

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

February 14, 1985

The seventh meeting of the Senate Fish and Game Committee was called to order at 1:00 P.M. on February 14, 1985 by Chairman Max Conover in Room 402 of the Capitol Building.

ROLL CALL: All members were present.

FURTHER CONSIDERATION OF SB 302: Chairman Conover asked Andi Merrill to explain to the committee what she had found out on this bill.

Andi Merrill furnished committee members with a copy of the bill and laws pertaining to the intent of the bill. (Exhibit 1) She stated when the bill was prepared Section 87-3-101 probably should have been amended. The law presently prohibits shooting on or from a public highway, but a clearer definition could be put into the law. If highway was defined to include "the shoulder, berm or borrow-pit right-of-way" there would be no confusion. Logging roads would not be included in this because their use is for an enterprise and not as public use. Logging roads are not addressed in the codes and there is no definition. Generally speaking those kinds of roads are not kept up for public use on a regular basis.

Senator Jacobson asked if she was comfortable with "road or highway". She questions the need for the word "road" since it is not defined in the codes and highway is defined.

Andi Merrill said that is a good question and she does not know if that is a problem or not. Road is not defined in the code.

Senator Severson asked the need for right-of-way.

Andi Merrill said it is not defined anywhere else as to what the entire width between boundary lines is.

Senator Smith said he always thought it was unlawful to even shoot from the borrow-pit.

Andi Merrill said this amendment would clarify that. Senator Galt wants to be clear about the right-of-way.

Senator Severson suggested taking the word "public" out of the title and then there would be no question on Forest Service roads.

Senator Smith suggested leaving well enough alone. There is no real serious problem with the present law.

Senator Anderson said there is a problem in his area and no doubt in Senator Galt's area or he wouldn't have introduced this legislation.

Senator Jacobson also feels that there is not a problem with the present law, just a problem with enforcement.

Senator Anderson noted that Jim Flynn had supported the bill and wondered if there has been some enforcement problems.

Chairman Conover closed the hearing on SB 302 for further discussion with the sponsor and Jim Flynn.

CONSIDERATION OF SENATE BILL 334: Senator Crippen, District 45, presented this bill to the committee as sponsor. He explained that this bill would revise the nongame checkoff. He went through the background on the nongame bill that passed last session and said that is a fair bill but they have run into some problems in the interim. This bill provides that an individual may contribute a figure that is different from \$2, \$5 or \$10. The individual would not be required to only contribute those amounts. It would also allow an individual to contribute whether they are receiving a refund or not. The bill will also provide that the interest earned from the fund would go to the program and not to the General Fund, as is the procedure now. He feels that because this is a donation program, specifically for the nongame fund, that the interest should also go to that fund.

Chairman Conover asked for proponents.

Jim Flynn, Department of Fish, Wildlife and Parks, gave testimony in support of this bill. A copy of his testimony is attached as Exhibit 2.

Janet Ellis, representing the Montana Audubon Council, supports this bill. She furnished the committee with a packet of information and an outline of her testimony, which is attached as Exhibit 3.

Tony Schoonen, Montana Wildlife Federation, gave testimony in support of this bill. A copy of his testimony is attached as Exhibit 4.

Virginia Walton, citizen of the state of Montana, supports this bill. A copy of her testimony is attached as Exhibit 5.

Sara Wharton supports this bill. She is interested in the welfare of the wildlife in Montana and would like to be able to support Montana wildlife in some way. She thinks this program has been successful in other states and would like to see it become successful here.

Ken Morrison, Department of Revenue, does support this bill. They would prefer that the provision on page 2, lines 16, 17 and 18 not be allowed and the interest continue to go to the General Fund. They would ask for an amendment for additional funding to administer the program. Page 3, lines 15 and 16 show that the Department is scheduled to receive \$6,638 in FY 86 and \$4,238 in FY 87. He would propose to raise that to \$14,420. He was glad to hear Janet's comparison to Idaho. The first year the program received \$6,600 to administer and the state of Idaho was somewhere in the neighborhood of \$16,000. We have thoroughly analyzed our number of \$14,420 and believe that is suitable to administer the screening of the program.

