

MINUTES OF THE MEETING OF THE FISH AND GAME COMMITTEE
February 24, 1981

The meeting was called to order at 12:30 p.m. by Chairman Ellison. All committee members were present except Representative Bennett who was excused.

HOUSE BILL 796

Representative Richard Manning, sponsor of HB 796, told the committee HB 796 was an act requiring the issuance of a certificate of ownership for certain watercraft and changing the expiration date of a certificate of number to January 1 of each year.

Representative Manning gave copies of proposed amendments to HB 796 to each committee member. (EXHIBIT 1)

There were 3 proponents to HB 796 and no opponents.

Proponents

Ken Hoovestal, representing The Montana Trade Association, spoke in support of HB 796. (EXHIBIT 2)

Irwin Kent, Administrator of the Law Enforcement Division, Department of Fish, Wildlife, and Parks (F, W, & P), said the passage of HB 796 would aid in the recovery of stolen boats.

Jim Hughes, representing himself and the Canyon Ferry Yacht Club, said he concurred with the nature of HB 796.

Bud Shoen, Chief of the Registrar's Bureau, Department of Justice, said he is neither for nor against HB 796. Mr. Shoen gave the committee some statistics concerning the number of boat licenses sold each year and the number of used boat sales each year.

Representative Manuel asked Ken Hoovestal if he would rather put the amendments in the Senate Fish and Game Committee hearing for HB 796. Mr. Hoovestal said he thought the amendments could be acted on by this committee and the amended bill could be printed and acted on by the House of Representatives before transmittal date.

Representative Manning closed by saying he doesn't own a boat but he sees the need for HB 796.

The hearing on HB 796 was closed.

HOUSE BILL 806

Representative Rex Manuel, sponsor of HB 806, said this was a committee bill from the Senate Fish and Game Committee. Representative Manuel said HB 806 is an act to increase the amount of money that may be used for operation, development, and maintenance of fishing accesses.

Representative Manuel said the subcommittee on appropriations for the F, W, & P did not think 15% of the funds collected from fishing licenses sold each year was enough to cover the operation, development and maintenance of fishing accesses. The bill was amended to read 50% of the funds instead of 15%.

There were 2 proponents of HB 806 and no opponents.

Proponents

Robert Van Der Vere, a concerned citizens lobbyist, said he supports HB 806. He thinks F, W, & P needs the extra money and there is no reason why they should not have the extra money.

Mr. Jim Flynn, Director of F, W, & P, spoke in support of HB 806. He passed out copies of a prepared statement to committee members. (EXHIBIT 3)

Chairman Ellison asked how much more money would be raised for the F, W, & P. Representative Manuel said approximately \$360,000 total funds would be used for fishing accesses.

The hearing was closed on HB 806.

HOUSE BILL 787

Representative Robert Anderson, sponsor of HB 787, told the committee this bill is an act providing for a nongame wildlife council, a nongame wildlife account, and funding through a voluntary nongame wildlife contribution checkoff on income tax forms.

Representative Anderson said the 1973 legislature passed a nongame act and this bill would provide funding of that act.

Representative Anderson said, with the passage of this bill, a checkoff box would be added to the state income tax form. He said there would be no general fund money put into this account. HB 787 would also provide for a nongame council. The council would consist of 5 members. Two of the members would be from agriculture groups, two of the members would be from wildlife groups and there would be one neutral member. Representative Anderson said this council would report each biennium to the

legislature on the use of the funds from this account.

There were 13 proponents and 8 opponents of HB 806.

Proponents

Mr. Flynn told the committee the F, W, & P is in support of HB 787. He passed out copies of his written testimony to committee members. (EXHIBIT 4)

Wilbur Rehmann, Executive Director of the Montana Wildlife Federation, said he supports HB 787. He said this bill would provide for a new and better way to provide funding for nongame and will help sportsmen in alleviating an already heavy financial burden.

Gene Hickman spoke in support of HB 787. He said nongame wildlife is also known as watchable wildlife. He feels the nongame program is an approach to wildlife management. HB 787 is not a measure to buy lands for sanctuaries. Mr. Hickman said the nongame program will probably be cut by 1982 if the nongame act is not funded.

Bob Carroll, representing the Montana Chapter of the Wildlife Society, passed out copies of his prepared statement to the committee. (EXHIBIT 5)

Tag Rittel, a rancher, read a prepared statement to the committee. (EXHIBIT 6)

Bill Dunham, representing Trout Unlimited, testified in support of HB 787. (EXHIBIT 7)

Lance Olson spoke in support of HB 787. He said other states have tried other methods of funding nongame acts, and this is the only workable method. HB 787 would allow sportsmen to support an issue they believe in.

Alfred Elwell, representing the Prickly Pear Sportsmens' Association, testified in support of HB 787. He said this fund is entirely voluntary. He endorses and supports HB 787.

Noel Rosetta, a retired forester and range manager, read a prepared statement in support of HB 787 to the committee. (EXHIBIT 8)

Mark Meloy, representing Montana Small Business Associations, said he feels HB 787 would be good for tourism in Montana. He said there should be a program which would provide more information concerning nongame to tourists.

Janet Ellis, testifying in support of HB 787, said she has done research on the nongame bill. Ms. Ellis said the administrative costs to the Department of Revenue would be small. The initial investment would be \$4,000 to set up a computer program and the maintenance of the program would be a small amount.

Ms. Ellis told the committee there are seven states that have the checkoff measure on the tax forms. She said Montana has a mandate to have this nongame program.

Ms. Ellis spoke about other groups trying to get the same type of checkoff on tax forms. She said the legislature has the final word in allowing this type of system.

Ms. Ellis said there has been a number of animals that have come into Montana and they should be studied.

Ms. Ellis passed out copies of EXHIBIT 9 to committee members.

Bill Sternhagen said he has been on a nongame council. He said there is confusion between what is nongame and what is endangered species. Mr. Sternhagen said this bill has nothing to do with endangered species.

Gael Bissell, representing the Montana Audubon Council, read a prepared statement to the committee. (EXHIBIT 10)

Opponents

Robert Van Der Vere, a concerned citizens lobbyist, spoke in opposition to HB 787. He said HB 787 would put another "arm" in the government. He thinks everyone will want to have a checkoff on the tax forms for their groups.

Joe Helle, a rancher, read a prepared statement to the committee. (EXHIBIT 11)

Jo Brunner, testifying on behalf of Women Involved in Farm Economics, read a prepared statement to the committee. (EXHIBIT 12)

Donald Johannsen testified in opposition to HB 787. (EXHIBIT 13)

Mons Teigen, representing the Montana Stockgrowers Association, the Montana Cowbells and the Chamber of Commerce, spoke in opposition to HB 787. (EXHIBIT 14)

Gordon Arlington, testifying in opposition to HB 787, said he would like to see less money taken from taxpayers. He also said he would like to see less government involvement in agriculture life. Landowners, realistically, will be affected.

Don Allen, Executive Director of the Montana Petroleum Association, said no one who understands the problems dealing with oil and gas exploration would be involved in the council.

Ken Hoovestall, representing the Montana Snowmobilers Association, testified in opposition to HB 787. He said there could be a potential possibility of the closing of recreational lands if HB 787 is passed.

Questions from the committee were heard at this time.

Representative Roush asked Representative Anderson if he would object to deleting portions of Section 2, on page 2. Representative Roush asked about deleting all of subsections (a) and (b) and deleting "or man-made" from subsection (d). Representative Anderson said that part of the act needs clarification because that doesn't concern nongame problems. He said that portion of the act is the old law.

Representative Nilson asked Gene Allen, Administrator of the Wildlife Division, F, W, & P, what he thought the future of nongame wildlife would be if the funding was not approved. Mr. Allen said whether or not there is a nongame program or the funding, nongame will still be there. Mr. Allen said the program will be scaled down and F, W, & P won't do as much on inventories and surveys of nongame.

Representative Feda asked if these studies can't be done under the present wildlife and habitat controls. Mr. Allen said yes and no. F, W, & P does some nongame work in conjunction with other surveys. But, he said, there is no way you can get an identification of smaller creatures you do not see very often.

Representative McLane asked Gael Bissell how many members there are in the Audubon association. Ms. Bissell said the Audubon Council is a private non-profit citizens group who have a concern for wildlife. It is not the responsibility of the council to fund a state program. She said the council will donate to this fund.

Chairman Ellison said he has a problem with the way the proposed council is set up. He said it looks like another division within F, W, & P. He asked Mr. Flynn if F, W, & P will ask for more money for this council. Mr. Flynn said no.

Representative Anderson told the committee the tax checkoff is working well in other states. The program has been tried and tested in other states and it is a good method. He said the bill will not affect the management of species harmful to ranchers. There are other laws that allow for eradication and control of predators.

Representative Anderson told the committee if they have a problem with the idea of a nongame council, the committee could strike that section from the bill.

Representative Anderson said we have a responsibility to all aspects of society and all species on this earth. To ignore that is to ignore a basic part of our lives.

The hearing on HB 787 was closed.

At this time the committee went into EXECUTIVE SESSION.

HOUSE BILL 796

Representative Roush moved HB 796 DO PASS.

Representative Burnett suggested the proposed amendments go to the Senate Fish and Game Committee.

The motion was voted on and PASSED unanimously.

HOUSE BILL 806

Representative Manuel moved HB 806 DO PASS.

The motion was voted on and PASSED unanimously.

HOUSE BILL 787

Representative Feda moved HB 787 BE TABLED.

Representative Mueller made a substitute motion that HB 787 DO PASS. He said he feels there are enough checks and balances to take care of any concerns with this bill. Representative Mueller said the nongame law has been on the books for 8 years and there should be funding provided for this law.

Representative Feda said he is opposed to the checkoff system. He said the public will not know what they are spending their money for.

Representative Mueller's motion of DO PASS was voted on. A roll call vote was taken and the motion FAILED. Those voting "aye" were Representatives Daily, Hart, Mueller, Nilson, Phillips and Robbins. Those Representatives voting "no" were Ellison, Burnett, Devlin, Feda, Jacobsen, Jensen, McLane, Manuel, Ryan and Roush.

The committee decided to reverse that vote for the TABLED motion.

HB 787 was TABLED.

The meeting was adjourned at 2:45 p.m.



