

MINUTES OF THE MEETING  
FISH AND GAME COMMITTEE  
50TH LEGISLATIVE SESSION  
HOUSE OF REPRESENTATIVES

January 29, 1987

The meeting of the Fish and Game Committee was called to order by Chairman Orval Ellison on January 29, 1987, at 1:00 p.m. in Room 312 of the State Capitol.

ROLL CALL: All committee members were present.

HOUSE BILL 378: Rep. John Cobb, District 42, sponsor, stated basically, the bill transfers the Division of Fish, Wildlife and Parks to the Department of State Lands. He stated this was brought to his attention by approximately 15 Fish and Game people who have asked him to carry the bill. He stated the Parks Division is responsible for the operation and maintenance of the State Parks system, including recreational ponds, trails and fishing access sites. They also maintain snowmobile facilities and maintenance of the Capitol Complex. He stated these are their current responsibilities. When referring to the fiscal note, he stated most of the money involved would be transferred with the Division, to the Department of State Lands. He stated originally, the Parks Division was located in Highways; however, it did not seem to belong there. It was eventually moved to the Fish, Wildlife and Parks Division. He stated several people in the Fish and Wildlife voiced concern that this Division should not be included, because of the varying philosophical view points of how it should be run. The Parks Division stated they are more concerned with the recreational aspect of the state parks systems and the maintenance of these areas, while Fish and Wildlife showed more concern with the wildlife habitat. They do not think it is working too well by having Parks within Fish and Wildlife. Thus the reason he brings the bill before the committee today. He also stated by moving the Parks over to State Lands where there are millions of acres that were looked at, felt this should involve the Parks Division. Currently, the Fish and Wildlife is getting caught in having those state lands for wildlife and recreation simultaneously, and he does not feel the Fish and Wildlife should be caught in this issue. He feels the Parks Division should be in the State Lands because all the state land is together in this Division. He stated it can be very hard to divide this land or buy this land, once the Fish and Game has the land because it is so intertwined. This bill is a form of house cleaning as Rep. Cob is concerned, and he suggested one amendment regarding the effective date be changed to July 1, 1989, giving appropriate time to implement this bill which

is basically here to try and fix a problem the Department of Fish, Wildlife and Parks sees as getting worse in the future. They wonder what direction they are going to be going; whether it be more to a recreational state parks, because the money seems to be going that way, or in the way they wish to be going, and that being the concern they have with enhancing wildlife habitat.

PROPONENTS: None

OPPONENTS: Jim Flynn, Director, Department of Fish, Wildlife and Parks, submitted testimony (Exhibit 1). He stated in 1975, the Parks Division was transferred from the Department of Highways to the Department of Fish and Game, with the purpose being to consolidate the management of outdoor recreation resources into one agency. At the same time, the Department of Fish and Game was just beginning a fishing access site acquisition and development program in addition to its other sportsmen-related activities. As a result of the Federal Land and Water Conservation Fund Act, the Parks Division began development of recreational facilities on lakes and reservoirs which provided opportunities to sportsmen as well as other outdoor recreationists. These two major efforts cemented the relationship which exists today. If the Parks Division is relocated, still remaining with the Department of Fish, Wildlife and Parks, will be the responsibility for managing over 230 fishing access sites, various wildlife management areas, as well as the enforcement and safety education portions of the state snowmobile and boating recreation programs. Services for activities such as weed control, signing, garbage collection and enforcement will still have to be duplicated, causing, in some areas, employees from two different agencies using vehicles and equipment to care for sites in the same locale. Additional costs will occur, as well as additional complications of making the proposed transfer of dividing real estate and property improvements in areas which have shared funding from the Federal Land and Water Conservation Fund, the coal tax, and license revenues, as other sources. It is their belief, that the proposed transfer would not achieve efficiencies and could be more costly. To break at this time would accrue no benefits to the public as far as recreational opportunities are concerned and we therefore, oppose the bill.