Ann Humphrey, representing the Audubon Society, gave testimony in support of this bill and furnished copies of letters from individuals concerning this bill. Her testimony is attached as Exhibit 6.

There were no further proponents and no opponents. Chairman Conover opened the hearing for questions.

Senator Jacobson asked if they were really going to add 1/2 FTE.

Ken Morrison said we have a group of people who come in during the tax season to screen the returns. We have already had to have a part of a person for the present program but with this program we will need to have 1/2 FTE.

Senator Jacobson asked if this had been approved through the subcommittee process.

Ken Morrison said the bill last session provided appropriation and spending authority. This does not go through the normal appropriation process.

Senator Smith said he was in opposition to the original bill last session but they did come out of the session with a good compromise bill. He is not in opposition to the increase in funding so long as in future sessions they did not attempt to amend section 2, subsection (3), which spells out what the program is to be used for. He would not want to see this nongame species go as far as they have in some states.

Senator Yellowtail asked how much interest went into the General Fund from the money donated for this fund.

Ken Morrison said somewhere in the neighborhood of two or three thousand dollars.

Janet Ellis said the figure from the Department was \$4,000.

Senator Yellowtail asked for the rationale that the interest go to the General Fund.

Ken Morrison said our general procedure is for the interest to go into the General Fund.

Senator Yellowtail referred to page 3, line 22, which allows for a termination date of December 31, 1987. He asked if the whole act terminates.

Senator Smith said the original bill allows that every two years the program will be reviewed.

Senator Jacobson said she feels it is cumbersome language to allow a deduction for both spouses. If they file jointly they still won't be getting any more money.

Janet Ellis said the presidential contribution is set up like that and they set this program up the same way.

Senator Crippen closed by stating to Senator Smith that they had worked long and hard for a compromise two years ago and to make any changes to the section referred to by Senator Smith would be a violation of good faith and as long as he is here that will not happen. He reiterated his concern that the fund receive interest that is accumulated because the money is donated. He questioned the cost quoted by Ken Morrison to administer the program and went through his notes from two years ago on Colorado's cost for the program. He would hope that the costs would not be as high as was quoted by Ken Morrison.

Chairman Conover closed the hearing on SB 334.

FURTHER CONSIDERATION OF SB 302: Jim Flynn, Department of Fish, Wildlife and Parks, reported back to the committee on his findings from the legal staff at the Department. If a person is on the road, that person can't shoot at all. If he is off the road, on the shoulder, in the right-of-way, he can shoot away from the road. He can shoot up and down the right-of-way but cannot shoot across the road. That is our interpretation of the law now.

FURTHER CONSIDERATION OF SB 334: Senator Conover asked the committee if they wanted to leave the figure on page 3, line 15, as is or amend it to \$14,000 requested by the Department of Revenue.

Senator Yellowtail would be in favor of leaving it the way it is.

Senator Smith asked Ken Morrison if they used all of the \$10,480 designated last year.

Ken Morrison said we will be reporting shortly to the legislature, as is required by law on this particular program. It looks like we spent \$9,000 in 1984. Of course, now we will be dealing with all of the returns.

Senator Smith commented that there have been so many instances where we appropriate money and whether there is too much or not the agency usually uses it.

Senator Conover asked if the committee felt the interest should go into the non game fund or to the general fund as it now is doing.

Senator Anderson said it is not a tax but a donation.

Senator Jacobson feels that it is very important that the committee look at the actual draft of the cost of the program in the past as well as the anticipated cost.

Ken Morrison said he could get that information.

Chairman Conover closed the hearing until the committee has the information necessary to act on the bill.

ACTION ON SJR 18: Senator Yellowtail made a motion to amend SJR 18 on page 2, line 13, to strike "approved" and insert "sponsored". THE MOTION PASSED UNANIMOUSLY.

Senator Yellowtail made a motion that SJR 18 DO PASS AS AMENDED. THE MOTION PASSED UNANIMOUSLY.

