

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

March 14, 1985

The twelfth meeting of the Senate Fish and Game Committee was called to order at 12:30 P.M. on March 14, 1985 by Chairman Max Conover in Room 402 of the Capitol Building.

ROLL CALL: All members were present at roll call.

ACTION ON HB 820: Senator Severson furnished the committee with a fact sheet on the waterfowl stamp program in other states (Exhibit 1). He asked Bob Elgas to explain the information furnished.

Bob Elgas explained Exhibit 1 to the committee.

Senator Severson said, after reviewing the information concerning the different states that have the program and the way they have conducted their program, would like to see the art work restricted to Montana residents. He would like to see the bill remain the same as it was amended in the House to read.

Senator Jacobson referred to the amendments submitted by the Montana Wildlife Federation as a compromise position.

Senator Smith asked how many of the committee members are in favor of restricting this to Montana artists. A vote was taken from the committee and all were in favor of restricting this to Montana artists, except Senator Jacobson, who preferred moderating it a little.

Andi Merrill furnished the committee with an amended bill showing the amendments provided by Representative Rapp-Svrcek (Exhibit 2). She stated this creates an advisory council pursuant to 2-15-122. This is a generic statute on the creation of an advisory council and how those members would be selected.

Senator Smith asked if there was any criteria set up on how and who will be serving on the advisory council.

Andi Merrill said section 2-15-122 would govern the makeup of this council. It does not say how many members would be on the council. The committee leaves that up to the discretion of the director of the department. That is not to say that the committee can't name how many members in this statute.

Senator Conover asked Mr. Flynn to comment.

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Mr. Flynn said he is not familiar with the amendment. He thinks this refers to the general authority of the director to appoint the advisory council. In looking at this I would appoint three persons, one from the sporting community, a nonconsumptive user of wildlife and one from the agricultural industry.

Senator Severson made a motion that the amendments furnished by Representative Rapp-Svrcek be adopted. THE MOTION PASSED UNANIMOUSLY.

Senator Severson referred to page 1, lines 20 and 21 and asked if we should be more selective in that section of this bill concerning Montana artists.

Andi Merrill said you would have to define somewhere in the bill the advisory committee that did this selecting and pretty much set out the duties for that committee. The duties of the advisory council set out in 2-15-122 are different. That council is set up for using the money that is collected.

Senator Severson said there would have to be two different types of people.

Senator Jacobson said we are complicating the bill beyond what is necessary. The committee showed the preference for Montana artists for the first two years and that safeguards it enough. She does not see any reason to do anything further with the bill.

Senator Smith said he does not have an amendment prepared and does not intent to amend the bill but he thinks the \$5 fee is too much in addition to the other charges that are required. He thinks this may be very beneficial to the hunting as far as waterfowl is concerned, however, he thinks what we are doing is being more concerned about duck stamps and the artist than the people that will be hunting the ducks.

Senator Yellowtail disagrees. Hunting in this state and country must be viewed as a privilege and accordingly the privilege must be paid for. The privilege entails a responsibility for protecting the resource. He thinks we must recognize that hunting and fishing are sports in this day and age and it is no longer a matter of sustenance. He does not think there are people who depend on ducks for sustenance. He thinks hunters should pay for the recreational privilege. Hunters spend a lot of money on gas, food, etc. as opposed to the \$5 duck stamp.

Senator Smith said he agrees it is a privilege for all but he hopes it is not a privilege only for those who can afford it.

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Senator Jacobson made a motion that HB 820 BE CONCURRED IN AS AMENDED. The motion passed with a vote of 6-1. Senator Smith was opposed to this motion.

CONSIDERATION OF HB 406: Representative Ream, District 54, presented this bill to the committee. He stated this is the same bill that usually comes before the legislature, although this session it may be easier because the requests are modest. Jim Flynn will talk about the need for these fee increases and how they will be used.

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 3.

Robert VanDerVere supports this bill except for the \$1 increase on the sportsman licenses.

Scott Ross, Walleyes Unlimited, supports this bill. The \$1 fishing license increase is a small price to pay for the great benefits of fishing in Montana.

Mary Wright, Montana Council, Trout Unlimited, supports this bill. Her testimony is attached as Exhibit 4.

Janet Ellis, Montana Audubon Council, supports this bill and her testimony is attached as Exhibit 5.

Tony Schoonan, Montana Wildlife Federation, supports this bill and would urge a do pass.

Senator Smith rose in support of this bill. He is very familiar with the Fish and Game budget and feels the increases are necessary to carry out the programs of the Department.

There were no opponents.

Chairman Conover opened the hearing for questions from the committee.

Senator Yellowtail said in the testimony it was brought out that the study committee suggested higher increases. He asked why they did not do that.

Mr. Flynn said that would generate more money than we thought we could legitimately spend in two years and we did not estimate our chances would be very good in getting that sort of budget increase through the legislative process.

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Senator Smith said when we have a good program going then why ask for an increase at that particular time.

Representative Ream closed.

ACTION ON HB 406: Senator Smith made a motion that HB 406 BE CONCURRED IN. THE MOTION PASSED UNANIMOUSLY.

CONSIDERATION OF HB 581: Representative Wallin, District 78, sponsor of this bill, said aviculture is the raising and caring for birds, especially wild birds. The aviculturists takes eggs from the wild for propagation. The applicant first must obtain a federal permit. The aviculturist uses his own money under the supervision of the state. This is a very expensive hobby.

Representative Ellison, District 81, cosponsored this bill. This bill was considered last session but they had some problems with that bill allowing aviculturists to do things they shouldn't be doing. This bill requires rules and regulations by the Department and they have all the power needed. In order to get a federal permit the state has to issue a permit also. They are issued simultaneously. Up until now they were not able to get a state permit.

Chairman Conover asked for proponents.

Dale Schendel said he has reviewed the amendments made to the bill in the House and supports those amendments. A copy of his testimony is attached as Exhibit 6.

Jim Flynn, Department of Fish, Wildlife and Parks, gave testimony in support of this bill. A copy of his testimony is attached as Exhibit 7.

William Lowe, Billings, supports this bill. This bill will provide proper regulation of bird collection. He believes it is proper to be under the Department of Fish, Wildlife and Parks. He said aviculture is the raising and caring of birds and particularly the raising and caring for wild birds in captivity. There are a growing number of these type of people in Montana who enjoy this hobby.

Bob Elgas, Big Timber, supports this bill. He stated this is a resource that belongs to all the people of the United States and not just hunters. It is spelled out clearly in the permit exactly how the collections are to be made. The state can be more restrictive in their issuance than the federal people if they so desire. All of the states that are issuing permits now simply follow the federal guidelines. It has been his experience that any qualified aviculturist can not obtain more than 25 young birds. He pointed out to the committee the advantages aviculturists have given to some almost extinct birds.

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Janet Ellis, Montana Audubon Council, supports this bill with amendments. Attached is a copy of her testimony as Exhibit 8.

There were no opponents. Chairman Conover opened the hearing for questions from the committee.

Senator Smith said he was glad that the sportsmen and wildlife people finally resolved their differences and came up with something beneficial to all.

Senator Lane asked what the proponents thought of the amendments presented by the Audubon Council.

Mr. Schendel said as far as the amendment is concerned I would suggest that we have a good staff of qualified water fowl biologists in this state and if a permit would harm the local population the permit should not be issued in that area. He would prefer to leave it up to the discretion of the state and if there is a question of harming the population in the area, permits should not be issued.

Senator Severson asked if they would explain what is done with the birds after you get them and raise them.

Mr. Lowe said this is not a money making proposition. We raise them to get to the hatching season and then make more birds. We trade them with other aviculturists. We often parcel them out to ranchers and farmers who want to put some type of bird on a pond. We invite the public to come and enjoy the birds.

Representative Wallin closed by stating this is a good bill and there is no cost to the state for what we are going to do.

ACTION ON HB 581: Senator Smith said with regard to the proposed amendment to the statement of intent, he respects the judgment of the people at the Department and he is sure if there is a problem and it is brought to their attention they will follow up with that.

Senator Jacobson made a motion that HB 581 BE CONCURRED IN. THE MOTION PASSED UNANIMOUSLY with Senator Yellowtail absent from the hearing. Senator Yellowtail left the hearing shortly before this vote was taken.

ACTION ON HB 136: Mr. Flynn said we were discussing the 20 day grace period on boats and the fines. He said this would be made up of lower court judges. They set up a level for specific violations but then each judge in each lower court sets what they feel is the bond for the violation. Our people do take bonds based on what the judge sets.

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Senator Jacobson said the committee was concerned that small boats would be charged a \$500 fee. She is the owner of a small boat and she is not concerned with that. This bill is aimed at the larger boat owners that are not licensing their boats. She MOVED THAT HB 136 BE CONCURRED IN.

Senator Smith said he does not think the bill is that bad if a little common sense and judgement is used there will be no problems.

Senator Lane said he knows what they are trying to do but if we put a law in the books what will happen 5 or 10 years from now.

Senator Jacobson said there are some safeguards. The person that is being fined has to go through the court system and the warden will have to explain why this individual got the fine.

Andi Merrill said she talked with Erwin Kent, Department of Fish, Wildlife and Parks, and the warden can accept bond or forfeiture of bond right on the spot of the violation. The warden can set bond according to a bond schedule and the violator will never see a courtroom. It would rarely happen that you would go to court.