JANET ELLIS, representing the Montana Audubon Legislative Fund, stated they do oppose HB 378 for many of the same reasons brought out by Director Flynn. MALF believes that the Department of Fish, Wildlife and Parks appropriately houses all the outdoor recreation services in the state, and they feel if you were to separate out Parks from fishing and wildlife interests, there would be many duplications of

services, from enforcement efforts that must be made, to conservation indication information that must be distributed. She urged the committee to give this a do not pass.

DENNIS HEMMER, representing the Department of State Lands, stated they are not taking a position on this bill due to the fact that they still have questions regarding what motivated the bill. At this time, they do not have a formal position. He stated although the Department of State Lands does not need more work, he wanted to point out that prior to 1950, the Parks Division was in their present Forestry Division, and taken out at that time because it did not necessarily mesh. He stated one concern he has is their main mission is to make money which is administered and directed through the school trust fund. With the change being made, this would become somewhat muddled.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 378: Rep. Ellison asked Mr. Flynn if they have the authority to set fees on the parks, or is that included in statute.

MR. FLYNN stated that authority lies with the Commission, and in their annual rule making process, they have the authority to set the various fees for various sites within the system.

REP. JENKINS asked Mr. Flynn why the parks are locked up, stating this subject had been touched on and felt more discussion was needed.

MR. FLYNN stated the park sites generally have got garbage cans and latrines located on these sites. When they are not into a maintenance program on those sites, they do not want people using them, particularly those facilities because many times those garbage cans would need to be hauled for dumping, and most of the time, we would have no one that could haul this. So, the area is locked up, and then they know there will be no more maintenance required on it when they do not have the money to deduct in the first place. As they found out last summer, even when they attempt to do some of those things and leave the site open, and ask the public to pick up their own garbage etc., it has not been well accepted either. He pointed out that we must find that middle ground to spread the dollars, that they will have, thinner and still make as many of those areas be involved as they can.

REP. JENKINS asked if there is a chance it would be cheaper to contract someone to dump the garbage in these areas.

MR. FLYNN stated a number of their sites are administered in just that manner. They do not have state employees taking

care of all the park sites in the State of Montana. He stated they do contract works that are economically beneficial to them and to private individuals for hauling garbage, trimming trees, and many other various jobs. He stated they do not do it 100% with contracts and they do not do it 100% with state employees either.

REP. GRADY asked Dennis Hemmer if he thought some of these problems could be solved by this transfer of this department.

MR. HEMMER stated they have dealt with the Parks Department on many occasions, and felt they are very competent people, for the most part, doing a good job. He felt their Department could probably not do it better than it is being done by DFWP already.

IN CLOSING, Rep. Cobb stated it must be decided what they want to do. He feels they do parks and fish and wildlife. They cannot do both at the present time, and do them well. He stated that is why he is attempting to put it in the Department of State Lands because they have a funding source that directs their authority and priorities to be the parks in the State of Montana. He stated, currently, the money is intertwined. It is not illegal; however, they do go together to buy things, because we have parks equipment being used somewhere else going back and forth from the Fish and Wildlife Office. You have got to define each division, because it cannot continue to go this way. He urged the committee to look favorably on the passage of this bill.

HOUSE BILL NO. 352: Rep. Ted Schye, District 18, stated HB 352 is a simple bill, yet complicated. In looking back at past minutes, they had tried to find what year the legislature passed a law which outlaws hunting at night with spotlights. He believed the law was passed in 1975; however, they did not locate it in the minutes. He stated this law, which exempts landowners and enforcement people, has been on the books for approximately ten years. This changed in 1985 resulting from a Supreme Court Case dealing with the State vs. Austin which was thrown out of court. Presently, in the State of Montana, it is legal for landowners and peace officers to hunt with spotlights. He stated this was brought to his attention by a constituent from his area who is experiencing problems with spotlight hunting and called Fish and Game. Fish and Game told him there was nothing they could do about it. A possible question regards people who have livestock and whether they can use a spotlight to find their animals. He stated one of the interpretations he has received is that they can. Rep. Schye stated he is willing to leave that up to the committee to wrestle with because he does not want to put a law in that would exclude

him from using spotlights to look for his calves. He stated he did give this bill to the livestock people and they wrestled with it for a long time. They had a hard time making a decision. He feels they did not come to a decision and because of that, they are putting it in the Fish and Game Committee's lap.