ADJOURNMENT: There being no further business the meeting adjourned at 2:22 P.M.


MAX CONOVER, Chairman

Date 2-14-85

SENATE
SEAT

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[illegible]

Each day attach to minutes.

C 2-14-85

Senate Fish and Game

SB 334

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Robert Van Der Kerk	Self			
George Foster		P-18	✓	
H. Price	Mont Wildlife Fed		✓	
Tony Schooner	MWS	HB 334	✓	
Virginia Walton				
Cary B. Lunn	self	SB 334	✓	
Sarah Wharton	self	SB 334	✓	
Ken Morrison	Dept. of Revenue	SB 334	✓	
Janet Ellis	MT Audubon Council	SB 334	✓	
Anne Humphrey	" " "	"	✓	

NAME Virginia Walton BILL NO. 334
ADDRESS 18 S. Montana Ave, Helena DATE 2-14-85
WHOM DO YOU REPRESENT Myself
SUPPORT X OPPOSE 0 AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

49th Legislature

LC 1621/01

Cross-References
Highways, Title 60.

61-1-201. Highway. "Highway" means the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel, except that for the purpose of chapter 8 the term also includes ways which have been or shall be dedicated to public use.
History: En. Sec. 6, Ch. 267, L. 1947; R.C.M. 1947, 31-122part; and Sec. 11, Ch. 421, L. 1979.

61-1-202. Public highway. "Public highway" means "highway" as defined in 61-1-201.

SENATE BILL NO. 302

INTRODUCED BY

Sen. Bill *the Honorable* *Frank D. Boyd*
Norman Velvick *Business* *LA NE* *1300 N. 1st St.*

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 61-1-201"

~~61-8-369, MCA, TO PROHIBIT SHOOTING FROM OR ACROSS A PUBLIC ROAD OR HIGHWAY RIGHT-OF-WAY~~ *amending section 61-8-369 and 87-3-101, MCA.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-369, MCA, is amended to read:

"61-8-369. Shooting from or across road or highway

right-of-way. No person shall shoot any firearm from or

across the roadway right-of-way of any state or federal

highway or county road."

-End-

amend section 87-3-101 to read:

87-3-101. General restrictions. It is unlawful for anyone to take, capture, shoot, kill, or attempt to take, capture, shoot, or kill any game animal or game bird ~~from any self-propelled or drawn vehicle or on or from any public highway~~ *on the shoulder, berm or borrow-pit right-of-way of any public highway as defined in 61-1-201* in the state of Montana, or by the aid or with the use of any set gun, jacklight or other artificial light, trap, snare, or salt lick; nor may any such set gun, jacklight or other artificial light, trap, snare, salt lick, or other device to entrap or entice game animals or game birds be used, made, or set.

SB 334

Testimony presented by Jim Flynn, Department of Fish, Wildlife & Parks

February 14, 1985

The department appears in support of Senate Bill 334.

The 1983 legislature passed a measure creating a checkoff on state income tax returns through which Montanans receiving a tax refund could voluntarily contribute a portion of their refund to support the state's nongame management program.

Three hundred sixty-six thousand tax forms for tax year 1983 were processed by the Department of Revenue. One hundred seventy-five thousand of these taxpayers were due a refund and were thus eligible to contribute to the program. Figures show that 6,630 Montanans or just under 4% of all taxpayers receiving refunds contributed. Total contributions were \$35,427. This averages about \$5 from each contributor. From those revenues must be subtracted administrative fees of approximately \$6,000 annually that the Department of Revenue will charge. Net income from the 1983 checkoff to the department was approximately \$30,000. We anticipate similar revenues in the next two to three years.

The nongame program's budget in years prior to the checkoff had been approximately \$58,000 annually. As you can see, the nongame checkoff program revenues did not match the program's previous level. Following legislative intent, we have not added the nongame revenue to our previous operation level, but rather have used the nongame revenue to replace license dollars and maintained the program size at current level.

Passage of SB 334 would allow the opportunity to fully supplant the license dollars being used for nongame activities. Our estimates are based on the fact that: (1) approximately two times as many people would be eligible to contribute to the program, assuming the limitations were removed, and (2) we see no reason to expect an increase in the average size of the contribution received.

