

MINUTES

FISH AND GAME COMMITTEE

MONTANA STATE SENATE

March 14, 1977

The twentieth 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 HB 256, an act to require taxidermists to keep records of all dead wildlife mounted, preserved, or prepared by them.

Representative Joesph Quilicy, Chief Sponsor of the bill, spoke, saying its intention was simply to require an accurate and up-dated accounting of animals in possession of taxidermists.

Mr. Wes Woodgerd of the Montana Fish and Game Department said the bill is supported by the Department, and he hoped the committee would give it a good recommendation. (Attachment #1).

Senator Manley asked if the Fish and Game Department could inspect these records without a search warrant. Mr. Woodgerd said this is presently the case and would continue to be the same.

Chairman Dunkle asked if there were any other questions.

Senator Lowe wondered what the penalty would be for violation of this law. Representative Quilici responded that the penalty for violation would come under the jurisdiction of the courts.

DISPOSITION OF HB 256: Senator Galt made a motion that HB 256 BE CONCURRED IN. The motion was seconded by Senator Bergren and carried unanimously.

CONSIDERATION OF HB 299, an act to prohibit hunting the same day following a flight to locate game and the use of citizen band radios for hunting, and the use of aircraft, including helicopters, for transporting hunters, hunting equipment, or wildlife and harassing certain wildlife.

The proposed amendments were presented by Chairman Dunkle. (Attachment #2).

Senator Smith made a motion to adopt amendment #5.

Senator Dunkle explained that the purpose of the bill is to prohibit people from flying into high mountain lakes, leaving people there to hunt for a day or two, and then returning to pick them up.

Senator Lowe stated he thought this was a very poor bill.

Mr. Wes Woodgerd said the Fish and Game Department can close an area to hunting on 48 hours notice, and that outfitters and guides are using helicopters more and more to transport clients.

Senator Lensink felt we should keep two things separate; the spotting of game and communicating its whereabouts.

Senator Manley said he thought there should be a death penalty for harassing game animals with helicopters. He asked if the committee could keep the bill. Debbie Schmidt said the committee could ask Representative Staigmiller if we could kill this bill and pass SB 148, which is a similar bill. Senator Dunkle polled the committee and it was agreed to do this.

Senator Dunkle mentioned that Mr. Ralph Holman, Legislative Chairman of the Montana Outfitters and Guides Association, would be interested in this matter, and that he would contact him in regard to it. Mr. Holman had provided the committee with a statement on HB 299. (Attachment #3).

Senator Manley felt we must make a concentrated effort to protect wild animals from motor vehicles and that we should make all vehicles off a county road illegal. Senator Warden mentioned motorcycles running game until they almost drop from exhaustion.

ADJOURNMENT: There being no further business to discuss, Senator Dunkle adjourned the meeting at 8:50 A.M.



SENATOR FRANK DUNKLE, CHAIRMAN

ROLL CALL

FISH AND GAME COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 10/18/97

STANDING COMMITTEE REPORT

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MR. **PRESIDENT**.....

We, your committee on **FISH AND GAME**.....

having had under consideration **HOUSE**..... Bill No. **256**.....

Respectfully report as follows: That **HOUSE**..... Bill No. **256**.....

third reading bill,

BE CONCURRED IN

DD:PAKX

BM

ATTACHMENT #1

Statement in Support of HB 256
Department of Fish & Game -- Wes Woodgerd, Consultant

Experience has taught the department that the existing taxidermist law is inadequate to properly license and administer this industry. Some of the rarer species of wildlife (grizzly bear and mountain sheep) are becoming increasingly valuable as trophies and the temptation to evade the law is becoming more attractive.

This bill has been extensively reviewed by taxidermists, outfitters and guides, and sportsmen's groups and seems to be satisfactory to everyone.

This amendment would require a taxidermist to keep a written record of all wildlife in his possession or control and could not legally have a bunch of specimens that "someone brought in" or "just picked up somewhere". This proposed amendment also offers protection to the legitimate taxidermist seriously engaged in the business.

ATTACHMENT #2

HB 299

PROPOSED AMENDMENTS

Amend third reading copy as follows:

1. Amend page 1, title, line 6.

Following: "DAY"

Insert: "as"

Strike: "FOLLOWING"

2. Amend page 1, title, line 7.

Following: "~~PROHIBIT~~"

Strike: "THE USE OF CITIZEN BAND RADIOS FOR HUNTING AND"

3. Amend page 1, section 1, line 23.

Following: "light,"

Strike: "citizens' band radio,"

4. Amend page 1, section 1, line 25

Following: "light,"

Strike: "citizens' band radio,"

5. Amend page 3, section 1, line 12

Following: "flight"

Insert: ", except when persons or cargo are loaded and unloaded at federal aviation agency approved airports, aircraft landing fields, or heliports which have been established on private property or which have been established by any federal, state, county, or municipal governmental body."

This testimony is given on behalf of the Montana Outfitters and Guides Association.

For several years we have watched with growing concern the increased use of aircraft, including helicopters, for hunting and fishing purposes, planes and choppers are now quite often used to spot game and then to radio location to hunters on the ground or land either in the field or return to the airport and then proceed to where the game was located. Trophy animals have even been shot from a helicopter while hovering overhead.

Helicopters are now being used quite extensively to fly fishermen into back country lakes for fishing, they will fly you in early in the morning and back out that evening if wanted or leave you in there for several days. In 30 minutes you and your equipment can be at a high country lake that would take you a day to reach by horse back or back pack. Fish numbers in many lakes have been seriously depleted due to over fishing, especially some of the Golden Trout lakes. A few years ago when A. C. M. were using helicopters on mineral exploration in the Boulder River country south of Big Timber, on several occasions chopper pilots offered to fly me to different locations if I would show them the good lakes; I refused but others accepted thier offer.

Hunting and fishing in Montana has reached the point where we desperately need to restrain in order to preserve. Seriously depleted game herds need all the protection they can get to avoid further depletion.

Some Outfitters and some hunters have started moving camps, equipment, hunters and game in and out of the back country by helicopter and this is catching on fast. "It's almost an instant hunt".

We could soon have regular fly in service and our fish and game cannot withstand the added pressure.

At our December Convention this subject was thoroughly discussed and considerable concern was expressed. It was the unanimous decision of M. O. G. A. to recommend the provisions of this bill. The door is left open for emmergency use, for predator control and for flying to and from regular established air fields and heliports.

We firmly believe that, an invaluable resource of Montana, our fish and game, will greatly benefit from this bill when it becomes law. Consider too that most Western states have similar laws, in one form or another, restricting or making it unlawful to use air craft including helicopters for hunting or fishing purposes.

Thank you,

Montana Outfitters and Guides Assoc.

By Ralph M. Holman
Chairman Legislative Committee

P.S. Predator control, search and rescue, and emergency conditions are excluded from the bill to permit use under these circumstances.