ORVAL ELLISON, Chairman

vml

PROPOSED AMENDMENTS HB 796

1. Page 4, line 6.
Following line 5
Strike: line 6 in its entirety
2. Page 4, line 7
Following line 6
Strike: "canoes and kayaks,"
Insert: "No motorboat, or sailboat over 1,000 pounds in weight"
3. Page 4, line 10
Following: "The owner of"
Strike: "the"
Insert: "a"
Following: "vessel"
Insert: "subject to the provisions of subsection (1)"
4. Page 4, line 20
Following: "vessels"
Insert: "subject to the provisions of subsection (1)"
5. Page 5, line 20
Following: "vessel"
Strike: "under 11 feet in length or a canoe or kayak"
Insert: "not subject to the provisions of subsection (1)"
6. Page 5, line 25
Following: "ownership"
Strike: "to a registered vessel"
Insert: "as required by [section 2]"
7. Page 6, line 7
Following: "resides"
Strike: "and"
Insert: ". In the case of a motorboat, the transferee must"
Following: "registration"
Strike: "of" Insert: "pursuant to 23-2-512."
8. Page 6, line 8
Following: Line 7
Strike: "the vessel."
9. Page 6, line 18
Following: "vessel"
Insert: "subject to the provisions of [section 2]"
10. Page 6, line 20
Following: "to"
Strike: "register the vessel"

11. Page 6, line 21

Following: "ownership"

Insert: ", and in the case of a motorboat to register it"

12. Page 7, line 2

Following: "vessel"

Insert: "subject to the provisions of [section 2]"

13. Page 8, line 1

Strike: line 1 in its entirety

14. Page 12, line 15

Following: "chapter 2,"

Insert: "parts 1 and 5,"

Testimony in Favor of HB 796

Submitted by Ken Hoovestol representing The Montana Marine Trade Association

This bill is important for two reasons based on one simple fact. Presently there is no proof of ownership on boats in Montana. This is the point I do not want publicized because I don't want the general public to realize they only have a few more months to safely steal boats. The only deterrent now is man's basic honesty. I will illustrate with this scenario: A person could simply go and hook on to somebody's boat, go down to the courthouse and register it in his name since no proof of ownership is required for registration. That person now has more current documentation than the rightful owner. It becomes simply his word against theirs.

The second major reason for this bill is to make it easier, and in some cases possible, for the consumer to buy boats. Since there is no proof of ownership, financial institutions cannot use the boat itself as collateral. A loan to buy a boat boils down to nothing more than a signature loan.

We have met with Bud Shoen of the Department of Motor Vehicles to get his help in the wording of this bill to insure that it will easily adapt to their present system. Mr. Shoen assures us that the wording of House Bill 796 will not require any significant change in his operation.

HB 796 also changes the registration date from April 1 to January 1. This is done for two reasons: First it is better to have the registration date at some point between seasons. Presently those people that buy a boat prior to April 1 need to register it at the time of purchase and then re-register it on April 1. We feel this date change will just eliminate this hassle. The second reason, and also the reason for the effective date of this bill being January 1, 1982, is that Mr. Shoen from the DMV stated he would need a few months to implement requirements of this bill and to get the proper forms, etc.

HB 796 provides a 20 day grace period the same as that currently allowed on automobiles, from time of purchase to time of registration and title application. As the law now stands, a person buying a boat late Friday afternoon cannot legally use that boat that week-end since the courthouse will not be open until Monday so they can properly register it.

For the above reasons we strongly urge your support of HB 796.

PRESENTED BY: James W. Flynn, Director
Dept. Fish, Wildlife, & Parks

February 24, 1981

HB 806

Mr. Chairman, members of the committee, my name is Jim Flynn. I am here today on behalf of the Department of Fish, Wildlife, & Parks, and I speak in support of HB 806.

In 1973, the legislature set aside part of the fee from each fishing license for the purchase of fishing access sites on Montana's streams, rivers, and lakes. This provision included authority to purchase sufficient land to make recreational use of those accesses. The legislation also assured the funds are to be used in addition to any other funds available for land acquisition. By 1977, it had become apparent the operation, development, and maintenance of lands purchased with these funds was draining other fishing license monies and parks revenues. In that year, the department sought to have a portion of the access funds used for operation, development, and maintenance. The amount to be used was 15% of the monies set aside each year. The use of these funds was limited to access sites acquired from these funds after April 30, 1974, the effective date of the original legislation.

The department has continued to purchase lands meeting the requirements of this statute. In doing so, the purchases have increased to become disproportionate to the department's operation, development, and maintenance capability for fishing access sites. Increase of the percentage the department may use for other than purchase will provide needed flexibility in the operation, development, and maintenance of fishing access sites purchased by the department with these funds. Thus, I urge a do pass on HB 806.

February 24, 1981

PRESENTED BY: James W. Flynn, Director
Dept. of Fish, Wildlife & Parks

HB787

Mr. Chairman, members of the committee: My name is Jim Flynn. I appear today on behalf of the Montana Department of Fish, Wildlife & Parks, and I speak in favor of HB787.

The 1973 legislature instructed the department to "conduct investigations on nongame wildlife in order to develop information relating to population, distribution, habitat needs, limiting factors, and other biological and ecological data to determine management measures necessary for their continued ability to sustain themselves successfully." (87-5-104, MCA) No money was appropriated to carry out this mandate.

The department initiated a token nongame program in 1973 -- one full-time biologist with a summer assistant. It is still a token program in 1981 with a current annual budget of approximately \$44,000.

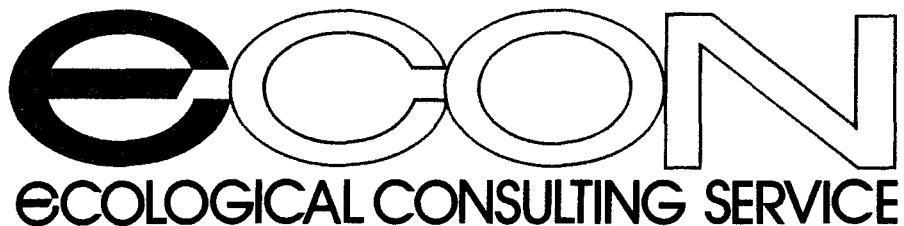
So far, the department has funded this program with hunter and fisherman dollars - either license money or Pittman-Robertson. Until recently, sportsmen did not object to this expenditure of their money. However, as money tightens up, there is more insistence for other user groups to pay their fair share.

A recent outdoor recreation survey of a cross-section of Montanans by the Bureau of Business and Economic Research at the University of Montana indicated that about half of the people

did not favor funding this program with sportsman money. This indicator coupled with our impressions that the competition by agency programs for a limited supply of dollars leads to the support for this bill. It appears to be an appropriate and timely alternative.

It is not a tax, it is a voluntary contribution, and the opportunity comes at a time when the department is under severe budgetary constraints.

Our present position leaves us with a program responsibility and no allocated funding source. Our historic approach of utilizing other funds is threatened by general financial pressures. Therefore, we suggest a "do pass" recommendation be given to this bill.



ECON INC.

1300 Cedar Street
Helena, Montana 59601
Telephone
406/442-4650

FEBRUARY 24, 1981

MR. ORVAL ELLISON, CHAIRMAN
MONTANA HOUSE OF REPRESENTATIVES
FISH, WILDLIFE AND PARKS COMMITTEE
CAPITOL STATION
HELENA, MONTANA 59601

DEAR MR. ELLISON:

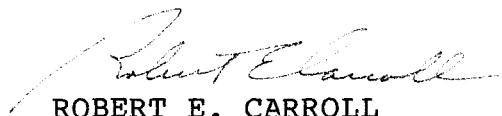
MR. CHAIRMAN, LADIES AND GENTLEMEN OF THE COMMITTEE, THANK
YOU FOR THE OPPORTUNITY TO TESTIFY.

I AM ROBERT E. CARROLL, GENERAL MANAGER OF ECON INC., A
MONTANA BIOLOGICAL RESEARCH FIRM. I COME BEFORE YOU TODAY
ON BEHALF OF THE MONTANA CHAPTER OF THE WILDLIFE SOCIETY IN
SUPPORT OF HOUSE BILL 787, THE NON-GAME FUNDING BILL.

THE MEMBERSHIP OF THE MONTANA CHAPTER CONSISTS OF 150
BIOLOGISTS WORKING FOR THE PRIVATE SECTOR AND STATE AND
FEDERAL AGENCIES.

AT OUR ANNUAL MEETING ON FEBRUARY 5TH AND 6TH, 1981, WE
PASSED A BRIEF RESOLUTION IN SUPPORT OF HB 787, WHICH IS
ATTACHED.

SINCERELY,



ROBERT E. CARROLL

VICE-PRESIDENT AND GENERAL MANAGER

Resolution of the Montana Chapter of the Wildlife Society

On

Non-Game Funding Bill

WHEREAS, the Montana Chapter of the Wildlife Society is an organization of professional wildlife biologists and others concerned with the management and welfare of wildlife resources within the State of Montana; and

WHEREAS, there are over 600 non-game species of wildlife in Montana; and

WHEREAS, the 1973 Montana Non-game and Endangered Species Act requires the State to manage non-game wildlife for human enjoyment, for scientific purposes, and to insure their perpetuation as members of ecosystems; and

WHEREAS, no funds have been appropriated for the implementation of this Act; and

WHEREAS, funding for the current non-game program has come primarily from hunting and fishing license fees; and

WHEREAS, fiscal conditions may result in future curtailment of funding for the non-game program;

NOW THEREFORE be it resolved that the Montana Chapter of the Wildlife Society endorses the concept of funding the non-game program in the State of Montana through a voluntary check-off on the Montana State income tax form.

Adopted by the Montana Chapter, The Wildlife Society, February 6, 1981.

BLACK TAIL RANCH

TAG & LYLA RITTEL
Wolf Creek, Montana 59648
Phone: 406-235-4330

RANCH VACATIONS . MUSEUM . CAVERN . PACK TRIPS . HUNTING



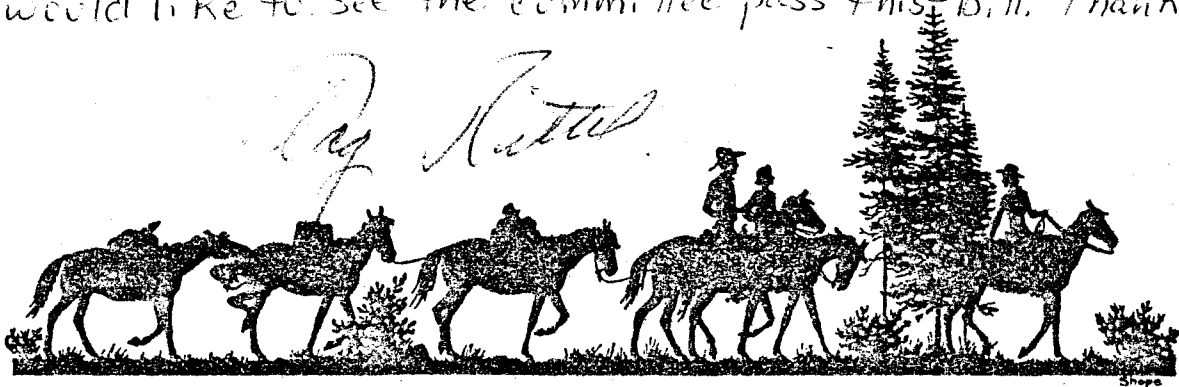
Mr. Chairman; Members of the Committee; ^{HB} 787

My name is Tag Rittel and I am a rancher from the Dearborn area. My Grandfather homesteaded on the South Fork in 1889 and raised a family there. I'm the 3rd generation on the ranch, now raising the 4th. Our ranch is against the east side of the Divide. We have raised chickens, pigs, sheep, cattle, and horses for nearly a century. Living where we do, we have to put up with many wild animals, both large and small. These wild animals are a part of the area where we live and a part of life here in Montana.

