

HOUSE FISH AND GAME COMMITTEE

March 6, 1979

The meeting was called to order by Chairman Staigmilller at 12:30 p.m. with all members present except Representatives Conroy and Marks.

SENATE BILL NO. 501

SENATOR MARK ETCHART, Chief Sponsor, explained that this bill would provide penalties and make it unlawful to damage livestock with traps or snares. The main reason for this bill is to protect the livestock from those people that are snaring coyotes. They leave the snares unattended and livestock is getting caught in them. These snares only cost about 30 cents a piece to make, so often they are set and not checked on or left completely. They are catching cattle and horses in them. He showed the committee a picture of a snare trap and what happens when a cow is caught in one.

PROPONENTS:

WAYNE PUTZ, Glasgow Montana, rose in support of the bill. He showed the committee pictures of cattle's legs after they had been caught in a snare. The problem is that these people are leaving the traps in the fields and not picking them up. The results being a loss of an 800 pound cow.

He concluded stating that because the snare is so cheap to make they are not properly checked.

ERWIN KENT, Department of Fish and Game, rose in support of the bill on behalf of the Department.

Questions were asked by the committee and the hearing on SB 501 was closed.

SENATE BILL NO. 227

SENATOR ED SMITH, Chief Sponsor, introduced the bill. He explained that the reason for the bill was the amount of land that the United States Fish and Wildlife Service have been purchasing. He submitted an article where the Fish and Wildlife was a bidder on a farm in Sheridan County. (article attached) Since the introduction of the bill the bid has been withdrawn. The problem is that they are buying good agricultural farm lands when all they need is the ponds and marsh areas on those farms. There has been 8000 acres of land acquired in Sheridan County, two complete farms and they are leasing 5000 acres. He proposed an amendment to the bill as follows:

1. Title, line 9.

Following: "ACQUISITIONS"

Insert: "IN FEE"

2. Page 1, line 15.

Following: "for"

Strike: "approval"

Insert: "review"

3. Page 1, line 17.  
Following: "acquisitions"  
Insert: "in fee"

The reasons for the amendments was that the intent of the bill was to stop the selling of farms not leasing, this amendment will specify that.

"I have the support of the County Commissioners and other farm organizations."

He stated that money for land acquisition comes from the federal duck stamps. These stamps were \$5 each, in the last two months they have been raised to \$7.50 each. When they have this kind of money it makes it hard for the farmer to bid against them. This bill will require a public hearing on these lands before sale. This way the farmer is aware of the sale and has an opportunity to bid on the ground. Our hopes are that it can be worked out so the farmer can buy the agricultural land and the Fish and Wildlife buy the ponds and marsh areas.

Staff Attorney, Jim Lear, stated that the bill needed a codification section added.

Questions were asked by the committee and the hearing on SB 227 was closed.

#### SENATE BILL NO. 342

SENATOR ED SMITH, Chief Sponsor, introduced the bill. He explained that the problem with the nonresident hunters coming into Montana and trapping predatory animals that are not in their prime. Most of them do their trapping at night. If they are caught the most they can be fined, under present law, is \$25. They are not required to buy a license. Under SB 342 they will have to purchase a license for \$250 and will not be permitted to trap before October 15. "I feel that if they are going to come into our state they should have to contribute."

#### PROPONENTS:

ED TYANICH, representing himself, stated that this has become a severe problem in Montana. Some states do not allow out of state trappers at all into their states. Some of these states are Arkansas, Minnesota, Missouri, Oregon, West Virginia, North and South Dakota, and Wisconsin. They felt that if they were not allowed to hunt in other states these people should not be allowed to hunt in our state and take our furs. Under this bill, if a state does not sell licenses to nonresidents, they will not be allowed to purchase a nonresident license in Montana. Our problem is the nonresidents are trespassing and taking fox and coyotes before they are in their prime. One rancher said that 60 to 100 fox had been taken from his ranch starting in September, without permission.

WARD WITTE, Resident Trapper, stated that they have not gained anything from letting these nonresidents trap but bad trapper/rancher relationships.

FLETCHER NEWBY, Department of Fish and Game, rose in support of the bill on behalf of the Department.

Questions were asked by the committee.

SENATOR SMITH closed by stating that the value of the pelts that are taken in the early season are not worth half as much as they are later when they are in their prime. We hope to prevent the taking of these pelts by the passage of this bill. "I urge the committee's support."

EXECUTIVE SESSION:

SENATE BILL NO. 227

Representative Keedy moved, TO AMEND, by reinstating section 3, page 3, lines 1 through 5. The motion was carried unanimously.

Representative Keedy moved, TO AMEND, as follows:

1. Title, line 9.  
Following: "ACQUISITIONS"  
Insert: "IN FEE"

2. Page 1, line 15.  
Following: "for"  
Strike: "approval"  
Insert: "review"

3. Page 1, line 17.  
Following: "acquisitions"  
Insert: "in fee"

The motion was carried unanimously.

Representative Thoft moved, BE CONCURRED IN AS AMENDED. The motion was carried unanimously.

Representative Keedy will carry SB 227, on the House floor.

SENATE BILL NO. 342

Representative Daily moved, TO AMEND, changing the license fee form \$250 to \$500. The motion failed.

Representative Hirsch moved, TO AMDND, by adding a codification section. The motion was carried unanimously.

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Representative Metcalf moved, BE CONCURRED IN AS AMENDED. The motion was carried unanimously.

SENATE BILL NO. 501

Representative Johnson moved, NOT BE CONCURRED IN. The motion was carried 11 to 4. Opposed: Jensen, Ellis, Ellison, Curtiss

SENATE BILL NO. 134

Representative Thoft commented that he felt that at our last meeting we took a good bill and made a mess out of it. "I requested Chairman Staigmilller to hold the bill until this meeting so we could reconsider our actions."

Representative Jensen moved, TO RECONSIDER ACTION. The motion was carried unanimously.

Representative Ellison moved, BE NOT CONCURRED IN. The motion failed 7 to 7. Opposed: Curtiss, Daily, Keedy, Metcalf, Robbins, Schultz, Thoft

Representative Metcalf moved, TO PUT THE BILL BACK TO ITS ORIGINAL FORM WITH THE FOLLOWING AMENDMENTS:

1. Page 1, line 15.  
Following: "purchase"  
Insert: "a"  
Following: "deer"  
Strike: "and"  
Insert: "or"

2. Page 1, line 16.  
Following: line 15  
Strike: "licenses"  
Insert: "license"

3. Page 1, line 17.  
Following: "such"  
Strike: "licenses"  
Insert: "license"

The motion was carried with Representatives Staigmilller and Ellis opposed.

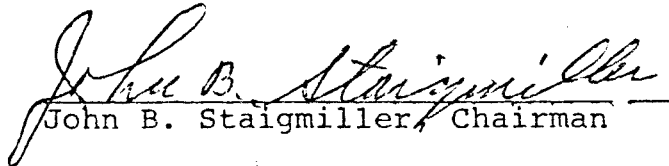
Representative Metcalf moved, BE CONCURRED IN AS AMENDED. The motion was carried 9 to 5. Opposed: Hirsch, Johnson, Ellis, Manuel, Jensen

The following Representatives will carry these Senate Bills on Second Reading on the House floor:

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Representative Ken Robbins - SB 134  
Representative Schultz - SB 342

The meeting was adjourned at 2:05 p.m.

  
John B. Staigmilller, Chairman

Judy J. Mook, Secretary