PROPOSERS: Jim Flynn, Director, Department of Fish, Wildlife and Parks, submitted testimony (Exhibit 2). He stated HB 352 addresses Section 8-3-122, MCA. This section of law was enacted by the 1975 legislature and dealt with the use of spotlights in Montana. Since the Supreme Court's action declared the section of law invalid, Montana's spotlighting laws have been weakened and there is a grey area which needs to be clarified. HB 352 would clarify that grey area and return to a closer prohibition of spotlighting. DFWP does have one amendment to offer which would allow department personnel and authorized landowners using kill permits to conduct that activity with spotlights. We feel the amendment would fall within the parameters outlined by the Supreme Court and be constitutently acceptable because there is a rational basis for these limited exceptions. We would urge the committee for their favorable consideration of this amendment and with it approve HB 352.

TONY SCHOONEN, representing the Skyline Sportsman's Club, in Butte, stated they do support this bill. He stated they feel that when you have a lot of legitimate sportsmen out there, you usually have only a few people who break the law by spotlighting wildlife and taking wildlife with the aid of a spotlight. Unfortunately, many times, the legitimate sportsmen are thrown into the same category because of the ONE individual that is breaking the law. They urged the committee to support the bill in order to take some step in helping the landowner alleviate this kind of situation.

#### NO OPPONENTS

QUESTIONS (OR DISCUSSION) ON HOUSE BILL 352: REP. GIACOMETTO asked Rep. Schye if, as written, the bill states any animal. He also questioned if this would also include animals they could consider as predators to the landowners such as coyotes or raccoons.

REP. SCHYE stated his intention is that if you have been hunting coyotes or raccoons, and they are detrimental to your property, you could use your spotlight in this instance. Otherwise, according to this bill, he does not believe you could. He then referred this to the Department attorney.

MR. FLYNN stated they had hoped to have their Department attorney present for the hearing; however, he was in the Senate Fish and Game. Mr. Flynn stated if they could get him to this hearing before it adjourned, he would then be able to respond to the question. Chairman Ellison stated this would be fine.

REP. RAPP-SVRCEK stated he could see the confusion. He suggested in order to help clarify, perhaps the word "game" could be added to line 14, "acting with the purpose to locate and hunt any "game" animal".

REP. SCHYE stated this is a different section of the law already and it states you cannot hunt game animals with a spotlight included in 87-3-101. He stated the problem is not hunting game animals, the problem is spotlighting jack rabbits, and such animals.

BOB LANE, attorney for the Department of Fish, Wildlife and Parks, appeared and addressed the question from Rep. Rapp-Svrcek. He stated the answer to this question is NO. He, (the landowner), would not be in liable violation. According to the former law that was declared unconstitutional, if he was not a landowner, or adjacent to a landowner, he would have been guilty of violation with nothing more than shining a light and having a firearm in his possession.

REP. BRANDEWIE asked if he would have to prove he intended to shoot an animal if he did have a shotgun and a spotlight in his possession.

MR. FLYNN stated it specifically states "when acting with the purpose of locating and hunting animals" and that would have to be a part of the citation with the officers' observations and judgements going into effect if that were taking place. Mr. Flynn stated the committee must also keep in mind the DFWP or the Department attorney, does not, as a state agency enforcement officer, take the citation to the magistrate. This citation is taken to the County Attorney. The County Attorney listens to the circumstances involved. Not only do they have to have the evidence themselves, but they have to provide it to a County Attorney who then, according to the law, decides if it was or was not intended. It then goes to the magistrate.

REP. COBB asked if the problem seemed to be with state and federal lands.

REP. SCHYE stated the law is frequently broken, but only by a few people. He stated they will be shooting off any kind of road they can if they think it is legal, whether it be state land or not. He felt there would be more problems

with BLM land than state lands. He stated especially if they are shooting at night not knowing which lands they are actually on.

