

FISH AND GAME COMMITTEE

January 20, 1983

The meeting was called to order by Chairman Les Nilson in room 420 of the Capitol Building at 12:30 p.m., with all members present.

Chairman Nilson opened the meeting to an EXECUTIVE SESSION on House Bills: 94, 101, and 104.

HOUSE BILL 94

Rep. Phillips moved House Bill 94, DO PASS.

Rep. Ellison moved the amendments to House Bill 94, DO PASS, The motion carried unanimously. (see exhibit 1)

Rep. Mueller moved the statement of intent, DO PASS, the motion carried unanimously. (see exhibit 2)

HOUSE BILL 101

Rep. Jensen moved House Bill 101, DO NOT PASS.

Rep. Devlin stated there is a time when we are going to have to address this problem. A certain percentage should go to the development and maintenance of the parks. This percentage would be taken off the top of the budget for the next year.

Rep. Swift said I would support considering an amendment where you would guarantee that some funding goes to operation and maintenance or a value offset proposal.

Chairman Nilson turned the chair over to Vice Chairman, Gary Spaeth.

Vice Chairman Spaeth announced that executive action would be deferred on House Bill 101 until Tuesday, January 25.

HOUSE BILL 104

Rep. Mueller commented that nobody that testified had a quarrel with some sort of a cap. The problem was what that cap should be. I feel very strongly that we do need a cap. This bill serves a very useful purpose. Under this law, the Fish and Game could appraise these sites and make recommendations to the legislature as to whether it is worth the money or has some kind of value to the public as a whole. As the amount of money grows, we are going to be more prone to submit to the pressure of organized groups.

Rep. Jensen said I believe very strongly in the process where the citizens of the state can submit a plan before the legislature for the money. Creative tendencies ought to be encouraged for the people with this ability.

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Rep. Daily stated if you go over the \$15,000,000. cap, you are just passing it on to the next legislature. There were no proponents to the bill, I think we ought to take the opponents to the bill into consideration.

Rep. Devlin said the more money that is in the fund, the more proposals we will have, We are putting a tremendous job on the long-range building committee to make these decisions.

Rep. Jensen commented the most important data is the interest that will be raised.

Rep. Swift moved to explore three categories, \$20,000., \$30,000., and \$50,000., the motion passed unanimously.

The meeting was adjourned at 1:30 p.m.



LES NILSON, Chairman



Cheryl Fredrickson, secretary

HOUSE BILL 94

Amend introduced bill

1. Page 1, line 14

Following: line 13

Strike: "propagation,"

2. Page 1, line 16

Following: "falconry."

Strike: "It"

Insert: "Except as provided in [Section 3], it"

3. Page 2, line 11

Following: line 10

Strike: "subsection (3) of this section"

Insert: "[Section 3]"

4. Page 2, line 24 through page 3, line 2

Strike: subsection (3) in its entirety

Renumber: all subsequent subsections

5. Page 3

Following: line 9

Insert: "NEW SECTION. Section 3. Permit for captive breeding of raptors. The department may grant permits to a person, whether or not licensed under this part, for the taking and holding of raptors for captive breeding purposes under such conditions, consistent with this part, as the department may specify in the permit."

STATEMENT OF INTENT
HB 94

House Bill No. 94 requires a statement of intent because the proposed amendments would provide the Department of Fish, Wildlife, and Parks with the authority to pass regulations on the taking and keeping of raptors for captive breeding purposes.

The reason for the Department to pass regulations controlling captive breeding are to avoid abuses which could endanger the birds captured or in some cases to protect species which are already rare or unusual in Montana. Accordingly regulations may be adopted which would regulate the kinds of raptors which may be captured, the methods used to capture birds, the facilities in which the birds are kept and bred, the times of capture, the kinds of records to be kept regarding the bird, and the qualifications of the people requesting a captive breeding permit.

STANDING COMMITTEE REPORT

1 of 1

January 20, 1983

SPEAKER:
MR.

We, your committee on FISH AND GAME

having had under consideration HOUSE Bill No. 94

first white
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A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ISSUE PERMITS
FOR THE TAKING AND HOLDING OF RAPTORS FOR CAPTIVE BREEDING
PROJECTS; AMENDING SECTIONS 87-5-204 AND 87-5-206, MCA."

Respectfully report as follows: That HOUSE Bill No. 94
be amended as follows:

1. Page 1, line 14.
Following: line 13.
Strike "propagation,"

2. Page 1, line 16.
Following: "falconry."
Strike: "It"
Insert: "Except as provided in [Section 3], it"
I

3. Page 2, line 11.
Strike: "subsection (3) of this section"
Insert: "[Section]3]"

~~AND AS AMENDED~~

XXXXX
DO PASS

~~STATEMENT OF DISCLOSURE ATTACHED~~

4. Page 2, line 24 through page 3, line 2.

Strike: subsection (3) in its entirety

Renumber: all subsequent subsections

5. Page 3.

Following: line 9.

Insert: "Section 3. Permit for captive breeding of raptors.

The department may grant permits to a person, whether or not licensed under this part, for the taking and holding of raptors for captive breeding purposes under such conditions, consistent with this part, as the department may specify in the permit.

Section 4. Rules. The department may adopt rules for the keeping of records and for the trapping, taking, possession, propagation, and release of raptors taken and held for captive breeding projects.

Section 5. Permit fee--transfer.

(1) The fee for a captive breeding permit is \$20 a year.

(2) Captive breeding permits are not transferable and may be revoked at any time by the department for violation of any conditions of the permit or regulations of the department."

AND AS AMENDED

DO PASS

STATEMENT OF INTENT ATTACHED

MR. SPEAKER

WE, YOUR COMMITTEE ON FISH AND GAME, HAVING
HAD UNDER CONSIDERATION HOUSE BILL NO. 94,
FIRST READING COPY WHITE, ATTACH THE FOLLOWING
STATEMENT OF INTENT

"STATEMENT OF INTENT
HOUSE BILL NO. 94"

House Bill No. 94 requires a statement of intent because the proposed amendments would provide the Department of Fish, Wildlife, and Parks with the authority to pass regulations on the taking and keeping of raptors for captive breeding purposes.

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