Senator Anderson does not see that much of a problem and commented that it could be amended next session if there is a problem.

Senator Jacobson's motion passed by a vote of 5-1. Senator Lane was opposed and Senator Yellowtail was not at the hearing.

FURTHER CONSIDERATION OF HB 763: Senator Jacobson furnished the committee with a fact sheet from Representative Menahan (Exhibit 9). She made a MOTION THAT HB 763 BE CONCURRED IN.

Senator Severson asked Dr. Ferlicka if the migrating animals were a threat to the brucellosis free status that Montana has.

Dr. Ferlicka said there has been no brucellosis in domestic animals since May 31, 1984.

Senator Severson asked if there are cattle operations where the animals are migrating.

Dr. Ferlicka said the biggest threat from the park is in the northeast corner of the park and there are approximately 500 animals in that herd. That is where the animals traditionally come out. There are several large ranches in that area.

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Senator Severson said with brucellosis in the herd, if the cow has aborted a calf will she then begin to carry her calf to term.

Dr. Ferlicka said the first, second and sometimes the third calf and then will carry the calf to term. The cow will build resistance. This is what makes it a serious problem because the cow does not have the sign of brucellosis, an aborted calf, but she will continue to spread the disease.

Senator Lane asked when Park County became brucellosis free.

Dr. Ferlicka said it was one of the first counties to achieve that status. Sometime prior to 1975.

Senator Lane asked if there have been many buffalo coming over in the last few years.

Dr. Ferlicka said up until this year there were only two or three a year. This year we are approaching 100 animals.

Senator Jacobson asked Tony Schoonen to comment on his conversation with someone from the park service.

Tony Schoonen said he talked with someone from the park service and their feeling on the brucellosis was that it was being blown out of proportion. He pointed out that the issue at hand was not the brucellosis but whether hunters would be allowed to kill the buffalo coming out of the park as opposed to the Department of Fish, Wildlife and Parks. We envision it to be a controlled hunt with a member of the Department of Fish, Wildlife and Parks accompanying the hunters. He feels that the danger of domestic animals contacting brucellosis from infected animals would be no less and certainly no more than it is now. When they test these animals they are testing for a positive reaction which means that sometime during that animals life it has been exposed to brucellosis. It does not mean that this animal is carrying brucellosis. Small pox would show a positive reaction on us because we had a shot in the arm but it does not mean we are carriers. The park service feels a buffalo hunt is an acceptable and preferable alternative. They will never allow a hunt within the park boundary because the public would not tolerate that.

Senator Conover said this is no different than the elk migrating out of the park.

Dr. Ferlicka said there will be increasing problems. The bison population is at 2,000 and is increasing.

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Senator Smith said if a buffalo has had brucellosis does that mean they are carriers.

Dr. Ferlicka said what we use is a broad test and we are testing for antibodies. This indicates that sometime in the animals life it has been exposed to brucellosis.

Senator Smith said we must be sure we do not transmit brucellosis into the cattle herds.

Senator Severson said the cows that have had the disease and are passed the aborting stage and now carry a calf to full term, will they transmit brucellosis.

Dr. Ferlicka said the majority do. Once an animal is infected the majority remain infected for life.

Senator Lane asked Mr. Schoonen if the park service would designate an area that could be used to hunt.

Mr. Schoonen said the impression he got was that they would not allow a hunt within the park boundary.

Senator Anderson said it would seem to him that the park service would be interested in proper management of these animals.

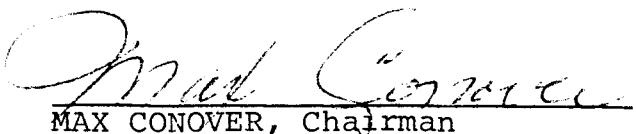
Mr. Schoonen said the park service has employed a policy of letting nature take its course.

Senator Severson said his concern is that if a hunt is allowed it will disburse the buffalo away from the park. This is a concern that anybody in the livestock business has with regard to the spreading of this disease. If we can make sure this is a controlled type of hunt, supervised and for only a limited number of people, so that the buffalo are not spread away from the park, he could be more agreeable to this.

Senator Jacobson withdrew her motion.

Senator Conover closed the hearing until the matter of the hunt could be discussed with Mr. Flynn.

ADJOURNMENT: The meeting adjourned at 2:40 P.M.


MAX CONOVER, Chairman

AH

ROLL CALL

SENATE FISH AND GAME COMMITTEE

48th LEGISLATIVE SESSION -- 1985

Date 3-14-85

SENATE
SEAT

Each day attach to minutes.

DATE

DATE March 14, 1985

COMMITTEE ON

Senate Fish and Game

VISITORS' REGISTER

HB406/HB581

Exhibit 1

Submitted by Senator Severson
March 14, 1985

There are currently 29 states which have a waterfowl stamp program. The following depicts how these programs are conducted.

16 states have contests which are restricted to residents only.

4 states award through a publishing house with the artist chosen by the publisher.

3 states award to the highest bidder.

1 state chooses the artist.

3 states have special restrictions. (see below)

2 states only have open competition.

Nevada / S. Carolina

16 states which are restricted to in state residents only.

South Dakota	Nebraska	Georgia	Alabama
Tennessee	Oklahoma	Mississippi	Minnesota
Wisconsin	North Dakota	Maryland	Illinois
Missouri	Iowa	Michigan	California

4 states award through a publishing house

Oregon New York
Texas
Alaska

3 States award to highest bidder

Florida
North Carolina
Ohio

1 state--New Jersey--chooses the artist.

3 states have special restrictions

Delaware does not indicate an open contest
Pennsylvania, rules not yet completed, but first stamp issue was awarded to a resident artist.

Massachusetts, open competition, but subject matter restricted to depictions of old decoys carved by early Massachusetts decoy carvers, an extreme limitation on out of area artists.

Of the 29 states which currently have waterfowl stamp programs only two states have open competition. Nevada and South Carolina.

"Section 3. Appointment of advisory council. (1) The director

shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana.

49th Legislature

(2) Members must be appointed to the ~~advisory~~ council who represent

Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."

HOUSE BILL NO. 820

1 INTRODUCED BY RAPP-SVREK, GRADY, HART, VINCENT,
2 HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN
3

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A
6 STAMP TO HUNT WATERFOWL; AND REQUIRING THAT MONEY GENERATED
7 BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR
8 PRESERVATION AND DEVELOPMENT OF WETLANDS; AND PROVIDING
9 EFFECTIVE DATES."

of an advisory committee to advise FWP on the use of money received by sale of stamps and artwork.

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

11 Section 1. Stamp required to hunt waterfowl. (1) It is

12 unlawful for any person 16 years of age or older to pursue,
13 hunt, shoot, or kill waterfowl without first having obtained

14 a valid waterfowl stamp from the department. The fee for
15 such stamp is \$5.

16 (2) For the purpose of this section, the term
17 "waterfowl" means wild ducks, wild geese, brant, and swans.

18 Section 2. Procurement and sale of artwork --

19 disposition of proceeds. (1) The department shall contract
20 with an art publisher for the selection, by contest or other
21 method, of a design for the annual waterfowl stamp required

22 by [section 1] and shall arrange for the production and sale
23 of the stamp and related artwork. The contract must provide
24 (for--a--preference--for) ~~different~~ designs submitted by Montana

presently

quality (value) is submitted by resident and nonresident artists that be selected. The department shall provide for the sale of

4 STAMPS EXCLUSIVELY BY THE DEPARTMENT OR ITS LICENSE AGENTS. BUT MAY MAKE SUCH OTHER ARRANGEMENTS FOR THE SALE OF RELATED

*5 ARTWORK AS IT DETERMINES APPROPRIATE. The procurement and
6 sale of the stamps and artwork are exempt from the
7 provisions of Title 18, chapter 4, part 3.*

*(2) Money received from the sale of stamps and related
8 artwork must be deposited in the state special revenue fund
9 for the use of the department and may be expended only for
10 the protection, conservation, and development of wetlands in
11 Montana.*

*12 Section 3. Codification instruction. Sections 1 and 2
13 are intended to be codified as an integral part of Title 87.*

*14 Section 4. Extension of authority. Any existing
15 authority of the department of fish, wildlife, and parks to
16 make rules on the subject of the provisions of this act is
17 extended to the provisions of this act.*

*18 SECTION 5. EFFECTIVE DATES. SECTION 1 IS EFFECTIVE
19 MARCH 1, 1986. SECTIONS 2 THROUGH ~~5~~⁶ ARE EFFECTIVE ON
20 PASSAGE AND APPROVAL.*

-End-

Strike: Statement of intent

reinact

HB 0820/03

EXHIBIT 2
Submitted by Andi Merrill
March 14, 1985

H.B. 820 (Third reading amendments)

1. Title, line 8.

Following: "WETLANDS;"

Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2, line 14.

Following: line 13

Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana. (2) Members must be appointed to the ^{advisory} ~~council~~ who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."

