

MINUTES
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

January 28, 1977

The seventh meeting of the Fish and Game Committee was called to order by Chairman Dunkle at 8:00 A.M., in Room 405 of the State Capitol Building.

ROLL CALL: All members were present.

CONSIDERATION OF SB 148: An act to prohibit use of vehicles, including helicopters, to harass wildlife.

Senator Warden, chief sponsor of the bill, spoke in its favor, stating that the prime importance of the legislation would be to add helicopters; she urged its support.

Mr. Wes Woodgerd of the Montana Fish and Game Department, spoke in support of SB 148, saying it is a needed piece of legislation to prevent intentional disturbance of wild animals. (Attachment #1)

Chairman Dunkle opened the meeting to discussion.

Senator Warden asked what the status of the bobcat would be if SB 47, which as amended would make the bobcat a fur-bearer, did not pass, and SB 148 did. Mr. Woodgerd said the bobcat would remain a predator.

Senator Lowe presented a written statement recommending approval of SB 148, received from Mr. Ralph Holman, Chairman of the Legislative Committee of the Montana Outfitters and Guides Association. (Attachment #2)

DISPOSITION OF SB 148: Senator Lowe made a motion to pass the bill. The motion was seconded by Senator Warden. SB 148 carried a unanimous vote of DO PASS.

CONSIDERATION OF SB 169: Senator Lowe spoke on SB 169, an act to prohibit the use of recorded or electrically amplified calls as an aid in taking any wildlife, except predatory animals and nonprotected birds, amending section 26-301, R.C.M. 1947.

Senator Lowe urged passage of this bill and mentioned that Mr. Ralph Holman, Chairman of the Legislative Committee of the Montana Outfitters and Guides Association, wished to testify in support of SB 169, but was unable to attend the hearing. His written statement was presented by Senator Lowe. (Attachment #3).

SUGGESTED AMENDMENT: Senator Lowe suggested that on page 2, section 1, line 13 of the bill, all words should be stricken, with the following insert: "those birds not protected by state or federal law."

Mr. Wes Woodgerd of the Montana Fish and Game Department, stated the Department supported the bill.

DISPOSITION OF SB 169: Senator Lowe made a motion to to accept the amendment. Senator Bergren seconded the motion, and it carried unanimously.

Senator Manley wanted it recorded that he is opposed to the early bugle season.

Senator Warden made a motion that SB 169 DO PASS AS AMENDED. The motion was seconded by Senator Bergren and passed unanimously.

Senator Dunkle turned the meeting over to Senator Warden, Vice-Chairman.

CONSIDERATION OF SB 177, an act for the general revision of laws relating to snowmobiles, and adding authorization for nonresident temporary-use permits.

Mr. Ken Hoovestol, Chairman of the Legislative Committee of the Montana Snowmobile Association, spoke, explaining the proposed amendments to the bill (Attachment #4).

Senator Lowe asked where a person would purchase a non-resident use permit. Mr. Woodgerd of the Montana Fish and Game Department responded, saying the Department's intent was to provide this permit for the tourist and it would be made available at Fish and Game license dealerships.

Mr. Everett Woodgerd of Missoula spoke, representing the Montana Snowmobile Association, stating he felt that the laws should be clarified. Mentioned page 11, lines 5 through 7. Mr. Woodgerd say all is organization is asking for is access.

Senator Warden asked if there were any opponents to the bill.

Senator Manley asked that the record show he was opposed to the bill. He mentioned page 2, line 22 of the bill and said he did not feel private land could be involved and objected to its being involved. He mentioned that his feeling was the Montana

Fish and Game Department did not have the right to tell a landowner whether or not he could let people on his land.

CONSIDERATION OF SB 177: Senator Manley made a motion to amend the bill as follows: Strike "or private" (page 2, line 23). Senator Smith seconded this motion. There was no further discussion on it.

MOTION BY SENATOR LOWE to amend page 2, line 23 as recommended by Senator Manley. The motion was seconded by Senator Smith and carried unanimously.

Mr. Hoovestol said the intent of the bill was to provide a service for the tourist. He said this would apply only to snowmobiles that are unlicensed in another state, and that we should be neighborly and give nonresidents the opportunity to come to Montana and enjoy our country.

Senator Bergren said he didn't feel the legislature should pass this law; he felt the Park Service should take care of it, since Yellowstone Park is the major area of concern. He asked if enough revenue would be generated to enforce the law.

Mr. Hoovestol replied in the affirmative.

Senator Dunkle asked that the committee reconsider this after getting together again with the Fish and Game Department and working out some of the objections to it.

Senator Warden requested a fiscal note on the bill. The committee decided unanimously to reconsider the bill at a later date.

ADJOURNMENT: Senator Warden, Vice-Chairman, adjourned the meeting at 9:25, A.M.


SENATOR FRANK DUNKLE, CHAIRMAN