Because managing nongame wildlife is one of our statutory responsibilities, and this funding source allows nonlicense buyers to support the program, we urge your passage of SB 334.

Montana Audubon Council
Testimony on SB 334
February 14, 1985

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I'm here today representing the Montana Audubon Council.

Packet of information:

What is a nongame animal

Fact Sheet on SB 334

Tax Form Sheet - what the line looks like on the tax form

Statistics about the Amount of Money nongame Raised Last Year

Interest

-the Dept. of Fish, Wildlife & Parks already has one account that gets its own interest: Real Property Trust Fund - a fund set up on the sale of land and the leasing of Dept. lands

-according to the Dept. of Investment: their job is to invest money.

It is the administrating Dept. that does all the bookkeeping, etc. (the Dept. of FWP administ

There are no real mechanical problems with giving the interest back to nongame

-This seems like a precedent setting question

-currently this donated money sits in an account for over a year

-this is all donated money

-the Dept. of Revenue deducts administrative costs from the program

-there is no inflation factor written into this program

Fiscal Note

-We understand that the fiscal note impact of this program says that the program will cost the Dept. of Revenue \$14,000.

-The formula used for this program includes

1.68¢ per form for keypunch time and disc space reserve

.5 FTE for presorting forms and making sure the forms are "computer ready" (\$7200)

-We called the Administrator in Tax Policy in Idaho yesterday. He estimated that it cost his Dept. between \$13,000 and \$16,000 to add a new line on the tax form AND HALF THAT AMOUNT to administer that line after it was initially on the form.

-The difference between Idaho and Montana appears to be the 0.5 FTE. Montana's philosophy of checking the form before the computer is done only if there are mistakes in Idaho. We ask that you look seriously at the Dept. of Revenue's formula to determine why 0.5 FTE is needed.

-One of the criteria used in Montana to come up with the 0.5 FTE is that the Dept. of Revenue currently looks at 13 lines on the tax form,

-nongame is 1 of those lines.- or an estimated 8% of the time spent looking at these forms.

-we seriously wonder if it actually takes as long to look at a line that reads "0" 95% of the time as it does to look at a line where one has to examine is the W-2 forms add up or if a larger number is to be expected.

NONGAME WILDLIFE FUNDING BILL

Nongame wildlife is also known as "Watchable Wildlife" - those animals not usually hunted or fished. The Mountain Bluebird and Flying Squirrel are two examples of more than 600 nongame animals in Montana. Game, furbearers, predators and endangered species are excluded from the definition of nongame wildlife (87-5-102 MCA).

The 1973 Legislature set up a state-run nongame program in the Department of Fish, Wildlife & Parks. No reliable funding source was provided for this program.

The 1983 Legislature provided a more reliable funding source: they placed a check-off box on the Montana income tax form so that individuals can contribute money from their tax refund dollars to this important program.

HOW MUCH Last year 6,630 people contributed \$35,427 of their own money to fund the nongame program! This is a modest start but shows an incredible amount of support for this program.

SB 334 MAKES 3 CHANGES TO THE NONGAME PROGRAM FUNDING:

1) ALLOWS ALL TAXPAYERS TO CONTRIBUTE TO THE NONGAME PROGRAM:

- Currently only people getting tax refunds can contribute to this program.
- Last year only 48% of the Montana taxpayers were eligible for refunds. That means that LESS THAN HALF OF THE CITIZENS IN THE STATE can contribute to this program via the tax form.
- SB 334 allows everyone to contribute to this program. If a person does not get a refund, they can add on their additional contribution to the taxes they owe.

2) ALLOWS PEOPLE TO CONTRIBUTE ANY AMOUNT TO THE NONGAME PROGRAM:

- Currently the check-off is set up to only allow contributions of \$2, \$5, or \$10.
- SB 334 allows people to "fill-in-the-blank" and add any amount to this program (if you get a \$13 refund you can contribute the entire sum to the program if you want to).