I may cuss at a coyote for killing a sheep, but if he weren't around I'd wonder where he went and what's happened to him. My yard can be full of magpies, and yet when I don't see them I become concerned. And so it goes with all of the animals which are a part of my life at the ranch. What I'm trying to get at is this - we don't miss the wildlife we're accustomed to until it's gone!

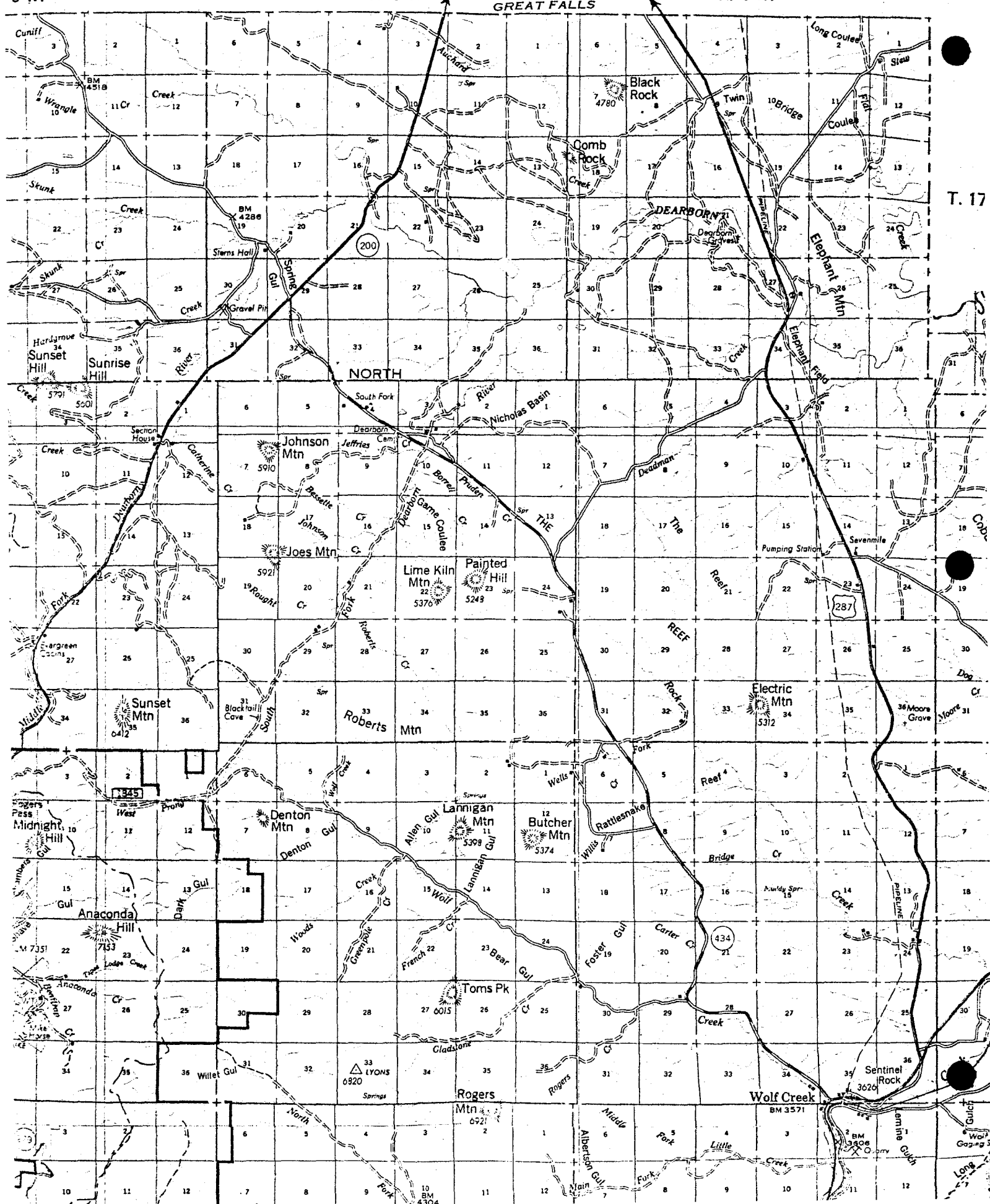
I feel this bill gives those of us who are concerned about these animals a chance. It provides for a self-funded organization of concerned citizens to protect and monitor these animals which we sometimes take for granted. This allows for all of us to join in and take a personal commitment instead of being taxed for the cause. I would like to see the committee pass this bill. Thank you.

Tag Rittel



LICENSED OUTFITTER & GUIDE
MONTANA OUTFITTERS AND DUDE RANCHERS

R. 4 W.



WITNESS STATEMENT

Name William H. Dunham Date 2-24-81
Address 342 Cante Helena Support ? ☒
Representing Trout Unlimited - 900s Montana members Oppose ? ☐
Which Bill ? H 787 Amend ? ☐

Comments:

H787 is important in order to further study non-game fishes, and their interrelationships with our important trout fisheries.

Most federal fisheries \$ given to fish + Game must be spent on sport fishes. Much important work needs to be done on the inventory, distribution, + relationships to trout of our various non-game species.

Please leave prepared statement with the committee secretary.

MR. CHAIRMAN AND MEMBERS OF THIS COMMITTEE:

My name is Noel Rosetta. I live in Helena. I represent myself. I am a retired forester and range manager.

I support HB787 for a number of reasons, some of which have already been discussed.

One important reason to have a nongame wildlife program is to find out more about wildlife. Obscure species are often doing us a service which we know little about. For example, a recent University study has shown that one of our large native woodpeckers, the Pileated Woodpecker, creates homes for 26 other birds in dead Larch and Douglas Fir. These dependent birds include chickadees, nuthatches, and blue birds, as well as three species of *small* owls. All of these birds eat insects, beetles and grubs which can and have caused great losses in timber production. The owls also eat small rodents which damage young trees.

These birds of course have gotten along reasonably well without passage of HB787 to date, but my point is that by learning of the needs of one key bird such as the Pileated Woodpecker we can help retain the kind of habitat it needs and make it possible for dependent birds to survive and provide benefits for us.

There are many things we don't know, and we really need to know about the interlocking relationships of small creatures, and how these creatures benefit ~~us~~ us. For this reason and many others we should pass this bill.

NONGAME ADVISORY COUNCIL AND NONGAME WILDLIFE FUNDING BILL--HB 787

Nongame wildlife is also known as "Watchable Wildlife"--those creatures not usually hunted or fished. The Mountain Bluebird and Flying Squirrel are two examples of more than 600 nongame animals in Montana. Game, furbearers and predators are excluded from the nongame definition as shown below.

The 1973 Montana Nongame and Endangered Species Act requires the state to manage nongame wildlife "for human enjoyment, for scientific purposes, and to insure their perpetuation as members of ecosystems." (87-5-103 Montana Code Annotated).

What This bill places a convenient check-off box on the Montana state income tax form which enables Montanans to voluntarily contribute \$2, \$5, or \$10 to the nongame wildlife program.

Colorado, Kentucky, Minnesota, Oregon, Kansas, and now Utah have enacted this plan. Although this bill fell a few votes short in Montana's House last session, we feel it is time to try again as this has been very successful in other states. Based on these states, Montana can expect to raise \$75,000.

This bill also creates a Nongame Advisory Council, a governor appointed citizens committee which will advise the Department of Fish, Wildlife, and Parks on the management of nongame wildlife.

Why Funding for the current nongame wildlife program has come primarily from sportsmen's licensing fees. That current small program (\$44,000) may well go, given the budget crunch of the Department of Fish, Wildlife and Parks. Another funding source is needed.

This is not "just another" special fund. Wildlife has traditionally been supported by special funding programs (sportsmen's license fees support game management programs, for example). The "check-off" system follows in this tradition.

EXACTLY WHAT IS A NONGAME SPECIES?

Game*

Elk
Ducks
Geese
Bear
Trout
Deer

Furbearer

Mink
Fisher
Martin
Otter
Bobcat
Canada Lynx
Beaver
Northern Swift Fox
Muskrat
Wolverine

Predator

Coyote
Skunks
Weasels
Civet Cat

Endangered Species

Whooping Crane
Black-footed Ferret
Timber Wolf
Peregrine Falcon

Nongame*

Masked Shrew
Pika
Grasshopper Mouse
Raccoon
Black-tailed Prairie Dog**
Snowshoe Hare
Bison
Big Brown Bat
Yellow-bellied Marmot
Northern Flying Squirrel
Sagebrush Vole
White Pelican
Woodpeckers
Owls
Golden Eagle
Hummingbirds
Hawks
Sagebrush Lizard
Western Toad
Pumpkinseed
Yellow Perch
Osprey
Great Blue Heron
Bank Swallow
California Gull
Western Tanager
Desert Cottontail
White-tailed Jack Rabbit
Least Chipmunk
Killdeer

* These are not complete lists of species. They are only examples.

**Please see 2) below.

MORE

AND TO CLARIFY SOME COMMON MISCONCEPTIONS ABOUT HB 787

--Will ranching or farming operations be affected?

The existing state laws protect the land management practices of the agriculturalist; therefore, neither this bill or the nongame program will affect this community.

Here's why:

- 1) The DFWP has very little regulatory authority under the Nongame and Endangered Species Act. Before a nongame animal can be "managed" (should this ever become desirable), DFWP must first obtain legislative approval to reclassify the animal "in need of management." The legislature has the final word.
- 2) No regulations could conflict with the landowners rights to control rodents or any other animal causing degradation because these rights are protected by Department of Livestock regulations.
- 3) Finally, the Nongame Advisory Council created by HB 787 will also act in guiding nongame policies.

--What about some obscure little species of mouse or bird being found and placed on the endangered species list?

Enormous gaps in knowledge exist concerning the animals in Montana. We don't know what we have. The best way to get an animal on the Federal Endangered Species list is to not know much about the animal. Montana should be able to identify and manage its own wildlife. We want to make sure that no more animals wind up on the endangered or threatened list.