Renumber: subsequent sections

3. Page 2, line 14.

Following: "Sections 1"

~~Strike:~~ "and 2"

Insert: "through 3"

4. Page 2, line 21.

Following: "THROUGH"

~~Strike:~~ "2"

Insert: "6"

5. Statement of Intent

~~Strike:~~ statement of intent in its entirety

creation of advisory councils

Exhibit 3

HB - 406

Testimony presented by Jim Flynn
Department of Fish, Wildlife and Parks
March 14, 1985

In the way of background I would like to share with this committee the Department's license fee proposals of recent years.

In 1981 the department presented to the Legislature a fee increase proposal to fund a budget request that dealt with the cumulative impacts of some four years of high inflation and the anticipation that inflation rates would continue for two more years at reduced rates. I would point out that the budget request presented then dealt primarily with the operations of the agency and in fact was an operations budget that included a 15% reduction in full time equivalent employees.

Two years ago the department presented to the 1983 Legislature a fee increase of a different nature. Emphasis was placed upon replacing and refurbishing deteriorated and outdated fish hatcheries and regional headquarters. With the new revenues generated, the department was able to embark upon a bonding program to rebuild three fish hatcheries and replace one regional headquarter facility. In addition, enhancements were made in the operating budgets of the Department Divisions.

The fee increase before you is presented to fund what we feel are the needs for the next two years for the department to continue with its physical plant improvements and program needs.

These recommendations for expenditure were arrived at through a process these past two years that consisted of listening to public expressions of the service they expect from the department, determining within the agency the needs to carry out our statutory responsibilities, and reviewing our historic revenue sources.

I would like to emphasize that our capitol proposal is an ambitious but necessary undertaking. It is a completion of the second phase of hatchery renovation and continuation of our headquarter improvement. The rebuilding/renovation of our Miles City, Anaconda and Lewistown fish hatcheries will complete the necessary overhaul of the state hatchery system. Replacement of two regional headquarters that were built in the 1950's will see four of the seven completed and leave only three more for future attention.

These proposals are costly, but necessary at this time. We feel that they should be addressed because further procrastination will only serve to jeopardize the programs involved or to require a drastic sum of money to address all needs at once and likely at a time of higher costs.

In arriving at the figures before you we took a number of factors into consideration. The system we used is not foolproof, but we believe has some validity.

The hatchery construction is proposed to be financed through a bonding program with up to 75% of the funds coming from revenue contained in the federal DJ program. The balance of the bond payment would come from the license account and relates to the fee increases on the fishing and sportsmen's licenses. Obviously the new federal revenues have enabled us to keep our fee increase to a minimum. In our discussions to date we have informed the Montana sportsmen of the direct relationship between the increased fishing license request and the expenditure request for hatchery renovation.

In addition we are proposing to increase the nonresident combination license in part based upon a recommendation from a committee appointed last summer to offer advice on our nonresident combination license.

The committee was composed of four representatives of the outfitters and guide industry and two representatives from the Montana sportsmen community with one from the Montana Wildlife Federation, and one from an independent sportsmen's club. The group was given two problems to review. One was how to lengthen the sell-out date of the 17,000 nonresident combination licenses in a fair and equitable manner and the other was to provide a license for those nonresidents who wished to only hunt deer. To solve the latter problem, the committee recommended a deer license go on sale in March valid in eastern Montana. The Fish and Game Commission has sent this proposal out for public comment.

The problem with the early sell-out is more complicated. Last year the department had approximately 30,000 requests for the combination license. As set by law, the department can only sell 17,000. Because of the high demand we sold the 17,000 licenses in 19 working days last year. This has caused problems for the outfitting industry as well as the nonresident.

The committee attributed part of the high demand to the cheap price of the license when it is compared to other states.

As part of their recommendation the committee suggested an increase to \$375.00 in FY86 and to \$425.00 in FY87. We have taken that recommendation and adjusted it to \$350.00 for both years.

Even with the increase, Montana will still be \$60-250 cheaper than the same nonresident package in Idaho, Wyoming, or Colorado. The proceeds from the increase are identified for items including big game range acquisition and game damage.

The increase in the paddlefish license for nonresidents is to correct a quirk in our present system. Under our current structure it is possible for nonresidents to purchase a license for paddlefish cheaper than residents. The proposed increase would correct that situation.

In summary, Mr. Chairman, we are proposing a fishing license increase to resident and nonresident sportsmen to cover the cost of the second and final phase of our hatchery renovation project.

I have attached information to my testimony to show the committee the revenues we would anticipate from this increase.

We have also proposed an increase in the nonresident paddlefish license, not necessarily to raise revenue, but to make it more realistic in comparison to the resident license.

In addition I have attached copies of the report from the combination license task force for your review.

And finally I have attached a cost comparison of other Rocky Mountain States and their license costs.

We feel that our proposal has merit, it has been widely discussed in recent months and has met with general acceptance.

We would request your approval of HB 406.

120/7

DEPARTMENT OF FISH, WILDLIFE AND PARKS

PROPOSED FEE INCREASES

HB - 406

NEW REVENUE

LICENSE

86

87

Resident Fishing

Nonresident 2 Day Fishing

\$6 to \$8 16,500 168,000

Nonresident Season Fishing

\$30 to \$35 5,500 22,500

Nonresident Paddle Fish

\$3 to \$10 8,800 13,300

Sportsmen

\$35 to \$36 14,800 22,800

Nonresident Combination

\$300 to \$350 850,000 850,000

120/775

**Montana Department
of
Fish, Wildlife & Parks**



Helena, MT 59620
October 1, 1984

TO: Jim Flynn, Director
Fish, Wildlife and Parks

FROM: Jim Herman, Chairman
Combination License Task Force *Jim Herman*

SUBJECT: Nonresident Big Game Combination Task Force Report

As you requested, a Task Force was created to review the format of the nonresident combination license. The committee was composed of six members, four of which were Guide and Outfitters and two to represent the sportsmen at large (Attachment I). The members were selected with the thought that each would represent a different segment of the Guide and Outfitter industry, resident and nonresident sportsman and conservationists.

A series of three meetings were held. At the first meeting we reviewed the results of a nonresident survey, the history of the combination license, discussed methods and prices of other states and developed a list of seven different options of resolving the problem, (Attachment II). Each member was requested to discuss these options with their constituents as to their opinion or recommendations. At the second meeting, we discussed the comments we had received and reduced the seven options to one tentative recommendation, (Attachment III). We then sent a copy of this recommendation to all Guides and Outfitters, sportsmen's club and division administrators and asked for any comments. After reviewing the comments, the Task Force would like to make the four following recommendations concerning the nonresident big game combination license.

1. Continue to sell the license on a first-come, first-serve basis. All six members were in favor of this method.
2. Increase the cost of the combination license to \$375 in 1986 and \$425 in 1987. This is with the assumption that the bear tag is still a part of the combination license. All six members were in favor.
3. Put the combination license on sale February 1. The vote was three in favor, two against and one abstention. The two that voted against wanted to continue with the April 1 date.

The guide and outfitters council in a previous meeting

had unanimously supported the February 1 date.

4. Offer a general deer license for eastern Montana \$150. There would be up to 10,000 of these licenses to be set by the commission based on deer populations. This would be sold on a first-come, first-served basis at the same time as the combination license.

Recommendation 4 was a somewhat controversial. The pro's and con's were discussed at length (Item IVa, Attachment II). However, the two members representing the sportsmen-at-large had received some additional con's from resident sportsmen that coincided with some of Wildlife Division's concern. Their concerns were:

1. The proposed limit appears to be excessively high. This year less than 4800 nonresident A licenses are available for the entire state. Since the nonresident A license was initially offered in 1981 the number offered has only averaged 2200 per year. The eastern Montana deer population is now probably higher than can reasonably be maintained, so where are these extra 5000 to 6000 buck deer going to come from?
2. Sportsmen in eastern Montana have expressed a real concern that the demand created by an additional 10,000 nonresident deer hunters in eastern Montana probably would generate fee-hunting on more of the private land. As beneficial as additional hunters may be for proper deer management in eastern Montana, any furtherance of fee-hunting could adversely affect resident hunter.

The final vote on this recommendation was four (all Guide and Outfitters) to two (both sportsmen at large).

In their deliberations, the committee discussed both short and long term solutions. Because this issue is important to many different groups, the Task Force felt that periodically a review should be made on the methods of selling the combination license. Recommendations will not have a major impact but all of them in combination will reduce the pressure for the next few years. If the problem surfaces again, the committee felt another Task Force should be appointed.

The Task Force was interested in knowing if and when the recommendations could be implemented. The first-come, first-serve is being used at this time. Putting the licenses on sale February 1 could be implemented in 1985. The department and the commission could for 1985 modify the use of the \$100 nonresident deer A license and make each license valid in a region in eastern Montana and sold on a first-come, first-serve basis along with the combination license. If the Legislature approves the \$150 nonresident license and removes the regional restriction, it could be implemented in 1986. The raise in price of the combination license would also require legislative approval and could be implemented in 1986.

I have all of the written testimony and information that was available to the Task Force. If you are interested in this, I will make it available upon request.

I felt the Task Force did a very good job considering all aspects of the recommendations. I personally enjoyed working with the group and felt that each member represented their constituents very well. The Task Force hopes that the recommendations assist you in making some very difficult decisions.