3) GIVES THE INTEREST COLLECTED FROM NONGAME DONATIONS TO THE NONGAME PROGRAM:

- Currently the nongame donations sit in an account for over a year before they can be spent by the Nongame Program.
- All of the interest accumulated from this fund currently goes into the General Fund.
- Because the Nongame Program is a donation program, we are asking that the interest be returned to Nongame.



THE CURRENT NONGAME PROGRAM:

Six projects have been identified under the current nongame program:

- 1) Nongame Program Funding Development: This project will keep the check-off before the public eye and continue solicitation of funds.
- 2) Statewide Raptor Survey Route System: This project surveys 17 species of raptors as they migrate in the spring. Volunteers help run 46 survey routes.
- 3) Bluebird Conservation Project: This project promotes the placement of nest boxes by members of the public. Bluebirds have lost much of their native nesting sites. They are a bird that lives off insects.
- 4) Publication of Wildlife Brochures: This public information effort will provide valuable information to interested people. A state bird list as well as life history information will be made available.
- 5) Nature Trail Development/Enhancement: Interpretive signs will be placed at key locations throughout the state, such as Lewis & Clark Caverns.
- 6) Nongame Inventory on Selected Department Lands: This project will continue to identify species composition of wildlife communities on Department-owned areas.

AND TO CLARIFY.....

*This is an entirely voluntary program.

*The donations do not reduce the General Fund. The donation is a donation - it reduces your refund or increases the amount of money that you pay to the state.

*The Department of Revenue deducts their administrative costs from the nongame program. The program hence does not cost the state money.

*The Legislature must approve of all programs that the nongame monies can be used for.

THE NONGAME CHECK-OFF WILL READ:

Montana nongame wildlife funding. Check the appropriate blank if you wish to designate __\$2, __\$5, __\$10 or _____ (specify an amount) to fund nongame wildlife programs in Montana. If a joint return, check the appropriate blank if your spouse wishes to designate __\$2, __\$5, \$10, or _____ (specify an amount) for the same purpose.

A FINAL WORD.....

Proper management of nongame wildlife will also benefit 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 IS A NONGAME ANIMAL ?

These animals are not nongame

Game*

Elk
Ducks
Geese
Trout
Bear
Deer

Furbearers

Mink
Marten
Fisher
Otter
Bobcat
Canada Lynx
Beaver
Northern Swift Fox
Wolverine

Predators

Coyotes
Skunks
Weasils
Civet Cats

Endangered Species

Whooping Crane
Black-footed Ferret
Timber Wolf
Peregrine Falcon

These animals are nongame

Nongame*

White Pelican
Pika
Grasshopper Mouse**
Raccoon
Masked Shrew
Snowshoe Hare**
Bison
Big Brown Bat
Western Big-eared Bat
Woodpeckers
Black-tailed Prairie Dog**
Sagebrush Lizard
Golden Eagle***
Western Toad
Yellow Perch
Pumpkinseed
Osprey
Great Blue Heron
Western Meadowlark
Flying Squirrel
White-tailed Cottontail
Least Chipmunk
Sagebrush Vole
Great Horned Owl***
Painted Turtle

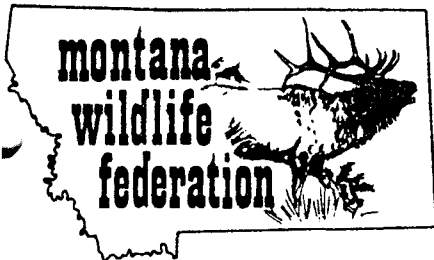
*These are not complete lists of animals--they are only examples.