--Won't other groups want the same check-off privilege?

The answer is: it hasn't happened in any state yet. The other groups are private groups so they can't use this system. This is the funding of public responsibility by those--and only those--who wish to participate.

--How would the money be spent? What can be done in a nongame wildlife program?

There is so much to be done! Enormous gaps in knowledge exist. Adequate surveys need to be done, existing information needs to be pooled, educational and interpretive facilities could be developed, and much more.

As an example, Mountain Bluebird populations took a real plunge ten years ago in various areas in Montana. Bluebird nesting boxes, strategically placed, have helped stabilize or increase the populations. This effort would not be productive if boxes were built wrong, placed wrong, or abused by unaware members of the public. Information gathering and public education are hence critical aspects of an effective nongame wildlife program.

Other program possibilities include:

- 1) the continuation of raptor surveys
- 2) more information gathering and regulation of falcons taken for falconry; the pressure on falcons is increasing due to the rising market value of birds as a result of the demand for falcons in other countries
- 3) an inventory and publication of Montana's reptiles and amphibians
- 4) information gathering on animals of special interest or concern to Montanans, such as Osprey, Hoary Marmot, Golden Eagle, Northern Bog Lemming, Pileated Woodpecker, Long-Eared Owl, Wood Frog, Short-Nosed Gar, and many more.

A FINAL WORD....

Proper management of nongame wildlife species will also be beneficial to game animals. With a better understanding of what wildlife resources Montana has, the balance that exists today can be maintained as Montana continues to grow.

What This bill places a check-off box on the Montana state income tax form which enables Montanans to contribute \$2, \$5 or \$10 to the nongame wildlife program by either donating it out of their tax refund or adding the amount to the taxes owed.

This bill also creates a Nongame Advisory Council, a governor appointed citizens committee which will advise the Department of Fish, Wildlife and Parks on the management of nongame wildlife.

Why The 1973 Montana nongame and Endangered Species Act requires the state to manage nongame wildlife "for human enjoyment, for scientific purposes, and to insure their perpetuation as members of ecosystems." (87-5-103 MCA)

Funding for the current nongame wildlife program has come primarily from sportmen's licensing fees. That current small program (\$44,000) may well go in 1982 given the budget crunch of the Department of Fish, Wildlife and Parks. Another funding source is badly needed.

This is the funding of a public responsibility by those--and only those--who wish to participate. It is a convenient way for those interested to voluntarily pitch in and help: the photographer, hiker, plain citizen.

Taxes Owed and Tax Refunds

The proposal enables taxpayers to "check-off" or "add-on" money that will go to the nongame wildlife program. A taxpayer having a refund coming may "check-off" in a box provided a small sum that will be deducted from his refund. A taxpayer required to pay additional taxes, may "add-on" an equally small amount.

In 1979, 50% of the Montana taxpayers owed taxes on their tax forms. In 1980 the number owing taxes was 46%. The tax "check-off" and "add-on" enables all Montana taxpayers to contribute monies to the nongame wildlife program.

Nongame Programs in Other States:

As of July, 1980, 27 states were funding nongame wildlife programs and 7 were developing such programs. Sources of money for these programs include state general funds, a sales tax, voluntary donations, tax form check-offs, and the sale of personalized auto tags, t-shirts, wildlife stamps and shoulder patches.

Montana has tried selling nongame certificates to help fund the nongame wildlife program--a \$5 certificate purchased where hunting licenses were sold. Last year only \$600 was raised by this means. Alternative funding programs used in other states have been examined: sales of personalized auto tags is preempted in Montana, a state sales tax is not feasible. The income tax check-off has been successful in other states and is workable in Montana.

The Check-off System in Other States:

Six states currently have a check-off box for nongame wildlife on their tax forms. Several other states are trying to get similar programs started now. Those six states are Colorado, Oregon, Utah, Kansas, Kentucky and Minnesota.

Colorado was the first state with a tax form check-off, starting that program in 1978. Oregon taxpayers have had one year (1980) to contribute by this means. The other four states are collecting money for their nongame wildlife program through tax check-offs for the first time this year.

The success of the tax check-off fund raiser has been incredible in Colorado and Oregon:

<u>State</u>	<u>Year</u>	<u>Amount of Money Raised</u>	<u>Per cent (%) of Taxpayers Contributing</u>	<u>Average Contribution</u>
Colorado	1978	\$350,000	9%	\$3.85
	1979	\$500,000	--	----
	1980	\$650,000	12%	\$5.00
Oregon	1980	\$345,000	9%	\$3.66

Montana had 362,000 tax forms filed in 1979 and 367,000 filed in 1980. Considering the above information, Montana can expect to raise at least \$75,000.

sample tax forms with Nongame Check-offs

COLORADO

16 CREDIT AGAINST TAXES FOR 1980 INCOME TAX YEAR, ENTER 20% OF THE AMOUNT ON LINE 15 16

17 NET TAX. SUBTRACT THE AMOUNT ON LINE 16 FROM THE AMOUNT ON LINE 15 17 \$

18 IF LINE 14 IS LARGER THAN LINE 17, ENTER AMOUNT COLORADO OWES YOU 18 \$

19 COLORADO NONGAME WILDLIFE PROGRAM. CHECK IF YOU WISH TO DESIGNATE ☐ \$1, ☐ \$5, ☐ \$10, OR \$ (WRITE IN AMOUNT) OF YOUR TAX REFUND TO THIS PROGRAM. IF THIS IS A JOINT OR A COMBINED RETURN, CHECK IF SPOUSE WISHES TO DESIGNATE ☐ \$1, ☐ \$5, ☐ \$10, OR \$ (WRITE IN AMOUNT) 19 \$

20 SUBTRACT THE AMOUNT ON LINE 19 FROM THE AMOUNT ON LINE 18. THIS IS YOUR REFUND 20 \$

21 IF LINE 17 IS LARGER THAN LINE 14, ENTER THE AMOUNT YOU OWE COLORADO. MAKE CHECK OR MONEY ORDER PAYABLE TO THE COLORADO DEPARTMENT OF REVENUE 21 \$

KANSAS

27. Balance (Subtract line 26 from line 19) (Cannot be less than zero)

28. Kansas income tax withheld (Attach Kansas copies Form W-2)

29. Estimated tax paid

30. Solar energy refund

31. Total prepaid credits (Add lines 28, 29 & 30)

32. BALANCE DUE (If line 27 is greater than line 31) [T] Interest [U] [V] [W] [X] Credit Forward [Y] Refund

33. REFUND or Estimated tax credit carry forward (If line 31 is greater than line 27)

34. KANSAS NON-GAME WILDLIFE IMPROVEMENT PROGRAM. Check if you wish to donate, in addition to your tax liability, () \$1, () \$5, () \$10 or () \$ or designate () \$1, () \$5, () \$10 or () \$ of your tax refund for this program. If joint return, check if spouse wishes to donate or designate () \$1, () \$5, () \$10 or () \$ Enter total on line 34

[Q] 28 [R] 29 [S] 30 [Z] 34

Make check or money order payable to Kansas Income Tax

Total Wildlife Contribution

UTAH

12. Total Credits (total of line 7 through 11) 12

13. Tax Due if line 6 is larger than line 12 — subtract line 12 from line 6 and enter balance Pay This Amount 13

14. Refund — If line 12 is larger than line 6 — subtract line 6 from line 12 and enter Amount of Refund 14

15. ☒ Utah Nongame Wildlife Fund. I wish to contribute ☐ \$1, ☐ \$5, ☐ \$10, or (write amount) or ☐ None of my refund to this fund (enter amount shown) 15

16. Net Refund — Subtract line 15 from line 14 and enter amount to be refunded to you 16

17. Did you File a Utah Return for 1979? ☐ YES ☐ NO

If no, give reason: _____

Send return and remittance to: UTAH STATE TAX COMMISSION STATE OFFICE BUILDING SALT LAKE CITY, UTAH 84134

OFFICIAL USE ONLY Code Approved

OREGON

15 Refund. If line 14 is more than line 13, you have a refund. Subtract line 13 from line 14 15

16 Oregon Nongame Wildlife Fund. I wish to contribute \$1 ☐, \$3 ☐, \$5 ☐, None ☐ of my tax refund to the Nongame Wildlife Fund. If joint return, spouse's contribution \$1 ☐, \$3 ☐, \$5 ☐, None ☐ Fill in the total contribution if any. A contribution will reduce your refund. 16

17 NET REFUND. Subtract line 16 from line 15. This is your refund 17

18 TAX-TO-PAY. If line 13 is more than line 14, you have tax-to-pay. Subtract line 14 from line 13 18

MONTANA AUDUBON COUNCIL

Testimony In Support of House Bill 787

Mr. Chairman and members of the Committee,

My name is Gael Bissell and I am speaking on behalf of the Montana Audubon Council.

It is an undisputable fact that agriculturalists and conservationists have much in common. Both share a deep appreciation of our land not only for its inherent natural qualities but also for its productive potential. Both want to see this productivity protected and maintained for future generations. This unity is basic to keeping our agriculture our number one industry in Montana and to maintaining a place for wildlife in our lives.

With this feeling of shared concerns in mind, the Montana Audubon Council is supporting House Bill 787, and as such it is necessary to address some of the concerns raised by important members of the agricultural community.

It has been brought to my attention in this session that agricultural groups fear funding the nongame wildlife program will lead to an endless stream of regulations affecting their operations. Although this is a legitimate concern, let me explain to you that this, fortunately, is not the case.

First of all, this bill adds no new authority to the Department of Fish, Wildlife and Parks. It is simply an alternative means of funding an already existing program.

Secondly, as heard in other testimony, "nongame" by definition does not include "predators" nor "endangered species" and therefore, this bill has nothing to do with these other areas of concern. In addition, the DFWP's has no authority to interfere with "rodent control". These activities are already protected under Department of Livestock rules and regulations; in addition, upon passage of House Bill 265, the rodent control districts bill, and House Bill 738, a bill which further protects agriculturalists who suffer from "wild animal" depredation, additional protective statutes will be in place.

Thirdly and most importantly, the DFWP's does not have the automatic authority to "manage" any nongame wildlife species without legislative approval. In other

words, any animal now classified as "nongame" cannot be regulated without approval from both the Fish and Game Commission and the entire legislature. This means that the legislature has the final word on species management--not Fish, Wildlife and Parks. With this system of checks already in place, How could, then, the DFWP's be capable of imposing numerous restrictions on the agricultural community?