JH/ph
Attachment
cc: Task Force members
202/13

MEMBERS OF THE COMMITTEE

Mr. Gene Lee
Montana Outfitters Council
Box 524
Bigfork, MT 59911

Mr. Jim Richard
Montana Wildlife Federation
306 W. Riggs
East Helena, MT 59635

Mr. Keith Bales
Outfitter
Box 33
Otter, MT 59062

Mr. Gary Sturm
Sportsman at Large
520 Wilder
Helena, MT 59601

Mr. Jack Hooker
Professional Wilderness Outfitters
Whitetail Ranch
Ovando, MT 59854

Mr. Chris Coile
Montana Outfitters and Guide Association
Sundance Ranch
Ovando, MT 59854

COMPARISON OF NEIGHBORING STATES LICENSE FEES

TYPE OF LICENSE	MT					
	PRESENT	PROPOSED	CO	ID	WY	UT
Resident Fishing	8.00	9.00	7.50	10.50	7.50	13.80
Nonresident 2-Day Fishing ¹	3.00	4.00	3.50	4.50	2.00	5.00
Nonresident Season Fishing	30.00	35.00	35.00	30.50	30.00	35.00
Nonresident Paddlefish	3.00	7.00	N/A	N/A	N/A	N/A
Resident Combination	35.00	36.00	51.50	52.00 ²	63.50	81.30 ²
Nonresident Combination	300.00	350.00	600.00 ²	410.50 ²	475.00 ²	438.30 ²

¹Comparison is based on cost per day for comparable short term fishing licenses.

²This state does not have a comparable combination license. Individual licenses are totaled.

Testimony presented by Jim Flynn
Department of Fish, Wildlife and Parks
March 14, 1985

In the way of background I would like to share with this committee the Department's license fee proposals of recent years.

In 1981 the department presented to the Legislature a fee increase proposal to fund a budget request that dealt with the cumulative impacts of some four years of high inflation and the anticipation that inflation rates would continue for two more years at reduced rates. I would point out that the budget request presented then dealt primarily with the operations of the agency and in fact was an operations budget that included a 15% reduction in full time equivalent employees.

Two years ago the department presented to the 1983 Legislature a fee increase of a different nature. Emphasis was placed upon replacing and refurbishing deteriorated and outdated fish hatcheries and regional headquarters. With the new revenues generated, the department was able to embark upon a bonding program to rebuild three fish hatcheries and replace one regional headquarter facility. In addition, enhancements were made in the operating budgets of the Department Divisions.

The fee increase before you is presented to fund what we feel are the needs for the next two years for the department to continue with its physical plant improvements and program needs.

These recommendations for expenditure were arrived at through a process these past two years that consisted of listening to public expressions of the service they expect from the department, determining within the agency the needs to carry out our statutory responsibilities, and reviewing our historic revenue sources.

I would like to emphasize that our capitol proposal is an ambitious but necessary undertaking. It is a completion of the second phase of hatchery renovation and continuation of our headquarter improvement. The rebuilding/renovation of our Miles City, Anaconda and Lewistown fish hatcheries will complete the necessary overhaul of the state hatchery system. Replacement of two regional headquarters that were built in the 1950's will see four of the seven completed and leave only three more for future attention.

These proposals are costly, but necessary at this time. We feel that they should be addressed because further procrastination will only serve to jeopardize the programs involved or to require a drastic sum of money to address all needs at once and likely at a time of higher costs.

In arriving at the figures before you we took a number of factors into consideration. The system we used is not foolproof, but we believe has some validity.

The hatchery construction is proposed to be financed through a bonding program with up to 75% of the funds coming from revenue contained in the federal DJ program. The balance of the bond payment would come from the license account and relates to the fee increases on the fishing and sportsmen's licenses. Obviously the new federal revenues have enabled us to keep our fee increase to a minimum. In our discussions to date we have informed the Montana sportsmen of the direct relationship between the increased fishing license request and the expenditure request for hatchery renovation.

In addition we are proposing to increase the nonresident combination license in part based upon a recommendation from a committee appointed last summer to offer advice on our nonresident combination license.

The committee was composed of four representatives of the outfitters and guide industry and two representatives from the Montana sportsmen community with one from the Montana Wildlife Federation, and one from an independent sportsmen's club. The group was given two problems to review. One was how to lengthen the sell-out date of the 17,000 nonresident combination licenses in a fair and equitable manner and the other was to provide a license for those nonresidents who wished to only hunt deer. To solve the latter problem, the committee recommended a deer license go on sale in March valid in eastern Montana. The Fish and Game Commission has sent this proposal out for public comment.

The problem with the early sell-out is more complicated. Last year the department had approximately 30,000 requests for the combination license. As set by law, the department can only sell 17,000. Because of the high demand we sold the 17,000 licenses in 19 working days last year. This has caused problems for the outfitting industry as well as the nonresident.

The committee attributed part of the high demand to the cheap price of the license when it is compared to other states.

As part of their recommendation the committee suggested an increase to \$375.00 in FY86 and to \$425.00 in FY87. We have taken that recommendation and adjusted it to \$350.00 for both years.

Even with the increase, Montana will still be \$60-250 cheaper than the same nonresident package in Idaho, Wyoming, or Colorado. The proceeds from the increase are identified for items including big game range acquisition and game damage.

The increase in the paddlefish license for nonresidents is to correct a quirk in our present system. Under our current structure it is possible for nonresidents to purchase a license for paddlefish cheaper than residents. The proposed increase would correct that situation.

In summary, Mr. Chairman, we are proposing a fishing license increase to resident and nonresident sportsmen to cover the cost of the second and final phase of our hatchery renovation project.

I have attached information to my testimony to show the committee the revenues we would anticipate from this increase.

We have also proposed an increase in the nonresident paddlefish license, not necessarily to raise revenue, but to make it more realistic in comparison to the resident license.

In addition I have attached copies of the report from the combination license task force for your review.

And finally I have attached a cost comparison of other Rocky Mountain States and their license costs.

We feel that our proposal has merit, it has been widely discussed in recent months and has met with general acceptance.

We would request your approval of HB 406.

120/7

DEPARTMENT OF FISH, WILDLIFE AND PARKS

PROPOSED FEE INCREASES

HB - 406

NEW REVENUE

<u>LICENSE</u>	<u>86</u>	<u>87</u>
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Resident Fishing

\$8 to \$9	\$ 37,700	\$ 94,000
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Nonresident 2 Day Fishing

\$6 to \$8	16,500	168,000
------------	--------	---------

Nonresident Season Fishing

\$30 to \$35	5,500	22,500
--------------	-------	--------

Nonresident Paddle Fish

\$3 to \$10	8,800	13,300
-------------	-------	--------

Sportsmen

\$35 to \$36	14,800	22,800
--------------	--------	--------

Nonresident Combination

\$300 to \$350	850,000	850,000
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120/7/5

had unanimously supported the February 1 date.

4. Offer a general deer license for eastern Montana \$150. There would be up to 10,000 of these licenses to be set by the commission based on deer populations. This would be sold on a first-come, first-served basis at the same time as the combination license.

Recommendation 4 was a somewhat controversial. The pro's and con's were discussed at length (Item IVa, Attachment II). However, the two members representing the sportsmen-at-large had received some additional con's from resident sportsmen that coincided with some of Wildlife Division's concern. Their concerns were:

1. The proposed limit appears to be excessively high. This year less than 4800 nonresident A licenses are available for the entire state. Since the nonresident A license was initially offered in 1981 the number offered has only averaged 2200 per year. The eastern Montana deer population is now probably higher than can reasonably be maintained, so where are these extra 5000 to 6000 buck deer going to come from?
2. Sportsmen in eastern Montana have expressed a real concern that the demand created by an additional 10,000 nonresident deer hunters in eastern Montana probably would generate fee-hunting on more of the private land. As beneficial as additional hunters may be for proper deer management in eastern Montana, any furtherance of fee-hunting could adversely affect resident hunter.

The final vote on this recommendation was four (all Guide and Outfitters) to two (both sportsmen at large).

In their deliberations, the committee discussed both short and long term solutions. Because this issue is important to many different groups, the Task Force felt that periodically a review should be made on the methods of selling the combination license. Recommendations will not have a major impact but all of them in combination will reduce the pressure for the next few years. If the problem surfaces again, the committee felt another Task Force should be appointed.

The Task Force was interested in knowing if and when the recommendations could be implemented. The first-come, first-serve is being used at this time. Putting the licenses on sale February 1 could be implemented in 1985. The department and the commission could for 1985 modify the use of the \$100 nonresident deer A license and make each license valid in a region in eastern Montana and sold on a first-come, first-serve basis along with the combination license. If the Legislature approves the \$150 nonresident license and removes the regional restriction, it could be implemented in 1986. The raise in price of the combination license would also require legislative approval and could be implemented in 1986.

**Montana Department
of
Fish, Wildlife & Parks**



Helena, MT 59620
October 1, 1984

TO: Jim Flynn, Director
Fish, Wildlife and Parks

FROM: Jim Herman, Chairman
Combination License Task Force *Jim Herman*

SUBJECT: Nonresident Big Game Combination Task Force Report

As you requested, a Task Force was created to review the format of the nonresident combination license. The committee was composed of six members, four of which were Guide and Outfitters and two to represent the sportsmen at large (Attachment I). The members were selected with the thought that each would represent a different segment of the Guide and Outfitter industry, resident and nonresident sportsman and conservationists.

