The motion was seconded and passed unanimously.

Regarding House Bill 126, the Chairman read 46-1916 and 46-1917 (attached) which are about destroying dogs that chase livestock. Rep. Seifert moved that House Bill 126 DO PASS. Rep. Ellison mentioned the possible addition of the language that would give the landowner the right to destroy dogs chasing game animals on their property. Mr. Woodgerd said that he did not know that it was in the Idaho law, but he would check and report back to the committee. Rep. Ellison then made a substitute motion to pass the bill for the day. The substitute motion passed unanimously.

Rep. Ellison moved that the proposed amendments (attached) to House Bill 44 be adopted. The motion was seconded and passed unanimously. He then moved that House Bill 44 DO PASS AS AMENDED. The motion passed unanimously.

There being no further business, the meeting adjourned at 11:30 a.m.

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JOHN B. STAIGNILLER, Chairman