

MINUTES OF MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

February 17, 1981

Chairman Smith called the executive session to order at 1:32 p.m. in Room 402 of the Capitol.

ROLL CALL: All members of the committee were present with Senator Jacobson arriving at 1:37 p.m. Senator Eck was excused at 1:55 p.m. to attend a 2:00 p.m. meeting elsewhere.

ACTION ON SENATE BILL 276, "An act to eliminate the condemnation power of the Department of Fish, Wildlife, and Parks;...."

Senator Galt made a motion that SB 276 do pass.

Senator Eck made a substitute motion to amend the bill on page 3, line 9, following "purposes," by inserting: "(2) The department, with the consent of the commission, may acquire by condemnation lands or waters for the preservation of historic and archeological sites under threat of destruction or alteration."

A discussion followed. The word "waters" was objectionable to several members of the committee and Senator Eck agreed to delete the word "waters" and insert the word "structures." She said this would take care of situations such as Beaverhead Rock and important buildings in ghost towns.

Question was called for and the motion to amend as stated carried unanimously.

Senator Galt made a motion that SB 276 do pass as amended.

Legislative researcher Andrea Merrill was recognized by Chairman Smith. She stated that with Senator Eck's amendment, the bill would require further amendment to the title by deleting the word "eliminate" and inserting "limit"--an act to limit the condemnation power.... Chairman Smith directed Ms. Merrill to prepare the necessary amendments.

Senator Galt made a motion that the amendment be adopted and SB 276 do pass as amended. A roll call vote was taken; the motion carried with all members voting yes.

ACTION ON SENATE BILL 320, "An act to provide for the sale of regular deer and elk tags to residents who are 62 years...."

Senator Lee made a motion that SB 320 do pass.

Question was called for by Senator Galt. A roll call vote was taken; the motion carried with five members voting yes and two members voting no.

ACTION ON SENATE BILL 413, "An act to clarify definitions of 'game animals' and 'upland game birds' by adding species and scientific names;"

Senator Severson made a motion that SB 413 do pass.

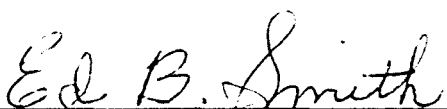
Senator Severson explained the bill to those who were not at the last committee meeting. There was considerable discussion regarding the legislation and whether or not the legislation was necessary. The wish was expressed by several of the members that the issue should be included in the governor's task force when it considers regulations governing the game farms and game animal shooting preserves.

Senator Lee made a substitute motion to adopt the seven amendments to SB 413 as shown in Attachment #1; the motion carried with all six members present voting yes.

Senator Severson made a motion that SB 413, as amended, do pass. A roll call vote was taken and all six members present voted yes.

ACTION ON LETTER REGARDING SB 51. The letter approved in the last executive session had been retyped and was submitted to committee members for their signature. All members of the committee signed the letter and the secretary was instructed to mail it to the department and mail a copy to Jim DeBoer, President, Montana Association of State Game Wardens, Route 1, Box 99, Sheridan, Montana 59749. (Attachment #2)

The meeting adjourned at 2:15 p.m.



Senator Ed B. Smith

jt

SENATE FISH AND GAME COMMITTEE
February 14, 1981

AMENDMENTS TO SENATE BILL 413

1. Page 2, line 1:
Following: "Cervus"
Strike: "canadensis"
Insert: "elaphus"
2. Page 2, line 3:
Strike: "Oreamos"
Insert: "Oreamnos"
3. Page 2, line 4:
Following: line 3
Strike: "americana"
Insert: "americanus"
4. Page 3, line 7:
Strike: "Oendragapus"
Insert: "Dendragapus"
5. Page 3, line 10:
Strike: "centrocercus"
Insert: "centrocercus"
6. Page 3, line 12:
Following: line 11
Strike: "quail, pheasant"
7. Page 3, line 15:
Following: "Alectoris"
Strike: "colchicus"
Insert: "graeca"

February 14, 1981

Mr. Jim Flynn, Director
Department of Fish, Wildlife
and Parks
Capitol Station
Helena, Montana

Dear Mr. Flynn:

The Senate Committee on Fish and Game has recommended do not pass action on Senate Bill #51, the act to provide premium pay for game wardens. The committee feels that legislation is not the proper means of solving this issue. In addition, the committee does not want to bind the department to the concept of premium pay when there might be a better method of compensating the game wardens for their excess hours worked.