A series of three meetings were held. At the first meeting we reviewed the results of a nonresident survey, the history of the combination license, discussed methods and prices of other states and developed a list of seven different options of resolving the problem, (Attachment II). Each member was requested to discuss these options with their constituents as to their opinion or recommendations. At the second meeting, we discussed the comments we had received and reduced the seven options to one tentative recommendation, (Attachment III). We then sent a copy of this recommendation to all Guides and Outfitters, sportsmen's club and division administrators and asked for any comments. After reviewing the comments, the Task Force would like to make the four following recommendations concerning the nonresident big game combination license.

1. Continue to sell the license on a first-come, first-serve basis. All six members were in favor of this method.
2. Increase the cost of the combination license to \$375 in 1986 and \$425 in 1987. This is with the assumption that the bear tag is still a part of the combination license. All six members were in favor.
3. Put the combination license on sale February 1. The vote was three in favor, two against and one abstention. The two that voted against wanted to continue with the April 1 date.

The guide and outfitters council in a previous meeting

I have all of the written testimony and information that was available to the Task Force. If you are interested in this, I will make it available upon request.

I felt the Task Force did a very good job considering all aspects of the recommendations. I personally enjoyed working with the group and felt that each member represented their constituents very well. The Task Force hopes that the recommendations assist you in making some very difficult decisions.

JH/ph
Attachment
cc: Task Force members
202/13

MEMBERS OF THE COMMITTEE

Mr. Gene Lee
Montana Outfitters Council
Box 524
Bigfork, MT 59911

Mr. Jim Richard
Montana Wildlife Federation
306 W. Riggs
East Helena, MT 59635

Mr. Keith Bales
Outfitter
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Montana Outfitters and Guide Association
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COMPARISON OF NEIGHBORING STATES LICENSE FEES

<u>TYPE OF LICENSE</u>	<u>MT</u>					
	<u>PRESENT</u>	<u>PROPOSED</u>	<u>CO</u>	<u>ID</u>	<u>WY</u>	<u>UT</u>
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3/12/85

Flynn

LICENSE ACCOUNT ANALYSIS

AFTER Joint Sub-Committee Action Thru 3/8/85

All Expenditures

	FY-85	FY-86	FY-87
Unrestricted Fund Balance	\$ 6,052,000	\$ 6,959,000	\$ 5,790,264
Revenues	14,225,000	14,009,000	13,848,000
Fee Increase	<u> </u>	933,300	1,170,600
Total Available	<u>\$20,277,000</u>	<u>\$21,901,300</u>	<u>\$20,808,864</u>
Expenditures			
Approved by Sub-Committee	\$12,807,000	\$13,624,746	\$12,987,896
Capitol			
Cash*	-0-	1,117,000	3,229,800
Bonding			
existing	511,000	517,690	520,286
new	-0-	535,000	535,000
Pay Plan 2 1/2%	<u>-0-</u>	<u>316,600</u>	<u>642,000</u>
Total expenditures	<u>\$13,318,000</u>	<u>\$16,111,036</u>	<u>\$17,914,982</u>
Ending Balance	<u>\$ 6,959,000</u>	<u>\$ 5,790,264</u>	<u>\$ 2,893,882</u>

*Game Range funded 100% from license revenues.

120/41

Flynn

3/13/85

LICENSE ACCOUNT ANALYSIS
FY-88 AND FY-89

FISCAL YEAR 1988

Beginning Balance		\$ 2,900,000
Revenues - Includes Fee		15,169,000
Increase plus 1% growth		
Expenditures		
Approved by Sub-Committee	\$12,988,000	
Pay Plan	642,000	
Inflation @ 3%	<u>409,000</u>	(14,039,000)
Bonding		
Current	\$ 520,000	
New	<u>535,000</u>	(1,055,000)
	Ending Balance 6/30/88	<u>\$ 2,975,000</u>

FISCAL YEAR 1989

Beginning Balance		\$ 2,975,000
Revenues - FY88 plus 1%		15,320,000
growth		
Expenditures - FY-88 plus 3%		(14,460,000)
inflation		
Bonding		
	5/1/89	(1,055,000)
		<u>\$ 2,780,000</u>

120/44

Exhibit 4
March 14, 1985

NAME Mark A. Smith House Bill No. 496
ADDRESS 1211 1/2 Main Street, Webster DATE 3/14/85
WHOM DO YOU REPRESENT MT. Carmel Board of Education
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

EXHIBIT 5

Montana Audubon Council

Testimony on HB 406

March 14, 1985

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I'm here today representing the Montana Audubon Council. The Council represents over 2200 members in Montana.

The Council supports HB 406. Our membership is closely tied to the wildlife resources in Montana and many of our members hunt and fish.

In view of the increasing demands upon our wildlife resources, we feel the moderate increases that the Department is seeking are fully justified.

Thank you.

EXHIBIT 6
March 14, 1985

TESTIMONY REGARDING HOUSE BILL 581

DALE W. SCHENDEL
BOZEMAN, MT

In the United States all wildlife has been deemed to be the property of the people; with the stewardship of this resource placed in the hands of each state. In an effort to manage this resource, each state has established an agency or a department to administer the laws and policies as set forth by the state legislatures.

However, some species of wildlife are very mobile and undertake dramatic geographical shifts of their populations each year. Waterfowl are probably the most notable of this group; crossing national as well as state boundaries as they migrate to and from the breeding and wintering grounds. To alleviate the insurmountable problems of each state trying to set management policies independently, waterfowl were placed in the custody of a national administrator -- the U.S. Fish and Wildlife Service. Under guidelines established by this agency, each state is able to set a management policy that is in concert with all the other states.

In managing these resources, our administrators must take into consideration the needs and desires of all the people. This includes much more than just satisfying the needs of the hunters and fishermen. They must also consider the needs of non-consumptive users, such as photographers and those to whom wildlife is a nuisance, for example, the agricultural community concerned with crop depredation.

The U.S. Fish and Wildlife Service has recognized the rights of aviculturists to share in this resource. The guidelines of this policy are spelled out in Attachment #1. This policy determination was made using existing federal law.

At present, state law does not contain provisions allowing the Montana Department of Fish, Wildlife, and Parks to set policy and administer the issuance of aviculture permits for the purpose of propagation. Therefore it is my hope that you will give favorable consideration to the bill before you so that another segment of the people may share in and enjoy (the use of) this resource.

POINTS MOST COMMONLY RAISED

1. Question: How many permits can the Department of Fish, Wildlife, and Parks expect to issue each year?

Answer: I would anticipate 3-10 at the most. In 1984, the state of Alaska issued approximately 70 permits to collect waterfowl; and that state has a tremendous variety of waterfowl that cannot be collected anywhere else.

2. Questions: Can these waterfowl be sold for profit or be used commercially?

Answer: No. Federal law prohibits birds or eggs taken from the wild to be sold, bartered, or traded. Wild caught birds remain the property of the federal government,

and are only released into the custody of the aviculturist for the purposes intended in the issuance of the permit. First generation and subsequent progeny do become the property of the aviculturist to be used in accordance with existing federal law.



ADDRESS ONLY THE DIRECTOR
FISH AND WILDLIFE SERVICE

United States Department of the Interior

FISH AND WILDLIFE SERVICE

WASHINGTON, D.C. 20240

File No: REG 21-04-5

LE- 53

xADM 9-01

Date: MAR 30 1978

LAW ENFORCEMENT MEMORANDUM

Subject: Issuance of Special Purpose Permits (50 CFR 21.27) For The Taking of Migratory Waterfowl and Eggs From The Wild For Propagation Purposes

I. Introduction. On March 2, 1976, at a meeting of aviculturists and Service representatives, the Director announced a change in policy for the taking of waterfowl and eggs from the wild for propagation purposes. In the past permits had been issued to aviculturists only to take specimens that were judged to be essentially unavailable through commercial channels or for the eggs which were being destroyed in agricultural or construction operations. The new policy will be more liberal and permit qualified aviculturists to take waterfowl or their eggs from the wild for specific propagation activities. It reflects the views that aviculturists can make an important contribution to knowledge and understanding of waterfowl, and aviculturists should be given reasonable opportunity to share in the use of the waterfowl resource. The following guidelines are effective immediately to implement this policy.

II. Issuance Criteria.

A. Purpose. Permits may be issued to established aviculturists for the taking of adult, young or unhatched eggs of wild waterfowl for the purposes of:

1. Rejuvenating bloodlines or gene pools,
2. Improving or developing propagation techniques, or
3. Developing stocks of waterfowl not readily available to aviculturists.

B. Qualifications. Applicant should be judged to have both the technical skill needed to propagate birds and propagation facilities adequate for the purpose being proposed in the permit application.

C. Acquisition of Breeding Stock.

1. All traps or nets used to capture migratory birds shall have attached thereto a tag or label clearly showing the name and address of the permittee and his permit number.

2. Only the number and kind of waterfowl specified in the permit may be taken. The permit will specify the period (calendar dates), when the birds may be taken and whether they are to be adult or young birds, or eggs.

D. Sale, Transfer or Exchange of Waterfowl. The birds or the young hatched from eggs removed under permit from the wild will continue to be governed by the special conditions of the permit issued for their taking. Progeny of these birds may be disposed of in the same manner as other propagated waterfowl, and the sale, transfer, or exchange of birds must be documented on Form 3-186.