A second concern raised by ranchers is that this bill could also lead to placement of more species on the endangered species lists. Again, this is simply not a reality. Placement of any species on one of those lists is the least preferable management tool. No one wants "endangered species" in any meaning of the word. In addition, experience in this field has shown time and again that greater knowledge and understanding about wildlife is an assurance that placements on such lists will never happen. The nongame program is a positive approach. With information, you discover that various species have much broader ranges than originally suspected. With adequate information, you can avoid or reduce any impacts to species just through education or through simple enhancement of habitats as with the experience with bluebirds. Without proper information, you have misinformation, misconceptions, misunderstandings leading to unnecessary conflicts. As in the old saying, "an ounce of prevention" is worth a pound of cure".

The purpose of the creation of the Nongame Advisory Council, an unpaid advisory group, is to provide the forum and vehicle whereby concerns from agriculture could be aired and made available to the Department. The Council is to be composed of members from non-profit agricultural groups as well as from non-profit conservation organizations. Its purpose, therefore, is to address these very concerns raised by people in agriculture in Montana. Its purpose is not to increase the bureaucracy but to see that this program gets going on the right foot and in the right direction benefiting all Montanans.

I conclude with this single comment. Funding the existing nongame wildlife program, one that will not exist if HB 787 is not passed, is a positive step which will provide information necessary for the proper longterm and beneficial management of ^{one of} our States most cherished resources. If you have any questions, I'd be glad to answer them. Thankyou.

STATEMENT BY JOE T. HELLE, DILLON, MONTANA FOR MONTANA WOOL GROWERS ASSN. 2/24/81
FEBRUARY 24, 1981

REGARDING: HOUSE BILL 787

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, FOR THE RECORD I AM JOE HELLE A FARMER AND RANCHER FROM DILLON, MONTANA. I RAISE SHEEP, CATTLE AND WHEAT IN ORDER TO PROVIDE A LIVING FOR MYSELF AND MY FAMILY AND I HOPE I PROVIDE A VALUABLE SERVICE TO OTHERS IN THIS COUNTRY BY PROVIDING THEM WITH FOOD AND FIBER. I APPEAR HERE TODAY IN OPPOSITION TO HOUSE BILL 787, REPRESENTING MYSELF AND THE MONTANA WOOL GROWERS ASSOCIATION.

THIS BILL IS SIMILIAR TO ONE PRESENTED LAST SESSION. IT WAS HOUSE BILL 106 AND OUR FEARS OF WHAT THIS BILL ULTIMATELY GOALS ARE WERE EXPRESSED TWO YEARS AGO. YOU HAVE HEARD THE PROONENTS TALK ABOUT A VARIETY OF SONG BIRDS WHICH THEY WANT TO PROTECT. ALL WELL AND GOOD, BUT THIS NON-GAME WILDLIFE PROGRAM GETS INTO SOME OTHER AREAS THAT SPELL TROUBLE FOR AGRICULTURE.

LET ME GIVE AN EXAMPLE OF WHAT HAPPENED ABOUT TWO YEARS AGO. THE MONTANA DEPARTMENT OF AGRICULTURE HAD RECEIVED PERMISSION--THROUGH CONSIDERABLE HASSLE AND PAPER WORK-- TO USE 1080 AS A RODENTICIDE ON COLUMBIAN GROUND SQUIRRELS IN 12 WESTERN MONTANA COUNTIES. HANK FISCHER, THE MONTANA REPRESENTATIVE FOR THE DEFENDERS OF WILDLIFE, IN A GREAT FALLS TRIBUNE REPORT STRONGLY CRITIZIED THE MONTANA FISH AND GAME DEPARTMENT FOR NOT OPPOSING THE USE OF THE TOXICANT BECAUSE OF ITS' "HARMFULL EFFECTS" ON NON GAME WILDLIFE. FURTHUR, MR. FISCHER OBJECTED TO THE POISONING OF BLACKBIRDS IN NORTHCENTRAL MONTANA WHICH WERE EATING THE SUNFLOWER CROP RAISED BY FARMERS FOR PEOPLE...HE ALSO SAID THE MONTANA FISH AND GAME DEPARTMENT SHOULD HAVE FOUGHT PREDATOR CONTROL BEING CONDUCTED BY THE MONTANA DEPARTMENT OF LIVESTOCK. I HAVE SUPPLIED EACH OF YOU WITH THE ARTICLE FROM THE TRIBUNE IN WHICH MR. FISCHER MAKES HIS REMARKS.....

I MENTION THE DEFENDERS OF WILDLIFE BECAUSE AT THE TIME THEY WERE THE ONES TOUTING THIS BILL. IT SEEMS NOW THE BIG PROONENTS ARE AUDUBON AND THE ENVIRONMENTAL INFORMATION CENTER. PLEASE NOTE THAT MR. FISCHER STATES IN THAT ARTICLE,..."WHAT IS THE BIGGER ISSUE? APPEASING THE AGRICULTURAL SENTIMENT TO KEEP FARMERS GATES' OPEN FOR SPORTSMEN OR PROTECTING NON-GAME?"

THAT DISPLAYS PERFECTLY THE ATTITUDE OF THE NON-GAME PROONENTS, OR AT LEAST A SHARE OF THEM. STOP ALL...EVEN FOOD PRODUCTION...TO SAVE A NON-GAME SPECIE.

WE IN AGRICULTURE KNOW FULL WELL ABOUT WHAT HAPPENS WHEN A GOVERNMENT AGENCY AND ITS' BACKERS DO TO SAVE A SPECIE. YOU ALL KNOW ABOUT THE SNAIL DARTER THAT STOPPED A DAM. THAT'S ONLY ONE ISSUE. IN FLORIDA, THE GOVERNMENT HAS SPENT TWO MILLION 625,000 BETWEEN 1971 AND 1979 TO BUY UP 6,250 ACRES ON FLORIDAS EASTERN COAST TO CREATE A HABITAT

AREA FOR THE DUSKY SPARROW. ONLY SIX DUSKY SPARROWS ARE KNOWN TO BE ALIVE----ALL ARE MALES AND FIVE OF THE SIX ARE IN ZOOS. I MIGHT NOTE, IN ALL FAIRNESS, THAT SCIENTISTS THIS SPRING ARE GOING TO LOOK FOR A FEMALE DUSTY SPARROW.

FOR US IN THE SHEEP BUSINESS, WE GOT A TASTE OF THE ENVIRONMENTALISTS RARE AND ENDANGERED SPECIE ACT IN 1978. IN BOTH THE DILLON AND GLASGOW AREAS RESTRICTIONS WERE PLACED ON COYOTE HUNTING BECAUSE OF "WOLF SIGHTINGS." BECAUSE A WOLF HAD SUPPOSEDLY VISITED SOME BLM LANDS, THE BLM TOOK IT UPON THEMSELVES TO RESTRICT COYOTE HUNTING ONLY TO U.S. FISH AND WILDLIFE PERSONNEL FOR FEAR SOME OTHER COYOTE HUNTER MIGHT SHOOT A WOLF. I CAN SUPPLY ANY OF THE COMMITTEE MEMBERS WITH COPIES OF THAT LETTER IF THEY SO WISH....I MIGHT NOTE THAT IT AFFECTED 7 SHEEP RANCHERS WHO HAD PERMITS ON BLM LANDS IN THE GLASGOW AREA.

THIS BILL IS GOING TO ULTIMATELY FIND MORE ANIMALS OF EVERY DESCRIPTION THAT SOMEONE IS GOING TO WANT TO PROTECT. THIS BILL AFFECTS GROUND SQUIRREL AND GOPHER CONTROL IN THAT SUPPORTERS DOWN THE LINE WILL RELATE THE NECESSITY FOR A LARGE POPULATION OF PRIARIE DOGS IN ORDER TO SUSTAIN ANOTHER SPECIE OF ANIMAL EITHER FOR FOOD OR FOR HABITAT. AT PRESENT, BLM AND THE FISH AND WILDLIFE SERVICE SETS ASIDE LARGE AREAS WITH NO PRIARIE DOG CONTROL, WE DON'T NEED MORE.

YOU WILL NOTE IN THIS BILL THAT IT DOES ALLOW FOR HABITAT ACQUISITION. AS THE POT OF MONEY GROWS, PROPONENTS WILL BE PUSHING FOR ALL SORTS OF "WILDLIFE PROTECTION" AREAS WHERE ALL TOXICANT CONTROLS, TRAPS, AERIAL HUNTING AND OTHER RODENT AND PREDATOR CONTROL WILL BE STOPPED. THE RESULT IS A RESEVOIR OF PESTS THAT WON'T STAY WITHIN THE BOUNDARIES OF THE HABITAT PROTECTION AREA; BUT WILL COME FORTH TO EAT CROPS AND LIVESTOCK.

IN COLORADO WHERE THEY DO HAVE A CHECK OFF PROGRAM THE MONEY HAS ROLLED IN IN SUCH AMOUNTS THAT OTHER DEPARTMENTS OF THEIR STATE FISH AND GAME WANT A SHARE OF THE PIE. CURRENTLY IN THE COLORADO LEGISLATURE THERE IS A BILL TO SHARE THE NON GAME MONEY WITH THE PARKS DEPARTMENT.

IN CLOSING, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I DRAW YOUR ATTENTION TO A PUBLIC OPINION SURVEY THAT WAS DONE FOR OUR STATE WILDLIFE AND PARKS DIVISION IN DECEMBER OF LAST YEAR. THE PUBLIC WAS QUIZZED ON NON-GAME PROGRAMS AND MORE FUNDING AND BY A MARGIN OF FOUR TO ONE THEY SAID NO. (THIS IS ON PAGE SIX OF THE SURVEY) FURTHER, ALTHOUGH NON GAME SUPPORTERS COULD BUY A DECAL FOR \$5, ONLY 120 PERSONS DID SO AND YET AUDUBON STATES THEY HAVE 2,000 MEMBERS WHO SUPPORT NON-GAME WILDLIFE IN THE STATE AND WANT THIS CHECK OFF BILL. THE STATE FISH AND GAME DID PROMOTE THIS NON GAME PROGRAM AS I HAVE SEEN THE PROMOTIONS MYSELF. WITH THAT I CLOSE, AND THANK YOU MEMBERS FOR ALLOWING US TO TELL OF OUR GREAT FEARS OVER A STEPPED UP NON-GAME PROGRAM.

Say Defenders spokesman

F&G 'overlooking' non-game wildlife

By THOMAS KOTYNSKI
Tribune Capitol Bureau

HELENA — Despite promises that things would improve for the badgers, prairie dogs, squirrels, chipmunks, magpies, turtles, owls, and snakes of Montana, the new Fish and Game Department director Bob Wambach has yet to deliver for non-game species, says Hank Fischer, Montana representative for Defenders of Wildlife.