The committee has a high regard for the work performed by the game wardens in Montana and sympathizes with their need for recognition in this issue.

The committee urges the department to discuss the issue of premium pay or any other such compensation scheme at the 1981 bargaining session with the game wardens. In addition, the committee respectfully requests that no adverse action be taken against any game warden who appeared or testified at the February 10 committee hearing.

The committee offers this communication in the spirit of cooperation and concern.

Ed B. Smith

Senator Ed B. Smith, Chairman

s/Elmer D. Severson

Senator Elmer D. Severson

Dorothy Eck

Senator Dorothy Eck

Judy H. Jacobson

Senator Judy H. Jacobson

s/Jack E. Galt

Senator Jack E. Galt

Gary P. Lee

Senator Gary P. Lee

s/ Harry K. Berg

Senator Harry K. Berg

cc: Jim DeBoer

STANDING COMMITTEE REPORT

FEBRUARY 17 19 81

MR. PRESIDENT

We, your committee on SENATE FISH AND GAME

having had under consideration SENATE Bill No. 320

Respectfully report as follows: That SENATE Bill No. 320

DO PASS

SENATE COMMITTEE FISH AND GAME

Date Feb. 17, 1981 Senate Bill No. 320 Time _____

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman		✓
Severson, Elmer		✓
Lee, Gary	✓	
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
Secretary

Ed B. Smith
Chairman

Motion: do pass

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....FEBRUARY 17..... 19 91.....

MR.PRESIDENT.....

We, your committee onSENATE FISH AND GAME.....

having had under consideration~~SENATE~~..... Bill No. 276

Respectfully report as follows: ThatSENATE..... Bill No. 276

Be amended as follows:

1. Title, line 4:
Strike: "ELIMINATE"
Insert: "LIMIT"
2. Page 1, line 14:
Following: "agreement,"
Strike: "or"
3. Page 1, line 15:
Following: "condemnation"
Insert: ", or condemnation for the purposes outlined in
87-1-202(2)"

~~XXXXXX~~

4. Page 3

Following: line 9

Insert: "(2) The department, with the consent of the
commission, may acquire by condemnation lands or
structures for the preservation of historical or
archeological sites that are threatened with des-
truction or alteration."

Renumber: all subsequent subsections

And, as so amended,

DO PASS

cf/c.

SENATE COMMITTEE FISH AND GAME

Date Feb. 17, 1981 Senate Bill No. 276 Time _____

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman	✓	
Severson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy	✓	
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton
Secretary

Ed B. Smith
Chairman

Motion: Do pass as amended

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

FEBRUARY 17

1981

MR. PRESIDENT

We, your committee on SENATE FISH AND GAME

having had under consideration SENATE Bill No. 413

Respectfully report as follows: That SENATE Bill No. 413

be amended as follows:

1. Page 2, line 1:
Following: "Cervus"
Strike: "canadensis"
Insert: "elaphus"
2. Page 2, line 3:
Strike: "Oreamos"
Insert: "Oreamnos"
3. Page 2, line 4:
Following: line 3
Strike: "americana"
Insert: "americanus"

~~DO PASS~~

Committee on Fish and Game
Page Two
Senate Bill 413

February 17

31
19.....

4. Page 3, line 7:
Strike: "Oendragapus"
Insert: "Dendragapus"
5. Page 3, line 10:
Strike: "centrocerus"
Insert: "centrocercus"
6. Page 3, line 12:
Following: line 11
Strike: "quail, pheasant"
7. Page 3, line 15:
Following: "Alectoris"
Strike: "colchicus"
Insert: "graeca"

And, as so amended,

DO PASS

4/10

SENATE COMMITTEE FISH AND GAME

Date Feb. 17, 1981 Senate Bill No. 413 Time _____

NAME	YES	NO
Smith, Ed, Chairman	✓	
Galt, Jack, Vice Chairman	✓	
Sverson, Elmer	✓	
Lee, Gary	✓	
Eck, Dorothy		<i>excused</i>
Berg, Harry	✓	
Jacobson, Judy	✓	

Jeanette G. Thornton Ed B. Smith
Secretary Chairman

Motion: do pass as amended

(include enough information on motion--put with yellow copy of committee report.)