E. Special Requirements and Conditions.

1. Birds removed from the wild or young hatched from eggs which are removed from the wild may not be sold or offered for sale.

2. Applications for special purpose permits for the taking of waterfowl from the wild for propagation purposes will be reviewed by the SAC and two regional office personnel designated by the Regional Director for a determination of permit issuance or denial.

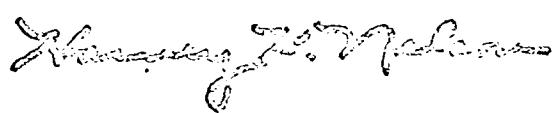
3. Permits will be issued for the period necessary to accomplish the objectives of the permit.

4. Marking - All birds shall be marked as follows:

a. All birds shall be marked immediately upon taking from the wild with bands furnished by the U.S. Fish and Wildlife Service. The black markers now being used to mark raptors should be used for this purpose.

b. All birds produced from eggs taken from the wild will be marked prior to attaining 21 days of age with bands furnished by the U.S. Fish and Wildlife Service.

5. Permits for activities that are conducted in a LE District shall be issued by the SAC where the collecting is accomplished. If a SAC receives a permit application for activities to be conducted in another LE District, the application will be forwarded to the appropriate SAC for permit issuance. Where activities under a permit are to be conducted in several LE Districts (except Alaska) the SAC receiving the application shall issue the permit upon letter of concurrence from the other concerned SACs. A copy of the permit issued shall be forwarded to all affected SACs. Permits issued for the taking of waterfowl in Alaska must be issued by the SAC Anchorage.



James F. Johnson
Associate Director
Fish and Wildlife Resources

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF GAME

BILL SHEFFIELD, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802
PHONE: (907) 465-4190

January 17, 1985

Mr. Dale Schendel
217 Ridge Trail
Bozeman, Montana 59715

Dear Mr. Schendel,

Enclosed is the information you requested on the phone last evening, the legislation pertaining to permits issued to the public by the Department of Fish and Game.

I have also been able to extract a little more information for you pertaining to collecting permits for waterfowl. We issued 345 collecting permits the past year; a rough estimate is that about 25% of them might (86) involve waterfowl, and some of those are for the rehabilitation and eventual release of waterfowl.

I hope the information is of some benefit to you in your efforts to draft legislation for the state of Montana. Good luck.

Sincerely,



Dolores W. Scott
Administrative Assistant

Effect of amendments. — The 1983 amendment rewrote the existing language of this section and designated that language subsection (a) and added subsection (b).

Sec. 16.05.255. Regulations of the Board of Game. (a) The Board of Game may adopt regulations it considers advisable in accordance with the Administrative Procedure Act (AS 44.62) for

(1) setting apart game reserve areas, refuges and sanctuaries in the waters or on the lands of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishing open and closed seasons and areas for the taking of game;

(3) establishing the means and methods employed in the pursuit, capture and transport of game;

(4) setting quotas and bag limits on the taking of game;

(5) classifying game as game birds, song birds, big game animals, fur bearing animals, predators or other categories;

(6) investigating and determining the extent and effect of predation and competition among game in the state, exercising control measures considered necessary to the resources of the state and designating game management units or parts of game management units in which bounties for predatory animals shall be paid;

(7) engaging in biological research, watershed and habitat improvement, and game management, protection, propagation and stocking;

(8) entering into cooperative agreements with educational institutions and state, federal, or other agencies to promote game research, management, education, and information and to train persons for game management;

(9) prohibiting the live capture, possession, transport, or release of native or exotic game or their eggs;

(10) establishing the times and dates during which the issuance of game licenses, permits and registrations and the transfer of permits and registrations between registration areas and game management units or subunits is allowed.

(b) The Board of Game shall adopt regulations in accordance with the Administrative Procedure Act (AS 44.62) permitting the taking of game for subsistence uses unless the board determines, in accordance with the Administrative Procedure Act, that adoption of the regulations will jeopardize or interfere with the maintenance of game resources on a sustained-yield basis. Whenever it is necessary to restrict the taking of game to assure the maintenance of game resources on a sustained-yield basis, or to assure the continuation of subsistence uses of such resources, subsistence use shall be the priority use. If further restriction is necessary, the board shall establish restrictions and limitations on and priorities for these consumptive uses on the basis of the following criteria:

(A) Bear, brown or grizzly, each \$25
The Board of Game may, by regulation effective for not more than one year, eliminate the resident brown or grizzly bear tag and fee for all or a portion of a game management unit.

(B) Musk oxen, each 500
However, the Board of Game may by regulation reduce or eliminate the fee for a resident big game tag for musk oxen for an open season.

(b) The commissioner of fish and game may issue without cost a permit to collect fish and game, including fur animals, subject to limitations and provisions that are appropriate, for a scientific, propagative, or educational purpose. In addition, the commissioner shall issue a permit for the collecting of wild fur animals for improving the genetic stock of fur farm animals. Permits issued under this subsection shall be in accordance with current sustained yield management practices for the species of wild game for which the permit is requested. The annual permit fee for an Alaska resident to collect wild fur animals for fur farming purposes is the same as the fee for resident trappers.

(c) The commissioner of revenue may issue a duplicate license or a duplicate tag as a replacement for a license or tag issued under (a) of this section. A fee of \$2 shall be charged for each duplicate license or tag and the duplicate shall not be issued unless the commissioner of revenue or a delegate is satisfied that the original has been lost or destroyed. This subsection does not apply to a 25-cent license issued under (a)(6) of this section.

(d) Members of the military service on active duty who are permanently stationed in the state, and their dependents, who do not qualify as residents under AS 16.05.940(20), may obtain special nonresident military small game and sport fishing licenses at the rates for resident hunting and sport fishing licenses, but may not take a big game animal without previously purchasing a regular nonresident hunting license and a numbered, nontransferable appropriate tag, issued at one-half of the nonresident rate, under (a)(15) of this section.

(e) Each master guide licensed under AS 08.54.100 and each registered guide licensed under AS 08.54.110 shall pay a fee in the following amount for each caribou, sheep, moose, brown or grizzly bear and polar bear taken on a hunt guided by or under the active supervision of the guide:

(1) polar, brown or grizzly bear:

(A) for each polar, brown or grizzly bear taken over a total of 5 polar, brown or grizzly bear per season and up to a total of 10 polar, brown or grizzly bear — \$20;

(B) for each polar, brown or grizzly bear taken over a total of 10 polar, brown or grizzly bear per season and up to a total of 25 polar, brown or grizzly bear — \$100;

(C) for each polar, brown or grizzly bear taken over a total of 25 polar, brown or grizzly bear per season — \$500;

or guest who does not directly or indirectly participate in the taking; and the term "commercial fisherman" includes the crews of tenders or other floating craft used in transporting fish;

(5) "commercial fishing" means the taking, fishing for, or possession of fish, shellfish, or other fishery resources with the intent of disposing of them for profit, or by sale, barter, trade, or in commercial channels; the failure to have a valid subsistence permit in possession, if required by statute or regulation, is considered *prima facie* evidence of commercial fishing if commercial fishing gear as specified by regulation is involved in the taking, fishing for, or possession of fish, shellfish or other fish resources;

(6) "commissioner" means the commissioner of fish and game unless specifically provided otherwise;

(7) "department" means the Department of Fish and Game unless specifically provided otherwise;

(8) "domestic mammals" include musk oxen, bison and reindeer, if they are lawfully owned;

(9) "fish" means any species of aquatic finfish, invertebrates and amphibians, in any stage of their life cycle, found in or introduced into the state;

(10) "fish derby" means a contest in which prizes are awarded for catching fish;

(11) "fishing derby association" means a civic, service or charitable organization in the state, not for pecuniary profit, whose primary purpose is to promote interest in fishing for recreational purposes and which has been in existence for five years before applying for a permit under this chapter, but does not include an organization formed or operated for gaming or gambling purposes;

(12) "fish or game farming" means the business of propagating, breeding, raising, or producing fish or game in captivity for the purpose of marketing the fish or game or their products, and "captivity" means having the fish or game under positive control, as in a pen, pond, or an area of land or water which is completely enclosed by a generally escape-proof barrier;

(13) "fur dealing" means engaging in the business of buying, selling, or trading in animal skins; the term does not apply to a hunter or trapper selling the animal skins the trapper or hunter has legally taken, or to a person, other than a fur dealer, purchasing animal skins for the person's own use;

(14) "game" means any species of bird and mammal, including a feral domestic animal, found or introduced in the state, except domestic birds and mammals; and game may be classified by regulation as big game, small game, fur bearers or other categories considered essential for carrying out the intention and purposes of this chapter;

(15) "hunting" means the taking of game under this chapter and the regulations adopted under it;

5 AAC 81.040. PERMITS ISSUED BY THE DEPARTMENT. Permits for the following purposes will be issued at the discretion of the department:

- (1) exporting raw skins of wild fur animals;
- (2) taking, holding, importing or releasing any live game;
- (3) selling skins or trophies in compliance with provisions of 5 AAC 81.200(4);
- (4) hunting black bear with dogs;
- (5) taking any species of game for scientific, educational, exhibition, propagation, or taxidermy purposes when such taking is otherwise prohibited;
- (6) taking game by permit hunts under this chapter;
- (7) access to the McNeil River State Game Sanctuary; permit applications must be made to the Alaska Department of Fish and Game, Game Division, 333 Raspberry Road, Anchorage, Alaska 99502; permits will be issued as follows:
 - (A) From July 1 to August 25, maximum of 10 nontransferable permits may be in effect for each day. A single permit will be issued to each individual. From August 26 to June 30, an unlimited number of permits may be issued;
 - (B) Permits for the period July 1 to August 25 shall be issued and conditioned as follows:

- (i) permits will be issued for predesignated time periods, not to exceed four days; the permit application must include the desired time period; no person may be issued more than one multiple-day permit in any regulatory year;
- (ii) not more than three persons may apply as a group for the same time period on the same application form; the names of all individuals must be on the application form;

(iii) applications must be accompanied by a fee in the amount of \$5 per name, and must be received in Anchorage by May 1; a drawing will be held on May 15 and successful applicants will be notified by mail;

(iv) before June 30, alternate permits may be issued on a first-come, first-served basis by the King Salmon area game biologist or his designee during days when less than 10 permits are in effect for the sanctuary; after July 1, permits valid for a single day only may be issued by the department designee at McNeil River State Game Sanctuary, and no multiple-day permits will be issued;

(v) a person visiting McNeil River State Game Sanctuary without a permit must remain in the immediate vicinity of the campground and beach, and must abide by department rules established under (D) of this paragraph;

(vi) no person may remain in the sanctuary more than seven days during the July 1 to August 25 period; no person who has visited the sanctuary for seven days during this period may apply for or be issued a permit, and any permit previously issued to that person will no longer be valid; the person must thereafter remain in the vicinity of the campground until departing the sanctuary.

(C) Permits for the period August 26 to June 30 shall be issued and conditioned as follows:

- (i) the permit application must specify the applicant's request visiting period;
- (ii) the permit application must state the activities to be conducted within the sanctuary;

(D) A permittee must abide by rules provided by the department to minimize bear-human interaction. The rules are a condition of the permit, and violation of these permit terms is a misdemeanor and a basis for immediate revocation of the violator's permit. These rules must cover:



DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
FEDERAL FISH AND WILDLIFE
LICENSE/PERMIT APPLICATION

3. APPLICANT: Name, complete address and phone number of individual, business, agency, or institution for which permit is requested.
International Aviculture Resources, Inc.
217 Ridge Trail Road
Bozeman, Montana 59715
(406) 586-6763

4. IF APPLICANT IS AN INDIVIDUAL, COMPLETE THE FOLLOWING

<input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT 6' - 0"	WEIGHT 190#
DATE OF BIRTH April 3, 1943	COLOR HAIR Blk.	COLOR EYES Haz.
PHONE NUMBER WHERE EMPLOYED (406) 586-6763	SOCIAL SECURITY NUMBER 516-50-2890	

OCCUPATION
Airline Pilot

5. ANY BUSINESS AGENCY OR INSTITUTIONAL AFFILIATION HAVING
TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

International Aviculture Resources
Inc.

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Location of capture to be the North
shore of Cook Inlet, Alaska, and
transfer to Gallatin County,
Montana.

8. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO
THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
\$ Net /Applicable

12. ATTACHMENTS: THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE PERMIT REQUESTED (50 CFR 17.12) MUST BE
ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE
PROVIDED

50 CFR 21.27

1. APPLICATION FOR (Indicate only one)

IMPORT OR EXPORT LICENSE

PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE
OR PERMIT IS NEEDED

To take 12 downy Tule White Front
Geese for the purpose of propagation,
public display and introduction
of new blood lines into captive
flocks.

3. IF APPLICANT IS A BUSINESS, CORPORATION, PUBLIC AGENCY,
OR INSTITUTION, COMPLETE THE FOLLOWING

EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION

Non profit corporation

NAME, TITLE AND PHONE NUMBER OF PRESIDENT, PRINCIPAL
OFFICER, DIRECTOR, ETC.

Dale W. Schendel (406) 586-6763

4. IF APPLICANT IS A CORPORATION, INDICATE STATE IN WHICH
INCORPORATED

Montana

5. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND
WILDLIFE LICENSE OR PERMIT? YES NO

If yes, list license or permit numbers:

FRT 2 - 2931 DN

6. IF REQUIRED BY ANY STATE OR FEDERAL GOVERNMENT, DO YOU
HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU
PROPOSED? YES NO

If yes, list jurisdictions and type of documents:

Similar application pending to the
state of Alaska. See copy enclosed.

7. DATES FOR EFFECTIVE DATE
DATE
May 1, 1984

8. DURATION NEEDED
3 months

DATE

January 4, 1984

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13 OF THE CODE OF FEDERAL
REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50 AND FURTHER CERTIFY THAT THE INFORMATION
SUBMITTED IN THIS APPLICATION FOR A LICENSE PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE

Dale W. Schendel

INTERNATIONAL AVICULTURE RESOURCES, INC.

217 Ridge Trail Road
Bozeman, Montana 59715
(406) 586-6763

International Aviculture Resources, Inc. remains on its original site of three acres in Gallatin County, Montana. 1983 saw us improve our facilities across the board with emphasis on water, fencing and cold weather structures. In addition to the twenty Dusky Canada geese captured on the Copper River Delta in 1983, we have added selected ducks and geese from around the world including Nenes and Cuban Tree ducks, which are both on the endangered species list. As always, purity of strain is of utmost importance in the birds we maintain and propagate.

The Tule geese nesting in Cook Inlet have been well managed on both the breeding and wintering grounds. The 1983 population, after recruitment, was estimated to be about 4,500 birds by Mr. Bruce Campbell of the Alaska Dept. of Fish and Game. This represents an increase in total population and shows that the Cook Inlet breeding area is in good condition and should continue to support stable of increasing numbers of Tules. In view of the current condition of the Tule population, 1984 should be a good time to collect specimens for the purpose of introducing new blood lines into captive flocks.

Collecting would be done under the direction of Mr. Bruce Campbell while participating as a volunteer on his research team. Collecting the Dusky in 1983 was also done under the direction of Mr. Campbell. Our airshipment technique produced 100% survival rate with the Dusky in 1983, as should be repeated with the Tules.

The successive generations of Tules will be placed with other responsible aviculturists interested in maintaining a pure strain of birds. The first placement will be with Mr. Frank S. Todd, Corporate Curator of Birds, Sea World, San Diego; who has given his support for this project.

STATE OF ALASKA
DEPARTMENT OF FISH AND GAME

APPLICATION
for

PERMIT to take, possess, hold alive, import into or export from Alaska, BIRDS OR THEIR EGGS, MAMMALS (except historically domestic birds, their eggs, and mammals) and FISH AND THEIR EGGS (except gold fish and decorative tropical fish) FOR SCIENTIFIC, EDUCATIONAL, OR PROPAGATIVE PURPOSES.

I, Dale W. Schendel, of 217 Ridge Trail, Bozeman, Mont. 59715
(Name) (Mailing Address)

representing International Aviculture Resources, Inc.
(Name of Organization or Institution)

hereby make application for a permit to take, possess, hold alive and

export from Alaska.

(Specify Take, Possess, Hold Alive, Export, Import, Hand, etc.)

the following species of birds

(Specify Birds, Mammals, Fish)

SPECIES - COMMON NAMES

NO. SPECIES - COMMON NAMES

NO.

Tule White Front Geese

12

During the period May 1, 1984 to July 31, 1984.

I wish to obtain the above by means of hand capture.

(Traps, Snares, Guns, etc.)

from or in the vicinity of North shore of Cook Inlet

The purpose of the activities for which a permit is being requested is
propagation, public display and introduction of new blood lines
into captive flocks.

Final disposition of mammals, birds or their eggs, or fish or their eggs
will be maintained at 217 Ridge Trail, Bozeman, Montana, location of
breeding and display facilities.

I certify that all statements entered on this application are true, that
I will abide by all conditions and restrictions of a permit if issued,
and promise to submit a report of activities carried out under terms of
such permit within ten (10) days of its expiration date. I further rec-
ognize that such permit, if issued, does not authorize collection, posses-
sion, or transportation of migratory birds or their nests or eggs except
as permitted by, and in conjunction with, a valid permit which may be
issued by the Bureau of Sport Fisheries and Wildlife of the U.S. Fish and
Wildlife Service.

Dale W Schendel
(Signature)

January 4, 1984
(Date)

If applicant is representing any corporation or institution, a certifica-
tion must be notarized and attached to this application. Certification
form will be furnished by the Department of Fish and Game, Division of
Game, Subport Building, Juneau, Alaska 99801.

When completed, please submit this application to the above address.



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

DALE W SCHENDEL
217 RIDGE TRAIL ROAD
BOZEMAN

MT 59715

16 USC 703-712

REGULATIONS (Attached)

50 CFR Part 13
50 CFR 21.27

3. NUMBER

PRT-675295

4. RENEWABLE

YES
 NO

5. MAY COPY

YES
 NO

6. EFFECTIVE

7. EXPIRES

5/1/84 7/31/84

SUBPERMITTEES NOT ALLOWED

NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

8. TYPE OF PERMIT

SPECIAL PURPOSE

LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

THE WEST SIDE OF COOK INLET, BETWEEN THE MOUTH OF THE BIG SUSITNA RIVER AND TUXEDNI BAY, ALASKA

CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. Authorized to capture and transport up to twelve (12) downy Tule White-fronted Geese.