REP. COBB asked if no law is passed, what would be the ratification.

REP. SCHYE stated if no law is passed, then it would mean it would be legal to spotlight in the state. However, you again would be looking at the problems that may occur regarding state and federal lands.

IN CLOSING, Rep. Schye stated he knows there are many concerns regarding the bill. He has many of the same concerns but he feels we must do something or we will be back in two years addressing the problem again. The current law was passed in 1977 and he feels it should be looked at. He does not want to do anything to limit the landowner, yet he feels this must be brought before the committee to see if it is even important enough to do something about. He urged the committee's consideration on HB 352.

HEARING CLOSED ON HB 353.

HOUSE BILL NO. 406: Rep. Ed Grady, District 46, sponsor, stated what this bill does is changes the name of the Montana Outfitters Council to the Board of Outfitters and transfers the council to the Department of Commerce to transfer license authority for outfitters and guides from the Department of Fish, Wildlife and Parks to the Board of Outfitters. He then went through the bill section by section explaining what each section does in the bill. He stated what prompted the bill is the Outfitters and Guides are getting to be a big business in Montana and felt it was time they were transferred to the Commerce Department so they will have a lot more control with their own board. He stated there will be some amendments proposed, when action is taken on the bill, that would give them more authority to control their own people. There are some people within the organization they are having problems with. HB 406 will give them more authority in controlling their own people. In the long run, he felt, they would be much better off and this would segregate them from DFWP. He did talk with the people at the Department and they also agreed that it was time to transfer these people to the Commerce Department. The revenue from the licenses will be transferred over to the Commerce Department and will be used expressly by the Board. The Department of Commerce has set up a budget for them to operate on and also, with the budget, it states it will pay the board for expenses for deeds and covenants of deeds. He urged the committee to give this bill ample consideration.

PROPOSERS: JEANNE KLOBNAK, representing the Montana Wildlife Federation, submitted testimony (Exhibit 3). She stated MWF has four primary reasons why it supports HB 406. They are: 1) outfitters and guides should be treated and administered as all other professional occupations in the State; 2) the Outfitters Advisory Council should be treated as a professional board as all other professional occupations; 3) the costs of administering the licensing and Council should be self supported by guides and outfitters license fees; and 4) no commercial activity, as is outfitting and guiding, should receive special advisory treatment from the Department head responsible for managing the wildlife for the citizens of the state. She emphasized the Outfitters Council has seven licensed outfitters representing Fish and Game administrative districts selected by outfitters and residing in the districts. This was done in March by vote. The Department of Commerce provides administrative and clerical services to 32 professional licensing boards as well as establishing rules and regulations. A chart has been provided which shows the similarity between Board and Council functions. (Exhibit 3a). In summary, moving the Outfitters and Guides to Commerce would further align the management of professionals, make the activities self-supporting, and remove the special interest status which the Outfitters Council shares with the DFWP. FWP should not be managing the activities of commercial business, but should manage wildlife and the hunting and fishing opportunities for all citizens regardless of their class or occupation. MWF urges the committee to give this bill a do pass.

JIM FLYNN, Director, Department of Fish, Wildlife and Parks, submitted testimony (Exhibit 4). He stated this legislation will change the name of the Montana Outfitters' Council to the Board of Outfitters, and transfer that board to the Department of Commerce along with the licensing authority for outfitters and guides. This transfer of authority from the DFWP is a move whose time has come. The FWP and the Montana Outfitters and Guides have historically worked together to develop rules and procedures which upgrades and professionalized the outfitting industry. Along with this growth, the needs of the industry for standards, insurance and other facets of the industry have developed. With the current structure, it is a growing responsibility for this agency (DFWP) to attempt to address at least some of these needs. It then becomes questionable as to how much time and effort we, as a fish wildlife and outdoor recreation agency, ought to be spending on the regulation of a viable and substantial occupation such as the outfitting and guide industry. In reviewing neighboring states, it is evident that the trend is with outfitter boards which administer all functions of the state's outfitting act and thus regulate



themselves as do other occupations in Montana. DFWP urges support for HB 406.