In the year that Wambach has been director the only change in the non-game program has been its administrative moving from the department's research division to the wildlife division, Fischer said.

First of two parts

FISCHER SAYS that wildlife enthusiasts are disappointed by the lack of movement on non-game matters because they thought Wambach would put an end to the "maximum pounds of meat per square acre mentality" which had dominated the department.

While the department has a \$27 million two-year budget, only \$40,000 a year of it is devoted to non-game species, Fischer points out. Only one department employee works on non-game concerns.

The department's emphasis is on big game, elk, deer, antelope and moose, he said.

Fischer said he is still waiting for the appointment of the new citizens advisory council to advise the department on non-game wildlife programs. He said Wambach told him the council would be appointed by last November.

Fischer said his disappointment with the department's attitudes is compounded by the programs which it hasn't opposed and are harmful to non-game species.

HE CITES THREE examples: The department did not oppose the state's application to use the poison 1080 in 12 western Montana counties to kill Columbian ground squirrels; the department did not oppose the poisoning of blackbirds in northcentral Montana to protect sunflower crops, and the department endorsed an experimental 1080 program for predators by the livestock board.

If Wambach and the department were truly serious about trying to do something about non-game, Fischer says they would: seek changes in the state's policy which allows indiscriminate hunting of non-game species; get the state non-game endangered species act changed to qualify the state for federal money for

non-game programs; and do more public information work to tell people about non-game's role in the ecological scheme.

FISCHER EMPHASIZED that his desire to see a change of policy on hunting non-game is not indicative of any anti-hunting sentiment. "I'd like to think I speak for the photographers, birdwatchers, hikers and people who just like to see wildlife. These people deserve to have their rights expressed too."

The department has more of a responsibility than to protect just game animals, Fischer said. "Fish and Game is always talking about protecting the ecosystem and about its responsibility to protect wildlife's land base. But, if you get too many big game animals in an area and the land can't tolerate it you can have problems of range damage and erosion."

The department seems more interested in appeasing the landowner in buckling under to poisoning programs which drastically affect non-game species, he said. "What is the bigger issue? Appeasing the agricultural sentiment to keep the farmers' gates open for sportsmen or protecting non-game?"

LANDOWNER sportsmen relations is a recreational problem, not a conservation problem, Fischer says. But conservation is more important and should take priority.

The state has some non-game species in serious danger of being depleted, he said, such as burrowing owls, mountain plover and ferruginous hawks. The state has no idea what's happening to these species and isn't devoting any money to study them.

"If they would hold to a point or had antlers, though, they'd be in good shape," he said.

Fischer believes that given the opportunity the department would find sportsmen willing to support more non-game programs than they are given credit as being willing to support.

HE WONDERED IF Wambach is meeting resistance in his department or what else is slowing non-game programs.

"I really don't understand how an agency can be so good on an issue like the Yellowstone River and perform so poorly on non-game," he said.

Fischer said he believes that Wambach is sincere in his public utterances about the needs of non-game animals, "but I'd like to know what this slow-down is all about."

Senate Bill 787

Mr. Chairman, Members of the Committee, for the record, my name is Jo Brunner, and I speak today for Women Involved in Farm Economics in opposition to Senate Bill 787.

Certainly, the bill itself looks innocent enough. To us it is not, it presents a very real danger.

According to the proponents the apparent purpose is to seek out and number those birds and non-game animals not already found and numbered. We are told it would be a near impossibility to move on to the next step, endangered species status.

It seems other states have much the same programs, and they are working out well, Colorado amongst them. The director of the Wildlife Division, non game section of that state says the first few years of the program they used volunteers, but now they have 14 full time staffers--and they have 748 species to manage.

With the system management approach, biologists define an area and identify species within it with the most restricted population. When something disturbs that environment, those species are the first to react. The non-game people then work to correct the disturbance system.

Page 2, Section 2, paragraph 2, line 11 tells us the definition of Ecosystem---a system of living organisms and their environment, each influencing the existence of the other and both necessary for the maintenance of life.

Section 3, page 2, lines 14-25 gives us the definition of the extinction of such designated species or subspecies---you couldn't destroy, modify, or curtail its habitat, amongst other things, from natural or man-made factors, with any combinations of the foregoing factors. --So, then, we could not plow up a field of prairie dog mounds, in which the little ground owl live, especially if there happened to be a very few of them, due perhaps to a spring flood, could we?

Add to this criteria--page 5, paragraph 3 of new section 5, lines 23-24, the council has the responsibilities to propose to the department rules and activities affecting non-game management.

On to page 6, new section 6, lines 4 through 19, which includes the director and department consulting with the council before they make any regulations, establish any programs adopting any policies, and they---the department, shall consider for adoption or implementation any regulation, policies, or activities proposed by the council.

In November, 1978 a directive came down from the area manager, BLM, Glasgow, Montana, stating that there had been a tentative---a tentative-sighting of a gray wolf, and consequently all aerial hunting of coyotes, except by the U.S. Wildlife Service should be discontinued immediately. I quote---"the target species of this recommendation for approval originally was coyotes and foxes. I ask that you caution aerial hunters and livestock producers that gray wolves may occur in North Valley County. I encourage you to remind the participants of the endangered ~~species~~ status of the gray wolf. Pilot/gunners and livestock producers should know

'that killing an endangered species can result in fines and/or imprisonment; grazing privileges on public lands can also be cancelled upon conviction. SO--the rancher could not kill the gray wolf, even if he caught it killing his livestock, he also couldn't use an effective method of killing the coyote.

We are understandably concerned when a spokesman for the defenders of Wildlife complains that the Fish and Game people are not protecting the right programs. For instance, the department did not ~~oppose~~ oppose the states application to use the poison 1080 in 12 Western Montana counties to control the Columbian ground squirrel---the department did not oppose the poisoning of blackbirds in northeastern Montana to protect sunflower crops and the department endorsed an experimental 1080 program for predators by the livestock board. --

This same February 1978 Tribune carried the quotation " What is the bigger issue? Appeasing the agricultural sentiment to keep the farmers gate open for sportsmen or protecting non-game?" Frankly, we wonder why ~~he~~ he did not consider the protection of agriculture crops as any importance.

W.I.F.E. would like to believe that no serious harm could come from the passage of such an innocent little bill. We cannot. A very low estimate of perhaps one third of the bills introduced in this session deal with supposedly minor changes, or clarifying existing bills. We do not want this to be one next session.

W^m are told this is a completely voluntary program---- You can now purchase a \$5.00 stamp that buys you nothing but the opportunity to support a non-game research program.

Audobon alone has around 2,000 members. Why did not they rush down to the Fish Wildlife and Parks and purchase those stamps if they were so dedicated. In 1977-78 year, about 80 stamps were bought. Last year, only about 50.

W^m have on our farm a flicker,--he returns every winter, sometimes he brings his mate. Flickers, especially this species is not native to our area. W^m also have thousands of english sparrows, starlings and nearly that many magpies, which we shoot at, around and near. It startles the flicker, but he settles down. Our dogs and cats hunt the birds, and I assume they are natural predators, so we won't worry about them. But, should my lone flicker be counted--remember he's been there several years, ~~xxxxxxx~~ could he be in line for endangered status. Are we disturbing his habitat by shooting at those birds that cause us so much misery. Sounds far fetched doesn't it. Consider the extensive study undertaken a few years ago on Benton Lake area to see how many ferrets there were. So, despite the fact that no one around there had ever seen a ferret, the study was undertaken--and sure enough, there were no ferrets there.

It would be very easy to make fun of the many situations that could arise were this bill accepted. We find it too serious to do so. We enjoy birds, and wildlife, we do our best to protect them, as do most of agriculture. We do ask though, that you do not pass this bill. Its effect on our industry could be disastrous.

Thank you.

Yes I can see a number of the same things -

H.B.-787 seems rather at the end
of a number of the economies of agriculture
and of the economy of the State of Montana.
There is little doubt that such measures
could be of benefit in the maintenance
of the "non game" species of Montana in the
prairie created more such judiciously and with
great restraint and first hand experience as governing
factors in each instance.

However there can be no guarantee that
such will be the case. What will happen if
universe restrictions are placed on agricultural
or industrial operations in order to protect
small birds during nesting time? How?
The quail and prairie warblers nest on the ground,
in fields and prairie land. Farmers could
possibly be restricted from plowing or cultivation
until it is determined that most of the hatch has
occurred. Forfeited - perhaps.

What if, as in Oregon, the rattlesnake is
given protection under this measure? I am
told it is illegal to kill a rattlesnake in Oregon
unless - he bites you! In the same way
in Texas excavation a snake is unearthed,
rattlesnake must wait until the snake moves
away. He cannot be "killed."

The animal is not listed as a predator and would therefore fall into the "non-game" designation. As would the fish. Both are human carriers of rabies and can be dealt with as necessary for public safety.

We are not to be too hasty in the population of skunk. Is the optimum value in a family of the "skunk"? I think the whole idea is an idea about it, if you like to live in a city, so.

We have enough "social duties" and "harmful" to it - we are affected by species, prairie dogs, squirrels, earthworms, shrews, gophers, prairie dogs, minnows, crayfish, moles, badgers, garter snakes and more of these and more become more important than reality dictates.

We must protect these species which need protection but we must also remember that there are hundreds of species which are the worst case of time and space in the world.

Agreement has been a basis in the conservation and protection of wildlife and the "non-game" species are as equally as well as the "game" species for the "game" species.

We are also aware of the fact that it is impossible to say I am game rather than August and September and so on.

that migration birds might not be disturbed. Prior experience indicates this could happen.

We also know that there are more geophiles and cryptotaxids and other species than ever in the past. We feel this legislation would be perverted to the detriment of chemical and other methods of pest control in the name of "species salvation".

It is not needed legislation. There are no safeguards built into it for determining by outside interests. The economic impact of mandates propounded in the name of "humanitarian" treatment of the earthworms, the crop and other damage.

We urge a prompt passage of 787 on this basis and a strong support for the program.

Thank you Mr. Chairman

Respectfully,
 Ronald A. Hansen

WITNESS STATEMENT

NAME Mons Tergen ^{Hans} BILL No. 787
ADDRESS Helena DATE 2/24/81
WHOM DO YOU REPRESENT Mont Stockgrowers, Contractors & Chamber of Commerce
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The way this bill reads it also sets up a unique non game council, but it doesn't call it Advisory Council. In fact it specifically exempts itself from the advisory councils provided for in executive reorganization.

Note sub-section 6 of new section 3. The council is not subject to the provisions of 2-15-122. Sec 2-15-122 is the section setting up advisory councils and limits rather strongly their power and rule making authority.

This bill conflicts directly with reorganization of state government as well as the intent of reorganization.