E. Carry this permit whenever exercising its authority.

F. Captured birds are to be transported only to Bozeman, Montana, and kept in accordance with State and Federal permits.

G. Maintain records as required in 13.46. These records will include the date and location all birds are captured and the number of birds that die between the time of capture and the time your required report is submitted.

H. None of the birds captured may be sold, nor transferred to any other individuals.

I. All birds must be marked by one of the methods listed in 21.13(b), within thirty (30) days of capture.

J. This permit does not authorize trespass on Native

12. REPORTING REQUIREMENTS

FIRST ANNUAL REPORT DUE 8/13/84
FORM 3-430A IS ENCLOSED FOR REPORTING PURPOSES.

IS ISSUED BY	TITLE	DATE
LARRY L. HOOD	ASST. SPECIAL AGENT-IN-CHARGE	4/9/84

NAL SAC LE; SRA, ANCHORAGE LE; ADF&G, JUNEAU;



STATE OF ALASKA
DEPARTMENT OF FISH AND GAME
JUNEAU, ALASKA

Permit No. 84-96

Expires 7/31/84

SCIENTIFIC OR EDUCATIONAL

PERMIT

to

TAKE OR POSSESS

BIRDS OR THEIR EGGS

HOLD ALIVE

EXPORT BIRDS OR MAMMALS

This permit authorizes Dale W. Schendel

of 217 Ridge Trail Road, Bozeman, Montana 59715 person, agency or organization
address to conduct the
following activities during May 1, 1984 to July 31, 1984 in accordance with AS 16.05.930 to:

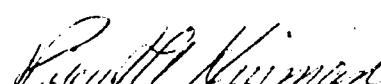
Authority is granted to capture and transport up to twelve (12) downy Tule White-fronted Geese from the west side of Cook Inlet, between the mouth of the Big Susitna River and Tuxedni Bay, Alaska.

All other conditions same as Federal permit PRT-675295.

FEDERAL PERMIT PRT-675295 MUST BE IN POSSESSION

This permit must be carried by a person specified on this permit during approved activities who shall show it on request to persons authorized to enforce Alaska's fish and game laws. This permit is nontransferable, and will be revoked, or renewal denied by the Commissioner of Fish and Game if the permittee violates any of its conditions, exceptions or restrictions. **No redelegation of authority may be allowed under this permit.**

By Delegation of the Commissioner


Division of Game

ALASKA DEPARTMENT OF FISH AND GAME

EXHIBIT 7

HB 581

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

March 14, 1985

While the department has opposed this type of legislation in the past, the inclusion on page 4 in section 4 of a sunset provision changes our view of the issuance of the permits.

Our concern in the past has primarily centered around the question of how many permits should be issued for any particular species, as well as who should get that specified number of permits.

In addition, there are commercial sources throughout America for most, if not all, species that exist in the wild. As a result, we have felt that adequate opportunity exists for private individuals to obtain the various species for propagation.

When HB 581 was introduced and the sunset provision inserted, the department felt it was appropriate to administer the program for three years and determine if our concerns have substance or if, in fact, they do not. In either case, we will have the opportunity to review the subject in the 1989 legislative session based upon that experience and arrive at a conclusion at that time.

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I'm here today representing the Montana Audubon Council. The Council is composed of eight Chapters of the National Audubon Society and has over 2200 members statewide.

Although the Council opposed HB 581 in its original form, amendments added in the House now enable us to support this bill. We would like to see one additional amendment added, however (see attached sheet).

Many migratory game birds have the ability to lay a second set of eggs during a summer if, and only if, their first set of eggs are taken or destroyed during a short period of time. This ability is called "double clutching." If aviculturists were required to make their collections during this period in a bird's breeding cycle, we would see the best of both worlds: the aviculturist would get his/her eggs and the bird would also be able to raise young for the same year. We understand that it is sometimes impossible to collect eggs at this critical time. We would like to see that the Department examine this as a possibility - and that aviculturist be made to at least try to collect eggs during this critical time.

The reason we would like to see this additional amendment added to HB 581 is to insure that protection of migratory game birds is mentioned in this act. It is the Department's purpose to protect the state's wildlife. Consequently, it may seem unnecessary to add this amendment. We feel that it is important that the Legislature clarify that the Department's role is not a "rubber stamp" for Federal Aviculture permits. We want the Montana Department of Fish, Wildlife & Parks to develop its own criteria for protecting Montana birds. We feel that with our amendment on HB 581, this will clearly be their mandate.

Thank you.

Proposed Amendment to HB 581 Statement of Intent

It is the intent of the legislature that the department adopt rules maximizing protection of migratory game birds. These rules should consider such things as restricting the time of year eggs can be collected to assure, as much as possible, that birds can double clutch and restricting the number of collections in a given area to insure that local populations are not harmed.

FACT SHEET
HB 763

The following addresses certain concerns expressed before the Senate Fish and Game Committee hearing on March 12, 1985. This bill reclassifies the buffalo as a game species, therefore incurring a bison hunt to control the problem that has developed surrounding the bison herd on the northern boundary of Yellowstone National Park.

Brucellosis: One concern considered the time element involved- between the time the buffalo left the park and possible contact with domestic livestock. Would a hunt expand the time livestock were susceptible to contamination by brucellosis infected buffalo? The answer is no. If a hunter were given a time limit, for example 24 hours, to be at the scene of the hunt, the time element would actually be less than it is now. Currently it may take as long as 2-6 days for the Department of Fish, Wildlife, and Parks to respond once buffalo have left the park boundary.

Another concern involved the possibility the buffalo would be chased and scattered all over the valley if a public hunt were conducted. The Fish and Game Commission has the authority to design a hunt specific to these concerns. For example, such a hunt could be closely monitored, with a warden from the Department of Fish, Wildlife, and Parks to accompany the hunter. It would not necessarily be a competitive hunt, rather the first name drawn would shoot the first buffalo and so on. This type of program would eliminate chances the buffalo might break and run.

The landowners that have been currently cooperating with the Department personnel have expressed support for a buffalo hunt, and are willing to assist sportsmen with regard to harvesting and removal of these animals.

Funds generated within HB 763 should be earmarked for buffalo management to formulate a program and address any concerns that may be involved with the hunting and efficient management of the bison herd.

R.D. Menahan

STANDING COMMITTEE REPORT

March 14,

85

19

MR. PRESIDENT

We, your committee on **SENATE FISH AND GAME**

having had under consideration..... **HOUSE BILL**..... No. **136**.....

third reading copy (blue)
color

(JACOBSON WILL CARRY)

20-DAY GRACE PERIOD FOR MOTORBOAT NUMBERS DISPLAY; MISDEMEANOR PENALTY

HOUSE BILL **136**
Respectfully report as follows: That..... No.....

BE CONCURRED IN

~~NOOKPASSE~~

~~NOOKPASSE~~

.....
MAX CONOVER,

Chairman.

STANDING COMMITTEE REPORT

Page 1 of 2

March 14, 1985

MR. PRESIDENT

We, your committee on **FISHERY GAME**

having had under consideration..... **HOUSE BILL** No. **820**

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color

YELLOWTAIL WILL CARRY

REQUIRES STAMP TO HUNT WATERFOWL

Respectfully report as follows: That..... **HOUSE BILL** No. **820**

be amended as follows:

1. Title, line 8.

Following: "WETLANDS;"

Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2, line 14.

Following: line 13

Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana.

(2) Members must be appointed to the advisory council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."

Renumber: subsequent sections

3. Page 2, line 14.

Following: "Sections 1"

Strike: "and 2"

Insert: "through 3"

(Continued)

~~DEPARTMENT~~

~~DEPARTMENT~~

Chairman.

March 14, 1985 19.....

4. Page 2, line 21.
Following: "THROUGH"
Strike: "5"
Insert: "6"

5. Statement of Intent
Strike: statement of intent in its entirety

AND AS AMENDED BE CONCURRED IN

.....
MAX CONOVER, Chairman

STANDING COMMITTEE REPORT

March 14, 1935

MR. PRESIDENT

We, your committee on **FISH AND GAME** having had under consideration.....

HOUSE BILL No. **581**

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CONOVER WILL CARRY

AVICULTURAL PERMITS FOR TAKING MIGRATORY GAME BIRDS FOR PROPAGATION

Respectfully report as follows: That.....

HOUSE BILL No. **581**

BE CONCURRED IN

XOXPXK

XPOXOXPXK

NAX CONOVER,

Chairman.

STANDING COMMITTEE REPORT

March 14,

19..... 85

MR. PRESIDENT

FISH AND GAME

We, your committee on.....
having had under consideration.....

HOUSE BILL

No. 406

third reading copy (blue)
color

SMITH WILL CARRY

CHANGE CERTAIN HUNTING AND FISHING LICENSE FEES

Respectfully report as follows: That.....
HOUSE BILL..... No. 406.....

BE CONCURRED IN

DEPARTMENT

DEPARTMENT

MAX CONOVER,

Chairman.