ANDY POOLE, representing the Montana Department of Commerce, stated they do support passage of HB 406.

TONY SCHOONEN, representing the Skyline Sportsmen in Butte, stated his organization supports HB 406 and feels this is an appropriate transfer, and also felt this would help control the number of outfitters and guides, because there was no real control at the present time.

OPPONENTS: EUGENE LEE, Chairman of the Montana Outfitters Council, submitted testimony (Exhibit 5). He stated their group neither opposes or supports the bill at this time. He stated they have not had adequate time to call a meeting or poll all of their people by mail. At this time, Mr. Lee respectfully asked for a delay on a vote on this issue at this time. He stated this is one of the few industries that is not depressed in Montana, and emphasized they would like to be sure that they better themselves with a move, or else it makes little sense or reason to actually go through with the transfer.

SMOKE ELSE, representing the Montana Outfitters and Guides Association, stated at this time, they are also not going to voice support or opposition for this particular bill. He stated they have started their research, stating they have been trying to arrange an appointment with the Attorney General in order to discuss this with him. They have also begun research and discussion with the Department of Commerce and the DFWP Director and his assistant. He stated at this time, because their membership is spread all over the state, they cannot support or oppose, because they need additional time to look this over in some depth.

RICHARD PARKS, owner of a sporting goods store and outfitting business in Gardiner, submitted testimony (Exhibit 6). He stated he is President of the Fishing and Floating Outfitters Association, the other organized outfitter group. He stated, like the outfitters and guides associations, they have not had the opportunity to thoroughly circulate the contents and implications of this bill amongst their members, so he stated this puts them in the same position the outfitters are also in as had been previously testified to. He stated; however, they would like to propose a few questions. It might be worthwhile asking who is going to be in the field to enforce the outfitter regulations? What mechanism will the board employ to inform itself of the biological concerns now brought to it by DFWP? If the board, which makes the rules, is removed from DFWP, what authority will the game wardens have in these matters? It

seems to their organization, that we may be preparing to abandon the only agency with the personnel to enforce regulations, or has something been left out? He urged the committee to not take action on this bill until all organizations had ample time to do their research and iron out the discrepancies of the bill.

DUANE NEAL, Outfitter, submitted testimony (Exhibit 7). He stated he represents around 200 outfitters in Region III. He stated, until two days ago, himself and apparently all other outfitters in the state, were unaware of this bill, that would transfer them from the Department of Fish, Wildlife and Parks to the Department of Commerce. The outfitters he has had a chance to poll via telephone, had very strong feelings both pro and con regarding this transfer. He stated, at this time, they can neither support nor oppose the bill and felt action on the bill should be delayed until the outfitting industry can be made aware of the ramifications of the bill.

RALPH HOLMAN, Outfitter, submitted testimony (Exhibit 8). He stated beyond a doubt, the industry badly needed regulation and upgrading. Those of us who support administration, licensing, and enforcement by the Department of Fish, Wildlife and Parks have always been frank and open in asking the association and all of the licensed outfitters for recommendations and other input on how to improve the Council. It was his understanding, the association was going to make recommendations in 1986, which did not materialize. Notice of HB 406 came to him a few days ago as a complete surprise, as it did to other outfitters. He stated they are realistic and can recognize that there is room for improvement. In his opinion, the Council should have more authority which we have recommended and are considering. He commented that they definitely need regulations that will serve as a prerequisite to being elected to serve on the Council. They are also strongly convinced that all 600 plus outfitters of Montana are entitled to have this issue presented to them in writing, totally clarified and have the opportunity to vote on the issue and make recommendations. This can and should be done. He is confident that a large majority will strongly oppose formation of an Outfitter Board, stating we currently have a highly qualified, ethical and important industry that brings 40-million new dollars into the economy of Montana. An industry built on 20 years of hard work by Department personnel and outfitters, is a credit to Montana. He stated, do not let the future of our industry be determined by a vocal minority or by those primarily concerned for their own pleasure. He asked the committee for their consideration in this matter and thanked them for their time.