**The Department of Livestock controls these animals when they become pests under 81-1-401 MCA.

***These animals can be destroyed if they destroy livestock or poultry under 87-5-209 MCA.

Nongame Wildlife Tax Form Check-off

	<u>1982</u>	<u>1983</u>
No. filing income tax	368,500	365,600
No. getting refund	186,300	174,528
Per cent getting refund	51%	48%
No. contributing to nongame (only people with refunds eligible)	--	6,630
Per cent contributing to nongame (# contributing/ # getting refunds)	--	4%
Average contribution to nongame	--	\$5.34
Amount contributed to nongame	--	\$35,427
Amount \$ for Dept. of Revenue	--	\$8,850



Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION

P.O. Box 3526
Bozeman, MT 59715
(406) 587-1713

SB334

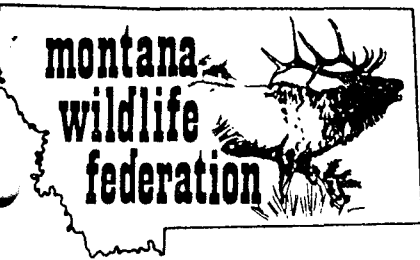
Mr. Chairman, Members of the Committee:

My name is Tony Schoonen, here today representing the Montana Wildlife Federation in support of SB334.

Our organization is very proud of the fact that on a national scale, our state is known to have the finest wildlife populations to be found anywhere. The MWF also recognizes that of these populations, there are many more kinds of "watchable" populations than there are "hunnable" populations. We further realize that all kinds of wildlife live together in ways that make them interdependent upon each other and the land that they share with all of us.

It is unfortunate that so little is actually known about the over 100 mammals and 400 birds of our state, since much of our research and management practices have centered around a mere 3% of those animals -- the ones that are actually hunted or trapped. The other 97 percent, the nongame animals, deserve more recognition due to their obvious benefits and impacts to agriculture and "hunnable" wildlife alike.

In direct application to agriculture, the understanding of the cyclical population trends of these birds and mammals can be very important. If during a given year, for example, we can predict an inevitable population boom, we can begin to investigate ways to modify agricultural practices during those years -- including the planting of more tolerant crops, changing range



EDUCATION - CONSERVATION

Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION

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management schemes or implementing progressive population control methods. Furthermore, if such population booms would likely impact forage on deer and elk winter range, then wildlife experts would realize the need to harvest more of the "hunnable" animals to prevent them from grazing on haystacks or starving to death.

In summary, studies conducted to better understand nongame animals would be beneficial to both sportsmen and landowners. The changes in the funding mechanism contained in SB334 addressing the current nongame program are acceptable and are a step toward providing adequate funding for such studies.

The MWF supports these changes and would urge this committee to give SB 334 a do-pass.

Virginia Walton
18 E. Montana Ave.
Helena, MT 59601

I am concerned about more adequate funding for the non-game program which will be administered by the Dept. of FWP. SS 334 would allow me to contribute directly to the Nongame Fund.

It seems to me prudent management that permits interest accrued from Nongame donations go back into the Nongame fund.

Exhibit 6

Montana Audubon Council
Testimony on SB 334
February 14, 1985

Mr. Chairman and Members of the Committee,

My name is Ann Humphrey, and I am here today representing the Montana Audubon Council.

SB 334 is important because it will allow all Montana taxpayers to contribute to the Nongame Program. There are many Montanans who were unable to contribute to the program through the check-off system last year. Many of these people would like to contribute if the mechanism was simpler for them. By allowing people who have to pay taxes to contribute through the check-off, and changing the contribution blank SB 334 provides the opportunity for all Montana taxpayers to contribute to the Nongame Program.

I would like to present copies of two letters in support of changing the contribution blank to provide a "fill-in-the-blank" section (see attached sheets). Both of these people received refunds, one for \$13 and some odd cents, and the other for \$8 and some odd cents. These people tried to donate their entire refunds. However, because the refunds were not amounts specified on the tax check-off, their refunds were returned to them. The revisions in SB 334 will allow these people to contribute their entire refunds.

Results of a survey done before the tax season last year by the Department of Fish, Wildlife, and Parks shows that 70% of the people interviewed (hunters and non-hunters) would like to ^{have the opportunity to} contribute to the Nongame Program, whether they received a refund or not.

^{on the tax form}
We hope you will help provide the opportunity for all Montana taxpayers to contribute to the Nongame Program, and support SB 334. Thank you.