Representative
Orval Ellison

Dear Orval:

This is a letter
in support of HB 787
the nongame funding
bill. I wrote this
on behalf of my self
and other voters in
your district. I have
also included some
explanatory comments
on the bill's concept
and the 1973 Act.

Cary B Lund

Representative Orval Ellison
House District 73

Dear Orval:

I am writing this letter in support of HB 787, the Nongame Funding Bill, on behalf of several people from your district. We have discussed the bill and the merits of its passage. We ask that you support it.

My family: Bud and Jean Lund, P.O.Box 357, Livingston; Frank and Anita Lund, P.O.Box 358, Livingston; Rich and Lori Lund, Space #74 S-S Trailer Ct.; Mrs. Frank (Bobby) Jones, Rte, 38 Box 2050, Livingston and myself have lived most of our lives in Montana. For us Montana's wildlife has been one of the most outstanding aspects to living in Montana. Our days off and evenings have often been made more pleasurable by drives and walks during which we observed wildlife. Much of that wildlife is nongame wildlife. Over the years, however, we have been concerned about the decline and disappearance of many wildlife species in our area. Around our place when I was young we had mountain bluebirds, American redstarts, Western kingbirds, and several types of hawks which have now disappeared. We miss observing these animals and wonder why it was that they are now gone and what could be done to bring them back. Another species once present on the Yellowstone which is now gone is the osprey. At our cabin we enjoy watching the small mammals as well as the birds.

Francis Kelly, Miner Route, Emigrant, has also expressed her concern for the disappearance from her ranch of many bird and mammal species over the years. She feels that wildlife is an important value to her place. She is in an area of migration for many birds and the decline in numbers of some species such as the mountain bluebird has been noticable.

The following people have also expressed their concern for nongame wildlife and their support for HB 787; Myrna Richardson, Box 256, Gardiner; Joe Arnold, Gardiner; Curtis Whittlesly, Box 462, Gardiner; and Lee and Mikelann Whittlesly, Box 462, Gardiner.

We feel that HB 787 is an important bill for Montanans in that it will provide us with objective knowledge about the status of our nongame species and their habits. With such knowledge we can prevent species from declining to critical levels by learning through education how we as individuals can help nongame wildlife. We can be sure that our monies and efforts, public and private, are expended where they will do the most good. We can learn how to mitigate the damage to wildlife brought on by our activities. We can improve the quality of habitat for game animals and the quality of our land for agriculture.

Sincerely;


Cary B. Lund

Dear Orval:

As an attorney who has studied the 1973 Nongame Act which would be funded by HB 787, I would like to make some comments upon the impacts that the nongame program will have on ranchers, farmers, and other private land owners. I have been quite disturbed at the misconceptions that some opponents of the bill have been spreading.

The definition of "nongame" in the 1973 Act makes it quite clear that predators classified by statute or regulation are not nongame wildlife and therefore can not be managed as such. Nor are game animals, sport fish, or furbearers considered nongame wildlife. 87-5-102(4) MCA. Statutorily, coyotes, weasels, skunks, and civet cats are specifically listed as predators. 87-2-101(11) MCA. The Department of Livestock retains the authority to designate other predators by rule. 81-7-102 MCA. Rodents are not excluded from the definition of nongame wildlife and could therefore be studied under that authority but the Department of Livestock retains full authority to control pest rodents through any of its programs. 81-1-401 MCA. Statutorily defined pest rodents are jackrabbits, prairie dogs, ground squirrels, pocket gophers, rats and mice. The Department of Livestock may designate by rule other rodents and related animals which are injurious to agriculture. 81-1-401 MCA. The Department of Fish, Wildlife & Parks could not prevent the control of these species.

The Department of Fish, Wildlife & Parks may only regulate the taking and seasons on nongame wildlife which the legislature has designated as in need of management at the recommendation of the department. 87-5-105 MCA. That is the only authority in the 1973 Act which would have any bearing on private lands. This authority is no different from that granted the department for game animals and furbearers. The legislature has the final authority as to what nongame wildlife species the department may regulate the hunting, possession, transportation, exportation, processing, sale, or shipment of. The 1973 Act does not give the department the authority to control such things as land use practices or development.

The monies raised by the nongame wildlife checkoff as HB 787 is written could only be used for the nongame wildlife program. Those monies would therefore not be available for an endangered species program.

I have some other comments to make concerning HB 787. Some people have raised the issue of finding other means by which to fund the nongame wildlife program. The fees on special license plates are used in some states, however, those funds in Montana are dedicated already to the highway patrol fund. Missouri and some other states utilize sales taxes. This is unacceptable to Montanans. Very few states utilize general appropriations. Only 5 states of the 27 states having nongame wildlife programs do so. Last fall, I and other interested persons discussed this

this matter of funding with Bob Marks and Bobbie Spilker. They informed us that in their estimation a request for general appropriation monies would have less chance of successful passage than would the tax check off method. The nongame certificate mode of funding which was utilized in Montana and failed has had a similar record in other states. That method was tried in Colorado, Washington, Missouri, and Pennsylvania. In those states that method raised very little, only a few hundred dollars in Washington and Colorado each year it was in effect. As previously mentioned, Missouri now utilizes a sales tax. Washington utilizes a fee on personalized licensed plates. Colorado and Pennsylvania now utilize the tax check off method. Pennsylvania has just passed an act instituting the tax check off. Colorado has received hundreds of thousands of dollars a year since it developed the tax check off. The response of the general public in such states as Oregon, Utah, and Colorado to the tax check off indicates that support for nongame programs is greater than the membership of conservation organizations. This is a good indication of the effectiveness of the tax check off method in reaching those persons who are concerned enough to voluntarily pay for their privilege of enjoying nongame wildlife.

Our wildlife heritage in Montana is one thing which we are all proud of and concerned for. The funding of the nongame wildlife program is for the benefit of that wildlife heritage and therefore for the benefit of all Montanans. It does not provide direct benefits to any single interest group. It is not a collection service by the state for a state program which benefits a few people. This program will serve all citizens of Montana equally.

Cary B. Lund

News Release

8084

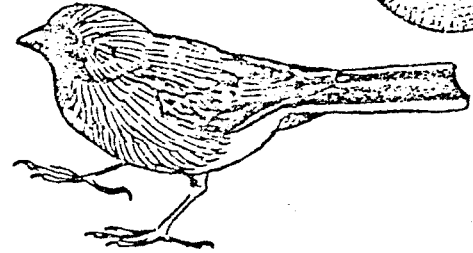
9/30/80

CONTACT: CHARLES ROBERTS
or NICKY LINGON

FOR IMMEDIATE RELEASE

SURVEY SHOWS MORE THAN HALF OF STATES
NOW FUNDING NONGAME WILDLIFE PROGRAMS

* * *

*Sales of T-Shirts, Tax Checkoffs Help Animals
Not Covered by Hunting, Fishing License Fees*

For most of this century, states that spent money to enhance their wildlife populations spent it on game species--animals that are hunted or trapped for food or fur. As recently as 1973, only three states--California, Oregon, and Washington--provided funds for nongame wildlife management.

Now, according to a National Wildlife Federation survey, an ever-increasing number of states are working to improve the lot of nongame wildlife--songbirds and other creatures that are neither hunted nor trapped. As of July, 1980, according to the survey, 27 states are funding nongame programs and another seven states are developing such programs.

The Federation obtained its figures by interviewing officials of the fish and game commissions in all 50 states. The findings confirm other indications that there has been a marked growth of interest in nongame wildlife since the beginning of the "environmental revolution" of the 1970s.

"Among our members there has been a steady increase in the esthetic or nonconsumptive uses of wildlife--birdwatching, photographing, sketching, and just observing animals in the wild," said Thomas L. Kimball, executive vice president of the NWF. "We are encouraged by this survey, which shows that state legislatures are responding to a surge of interest in wildlife on the part of the people."

Kimball also called for quick implementation of the National Wildlife Conservation Act passed by Congress this month. This measure, which was supported by NWF, with its 4.6 million members and supporters across the country, authorizes the U. S. Fish and Wildlife Service to apportion limited federal funds to the states for nongame purposes.

A major objective of both the state and federal programs is the protection of nongame wildlife habitat--areas where animals can find food, water, cover, and a place to raise their young.

"We feel," said Kimball, "that the cost of maintaining a healthy and abundant wildlife population--a part of our national heritage--should be borne by all citizens because we all benefit. Loss of habitat is the biggest threat to our wildlife--whether

(more)

game or nongame--and all of us--hunters and non-hunters alike--should be working to protect what is left of wildlife habitat in this country."

The 27 states that reported having nongame wildlife programs are: Arizona, California, Colorado, Illinois, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Washington, and Wisconsin.

The seven states where programs are now being developed are: Arkansas, Georgia, Louisiana, Maine, New Mexico, North Carolina, and Wyoming.

Among the states with existing programs, most began their efforts to aid nongame species by taking an inventory of native wildlife. Other activities include habitat surveys and acquisition, establishing observation areas, the rehabilitation of injured raptors, and the control of problem animals.

Some states have undertaken projects aimed at specific, target species. Missouri, for example, has projects for bluebirds, kingfishers, barn owls, and turtles, while California is attempting to reestablish habitat for the tern, a seabird.

Most state wildlife agencies are funded mainly by hunters and fishermen, through license fees and federal excise taxes on hunting and fishing equipment, apportioned to the states. Accordingly, the bulk of their work is directed into activities which affect game species--such as ducks and deer--and their habitats.

Most state officials favor putting the burden of nongame programs on nonconsumptive users--hikers, campers, birdwatchers--rather than hunters, the survey found.

Of the 50 states polled by NWF, only 13 reported using any revenues from license fees directly for nongame purposes, although habitat improvement usually benefits both game and nongame species.

Other sources of money for nongame programs include general funds of the states, a sales tax, voluntary donations, checkoffs by state taxpayers, and the sale of personalized auto tags, t-shirts, wildlife stamps, and shoulder patches.

Sources of funding that have been discussed but never utilized include excise taxes on cameras, birdseed, binoculars, camping equipment, and other paraphernalia of the so-called nonconsumptive users of wildlife, and tax deductible gifts, grants, and bequests from private sources.

Colorado originated the tax checkoff system three years ago, and provided a model used by five other states. Under this plan, there is a place on the state income tax form where the taxpayer can check off the amount he wishes to contribute to the nongame wildlife

(more)

program. If a refund is due, the indicated amount will be subtracted from the total refund and diverted to the nongame fund. If no refund is due, this amount is added to the taxpayer's bill.

According to John Torres, Colorado's nongame wildlife programs chief, the residents of that state have responded well, contributing more than \$600,000 this year. Oregon, in its first year of a similar program, is also experiencing success. One out of every twelve taxpayers has participated, donating more than \$330,000.