REP. PAVLOVICH, asked Rep. Grady, that after seeing the confusion expressed by the people testifying here today, he wondered how he would feel about waiting another two years to address this issue.

REP. GRADY, mentioned the confusion seen, and stated he has been working with some of these people since the beginning of the session, and he was not aware that they were not representing the majority of outfitters out there. He stated he felt it would be well for the committee to delay action on the bill, due to the fact that they cannot seem to reach a consensus amongst the organizations.

REP. DAILY, asked Mr. Lee as stated in his testimony, that there are roughly 600 outfitters in Montana, and Rep. Daily asked him if he had any idea how many guides there are.

MR. LEE, stated he did not know the exact number, but thought it was less than 2,000. He was then informed by Smoke Elser, that there are approximately 1,200 guides.

REP. ELLISION stated he wanted to point out to the committee, that he was under the impression that this was general knowledge among the outfitters and it appears that it was not. He stated he had talked to a few of the outfitters and they were aware of the bill, and he stated it was not his intention to force something down the outfitters throats without them knowing about it. The bill was posted in ample time, and to be sure that we are indeed fair about this, if it would be a help to the outfitters and those who were unaware of this bill, he suggested putting the bill in a subcommittee to give them additional time and the opportunity to offer amendments if so desired. He stated it is the purpose of this committee to have a fair hearing on all the bills brought before them, and he stated he surely did not want to short change anyone.

REP. BULGER, stated the only point he wanted to bring out, was that in dealing with all the boards that have been organized and established, the only board that seems to be subsidized is this one, receiving \$46,000 a year from hunting license fees. He felt this is a problem that could develop into further problems.

MR. HOLMAN, addressed this question stating he has always understood the outfitters have been paying for their own way and contributing to the economy of the State. However, he felt this would be perhaps a concern he had not thought about, and how it could affect other boards and organizations.

In closing, Rep. Grady stated he felt this bill did need to be put into a subcommittee, especially after hearing the concern expressed, and the objection of not having enough time to poll all the outfitters out there to see what the majority of them would want. He knew there were going to be amendments proposed to the bill, and felt this would be the best way to go about it, if we did get it into a subcommittee. He thanked the committee for their time and consideration of HB 406.

HEARING CLOSED ON HB 406.

EXECUTIVE SESSION

HOUSE BILL NO. 266: Rep. Ream moved HB 266 DO PASS. Rep. Ream then moved the amendments to the bill.


QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 266: REP. DAILY had questions regarding the amendment of "shall" to "may", stating "shall" means they have to do it, and by inserting "may", seems to weaken the bill, therefore, he wondered why the bill was even needed.

REP. REAM stated what follows on the top of that next page is there are lists of federally endangered species, which they are taking off from, and by changing the wording from "shall" to "may", the department does not necessarily have to put a federally listed endangered species on the state list of endangered species. They use as an example, the bald eagles in Montana. With too many wild eagles in the state, there is really no need to list them in Montana because they are already listed on the federal list. But this says they can, if in fact, they want to.

Question was then called on the amendment, the motion CARRIED with Rep. Jenkins voting NO. Rep. Ream moved HB 266 DO PASS AS AMENDED. Question being called, the motion CARRIED unanimously. See Standing Committee Report Nos. 1-4.

HOUSE BILL NO. 378: Rep. Cobb moved HB 378 DO PASS. Rep. Pavlovich then made a substitute motion to TABLE HB 378. Being a nondebatable motion, a roll call vote was taken. The motion CARRIED 11-5. Reps. Jenkins and Rapp-Svrcek has been excused to present bills in other committees and did not vote on HB 378.

ADJOURNMENT: There being no further business to come before the committee, the hearing was adjourned at 2:51 p.m.