Chris Clawcy
417 S. Yellowstone
Livingston, Mt. 59047

Tanet Ellis
c/o Mt. Aud. Council
P.O. Box 924
Helena, Mt. 59624

Dear Tanet:

I received your letter concerning some possible changes in the nongame-income tax check-off. I am very supportive of both of your proposals.

I am interested in supporting the program, however, under present law I must receive an income tax refund in order to do that. I seldom receive a refund from the state, therefore I am unable to contribute to the program.

I believe that I could write a check and send it in, if I don't receive a refund. I feel that anyone should be able to check off on the tax form that they want to contribute whether they receive a refund or not. If we must send a check, the fund is put on an equal basis with all privately supported conservation funds. The state is supporting the program therefore should make it as simple as possible for people to contribute.

Secondly, I believe that people should have the option of contributing any amount that they desire. Instead of just a 2, 5 or 10 dollar contribution, I feel that people should be able to contribute any amount that they wish. After all, we are all citizens of the state, we should allow

the people to fund the program (it's pure democracy).

I have a friend who recently left the state and now lives in Wisconsin. He was to receive a refund of about \$8 and some odd cents. He wanted to contribute all of it to the program. However, the system did not allow for that and he received the entire refund. His name is Tim Petersen and I am unable to contact him at this time.

I believe these two changes would be in the best interest of the state and I whole heartedly support them. Good luck, and if you need some moral support in Hekara, I am willing to sit in on the hearings.

Sincerely
Chris Clancy
Livingston

2035 Ave. D
Billings, MT 59102
Jan. 26, 1985

Dear Janet,

Gebe Fitzgerald asked me to write & tell you what happened to us in connection with the Tongue Wildlife Program contribution.

We had the great sum of \$13.45 tax refund. My husband entered this amount in "Enter total amount." In line 62 he entered 00.

Several weeks later we received a check for \$13.45 + refund. I guess we should have contributed \$10. & checked that box.

Sincerely,
V. Irene Bartlett

Montana Department of Fish, Wildlife & Parks



February 14, 1985

Preliminary Data Analysis on the Nongame Telephone Survey conducted in 2 phases (during 1984) suggests the following trends:

ABILITY TO CONTRIBUTE \$2, \$5, \$10 or (fill in the blank) -

Of the 1,100 persons surveyed, a total of 773 respondents indicated a willingness to contribute money to the Nongame Wildlife Program - 79% were sportsmen and 70% were non-hunters. Of those unwilling to contribute 21% were sportsmen and 30% were non-hunters.

A breakdown of those willing to contribute to the Nongame Wildlife Program follows:

	SPORTSMEN	NON-HUNTERS
\$2	41%	43%
\$5	13%	13%
\$10	4%	5%
\$15	32%	31%
More	10%	8%

Basically, this says that sportsmen are more likely to contribute (79% to 70%) than non-hunters and an important economic variable exists (\$2 to \$15 or more).

ABILITY OF ANY TAXPAYER TO CONTRIBUTE -

When respondents were asked "whether they received a refund or not, would they still like to be able to contribute to the Nongame Wildlife Program via their state income tax form", 70% responded they would like that opportunity and 30% responded it didn't matter.

INTEREST EARNED ON THE NONGAME FUNDS INTO NONGAME PROGRAM -

FWP has a separate account for the Real Property Trust Fund that holds monies from the sale of real estate and leasing of our lands. The interest from this fund goes into a separate account but held for the RPTF. The Board of Investments handles this separate investing directly with FWP. Initially these accounts were small in dollar amounts but have grown over the years.

A total of \$4,000 interest has been earned to date on the Nongame Fund.

STANDING COMMITTEE REPORT

February 14, 1985

MR. PRESIDENT

We, your committee on Fish and Game

having had under consideration Senate Joint Resolution No. 13

first reading copy (white)
color

Respectfully report as follows: That Senate Joint Resolution No. 13

be amended as follows:

1. Page 2, line 13.
Strike: "approved"
Insert: "sponsored"

AND AS AMENDED

DO PASS

~~XXXXXXXXXX~~

MAX CONOVER,

Chairman.