Missouri, one of the first states to operate a nongame program, passed a constitutional amendment in 1976 which increased its state sales tax by one-eighth of one percent. The funds go to its wildlife programs including those emphasizing protection of nongame species. In 1979 the tax raised more than \$30.3 million, with more than \$2 million targeted for nongame wildlife.

Pennsylvania raises money for nongame management from the sale of wildlife stamps and patches, while the sale of personalized vehicle tags generated \$409,000 for Washington's nongame program in 1979. Michigan and New Jersey sell t-shirts.

Among the 23 states without nongame programs, some have the authority to work on behalf of nongame species but lack programs because no funds are available. "We would love to have a nongame program, but we just don't have the money," an Oklahoma official told Nicky Lingon, who conducted the NWF survey.

Michael E. Berger, assistant director for resources defense for the NWF, expressed hope that a new federal wildlife law will give new impetus to the movement to aid nongame species. "We hope the National Wildlife Conservation Act will provide funds to stimulate more states to undertake comprehensive wildlife planning and expand beneficial nongame programs," he said. "The expansion of state nongame programs will help insure that all wildlife species will be available for the enjoyment and use of all future Americans."

##

(NOTE TO EDITORS: A tabulation of the NWF survey of state nongame wildlife programs is attached.)

NWP SURVEY OF STATE NONGAME WILDLIFE PROGRAMS

Non-game

<u>STATE</u>	<u>NONGAME PROGRAM ?</u>	<u>FUNDING</u>
Alabama	No	_____
Alaska	No	_____
Arizona	Yes	License fees
Arkansas	Developing	_____
California	Yes	License fees, state, donations
Colorado	Yes	Tax check-off
Connecticut	No	_____
Delaware	No	_____
Florida	No	_____
Georgia	Developing	_____
Hawaii	No	_____
Illinois	Yes	License fees
Indiana	No	_____
Iowa	Yes	License fees
Kansas	Yes	Tax check-off
Kentucky	Yes	Tax check-off
Louisiana	Developing	_____
Maine	Developing	_____
Maryland	Yes	State funds
Massachusetts	Yes	License fees
Michigan	Yes	License fees, sale of t-shirts
Minnesota	Yes	Tax check-off
Mississippi	No	_____
Missouri	Yes	License fees, 1/8 of 1% sales tax
Montana	Yes	License fees
Nebraska	Yes	State funds
Nevada	Yes	State funds
New Hampshire	No	_____
New Jersey	Yes	State funds, sale of t-shirts
New Mexico	Developing	_____
New York	Yes	License fees, state funds
North Carolina	Developing	_____
North Dakota	Yes	License fees
Ohio	Yes	License fees, fines
Oklahoma	No	_____
Oregon	Yes	Tax check-off
Pennsylvania	Yes	Sale of wildlife stamps, patches
Rhode Island	No	_____
South Carolina	Yes	State funds
South Dakota	No	_____
Tennessee	Yes	License fees, State funds
Texas	Yes	State funds
Utah	Yes	Tax check-off
Vermont	No	_____
Virginia	No	_____
Washington	Yes	Sale of personalized auto tags
West Virginia	No	_____
Wisconsin	Yes	License fees, state funds
Wyoming	Developing	_____

Larry

NONGAME WILDLIFE FUNDING BILL

TESTIMONY - H.B. 787

~~DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION~~

Larry S. Thompson

State government is a major user of nongame inventory data. The Department of Natural Resources and Conservation is required by statute (e.g. MEPA, MFSA) to address potential impacts on wildlife, both game and nongame, and monitoring of nongame populations affected by major facilities is also called for by MFSA. Other state agencies have similar requirements; for example, the Department of State Lands guidelines for the strip mine reclamation act spell out some very specific requirements for nongame inventory, and also require that nongame wildlife populations be monitored yearly on large mines until reclamation is complete. In 1980 alone, DNRC (Facility Siting Division) was involved in 8 projects requiring nongame inventory or monitoring, and the Department of State Lands was involved in 14. These nongame studies require a considerable amount of effort, but they are necessary in order to ensure that this valuable resource is not jeopardized by needed development.

If this nongame program is adequately funded, it could make the required work of state government more efficient, cost-effective, ^{and} accurate, ^{would} and prevent duplication of effort. Some of the specific goals which the program could accomplish if this bill is passed are the following:

1. Provide a statewide data base. State and federal agencies are often required to carry out a full-scale inventory each time an EIS is written, since there is no clearinghouse which agencies can call on to obtain existing data. A concerted effort to compile existing nongame data by habitat or region, and to keep tabs on all ongoing research, would streamline the inventory process, prevent duplication, and save considerable time and money.

2. Develop Standard Inventory Techniques. Nongame inventories currently under way in Montana often employ widely different survey methods. This makes it difficult to extrapolate findings from one area to another, or to identify regional patterns or trends. An expanded nongame program could assist researchers in designing nongame studies so that the results would be compatible with those of other studies. This could eventually lead to a useful data base with a predictive capability as different habitats and regions are covered, a data base which would reduce the amount of future inventory effort required.
3. Identify Indicator Species or Communities for Use in Monitoring. Research to identify nongame species which are the most sensitive indicators and to design effective nongame monitoring techniques would be a valuable function of the state nongame program, and could help cut costs and increase the precision of required long-term monitoring studies.
4. Identify Cost-Effective Mitigation Techniques. Mitigation of wildlife losses is often required by law; the state nongame program could coordinate research to identify the most cost-effective means of mitigation, again cutting costs in the long run. For example, it may be found that bluebird populations could be quickly and cheaply restored by providing nest boxes.
5. Coordinate Volunteer Efforts. Many nongame research studies are being carried out by volunteers, Audubon societies and interested amateurs. A few examples are the cooperative Breeding Bird Survey, the Christmas Bird Counts, and roadside raptor surveys. These studies could provide invaluable data on population trends and habitat requirements; however, there is presently no money available to pay for the necessary data analysis.

These are just a few of the projects which Montana's nongame program could accomplish with the funding provided by the checkoff system. I chose these examples to illustrate how the nongame program, by coordinating and streamlining the many nongame studies which are already required by law, could increase efficiency and cut costs, while at the same time adding significantly to our understanding of Montana's wildlife resource. I feel this is important in light of the increasing public concern over government spending and taxation. Users of the nongame resource also need a convenient way to contribute to resource management, if they so desire. I therefore strongly urge your support in providing funding for Montana's nongame program by means of a voluntary tax checkoff donation.

LIVING DECORATIONS

1910 BELVEDERE DRIVE
BILLINGS, MONTANA 59102
656-6372

Feb. 22, 1981

Billings' Legislators

Helena, Montana. 59601

At the last meeting of the Billings Garden Club,
held Feb. 11, the majority of the members present were in
favor of writing you to express our approval of the concept
of the non-game bill, H. B. 787.


Larry Porter, Pres.
Billings Garden Club

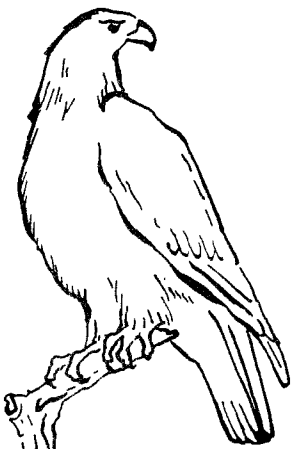
Custom-built terrariums—fluorescent wall units—plant rentals—pools.
Consultant on home and office decorative units with living plants.

Larry Porter

Yellowstone Valley Audubon Society
Billings, Montana

Post Office Box 1075

February 20, 1981



Mr. Orval Ellison, Chairman
House Fish, Wildlife & Parks
State Capitol
Helena, Montana 59601

Dear Sir:

The Yellowstone Valley Audubon Society supports the enacting of House Bill 787 as a practical method of funding a program that has been the responsibility of the State since 1973. A number of other states, that have state-income taxes, have adopted this method of funding.

The funding proposal makes no other change in the law as it now is, except to provide a method of funding. Contrary to fears expressed by certain groups, there will be no change whatever in laws and/or regulations regarding predator and rodent control. Any fears of the kind are groundless.

Very truly yours,

Esther Murray
ESTER MURRAY
Secretary



*Copy
Jan 1981*

Southeastern Sportsman Association

Box 33 Billings, Montana 59103

February 16, 1981

Rep. Ken Nordtvedt-Chairman
Taxation Committee
House of Representatives
Capitol Building
Helena, Montana 59601

Mr. Chairman:

I am Fred Carver-President of the Southeastern Montana Sportsmen Association, which has a membership of over eleven hundred. Along with the Montana Audubon Council, we are also concerned that, in 1973 the Montana Legislature passed and the Governor signed a law that stated (in part): 87-5-103 MCA. The legislative finds and declares all of the following (1) that it is the policy of this State to manage certain nongame wildlife for human enjoyment, for scientific purposes and to insure their perpetuation as members of ecosystems. However no funding was provided. We feel that with help of our legislature some type of funding policy could be provided, that is, a check off contribution system provided on State income tax forms. A check-off box would be provided on the tax form, whereby an individual could contribute, by allowing (A) dollars to be deducted from any refund.

The State of Colorado has this contribution check-off system on their income tax forms and Kentucky, Minnesota, Oregon and Kansas have adopted Colorado's plan of funding nongame programs. Why not this type of funding, be tried in Montana?

We the Southeastern Montana Sportsmen Association fully support the Montana Audubon Council in passage of HB-787.

There may be some who object to a nongame program, in that some predator, insect or pest may be classified as nongame. I believe that this is well taken care of under 87-2-102 MCA.

Thank you,

F. B. Carver
F. B. Carver

Feb 21, '81

Joe Orval Ellison

Chairman, Fish & Wildlife
Parks Committee

Dear Mr. Ellison,

I am writing this in
longhand without club stationery,
so you can have this letter by next
Tuesday.

The Billings Camera
Club, 40 some members, approved
the House Bill 787; the non-game
funding proposal, at our February
meeting.

We feel that those of us
that do not hunt, but thoroughly
enjoy the wildlife, should be able
to support fish and game activities
concerning non-game animals and
birds. We are vitally interested in the
protection of these species.

Sincerely

George H. Schuyler D.D.
President
Billings Camera Club

1155 Ponderosa
Billings Mt.
59102

NAME

PAT Underwood

Bill No.

HB 787

ADDRESS

Box 1207 Bozeman, MT. 59715

DATE

FEB 24, 81

WHOM DO YOU REPRESENT

MONT. FARM BUREAU

SUPPORT

OPPOSE

AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

MONTANA FARM BUREAU IS OPPOSED
TO HB 787 AND RECOMMENDS A DO
NOT PASS!