  
ORVAL ELLISON, CHAIRMAN

## DAILY ROLL CALL

FISH & GAME

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date JANUARY 29, 1987

NAME	PRESENT	ABSENT	EXCUSED
ORVAL ELLISON, CHAIRMAN	X		
MARIAN HANSON, VICE CHAIRMAN	X		
RAY BRANDEWIE	X		
TOM BULGER	X		
JOHN COBB	X		
FRITZ DAILY	X		
GENE DEMARS	X		
JERRY DRISCOLL	X		
LEO GIACOMETTO	X		
ED GRADY	X		
LOREN JENKINS	X		
VERNON KELLER	X		
JANET MOORE	X		
BOB PAVLOVICH	X		
MARY LOU PETERSON	X		
JOHN PHILLIPS	X		
PAUL RAPP-SVRCEK	X		
BOB REAM	X		
STAFF: DAVE COGLEY			

# STANDING COMMITTEE REPORT

JANUARY 29

19 87

Mr. Speaker: We, the committee on FISH AND GAME

report \_\_\_\_\_

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☒ as amended  
☐ statement of intent attached

REP. ORVAL ELLISON

Chairman

1. Title, line 4.  
Strike: "REQUIRE"  
Insert: "AUTHORIZE"
2. Page 1, line 23.  
Strike: "shall"
3. Page 1, line 24.  
Following: "legislature"  
Insert: "may"
4. Page 2, line 12.  
Strike: "shall"  
Following: "legislature"  
Insert: "may"

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# ROLL CALL VOTE

HOUSE COMMITTEE FISH & GAME

DATE Jan. 29, 1967 BILL NO. HB 378 TIME 2.47 p.m.

NAME	EXCUSED	AYE	NAY
ORVAL ELLISON, CHAIRMAN		X	
MARION HANSON, V. CHAIRMAN		X	
RAY BRANDEWIE		X	
TOM BULGER			X
JOHN COBB			X
FRITZ DAILY		X	
GENE DEMARS		X	
JERRY DRISCOLL		X	
LEO GIACOMETTO			X
ED GRADY			X
LOREN JENKINS			X
VERNON KELLER			X
JANET MOORE		X	
BOB PAVLOVICH		X	
MARY LOU PETERSON		X	
JOHN PHILLIPS		X	
PAUL RAPP-SVRCEK			
BOB REAM		X	

TALLY

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Don Bode  
Secretary

Orval P. Ellison  
Chairman

MOTION: Rep. Pavlovich made a substitute motion to TABLE HB 38.

This being a nondebatable motion, a roll call vote was taken. The motion carried 11-5, with Reps. Jenkins and Rapp-Svrcek having been excused to present bills in other committees.

HB 378  
January 29, 1987

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife & Parks

I would begin this testimony with a brief chronology of events relative to the parks function in state government.

In 1965 when the Parks Division was transferred from the Department of Highways to the Department of Fish and Game, the purpose was to consolidate the management of outdoor recreation resources into one agency. This change was stimulated by the federal Land and Water Conservation Fund Act which provided financial support for outdoor recreation programs. That act required that a single state agency be designated to provide comprehensive planning and management for the delivery of those programs.

At the same time, the Department of Fish and Game was just beginning a fishing access site acquisition and development program in addition to its other sportsmen-related activities. As a result of the LWCF Act, the Parks Division began development of recreational facilities on lakes and reservoirs which provided opportunities to sportsmen as well as other outdoor recreationists. These two major efforts cemented the relationship which exists today.

In 1972, during the executive reorganization of state agencies, the matter of parks and the Department of Fish and Game was again thoroughly considered by both the administration and the legislature with the conclusion that the department was properly structured.

In 1979 when the legislature changed the department name from "Fish and Game" to "Fish, Wildlife & Parks," department organization was thoroughly debated again by the legislature in consideration of that law change and the mandate for the Department of Fish, Wildlife & Parks to manage for all recreation activities was continued.

It has been the consensus through all these discussions that Montana's recreating public, and Montana's taxpayers in general, are best served by a consolidated delivery of recreational services, facilities and enforcement which is cost effective, and that is what we have today.

If the Parks Division is relocated, still remaining with the Department of Fish, Wildlife & Parks will be the responsibility for managing over 230 fishing access sites, various wildlife management areas, as well as the enforcement and safety education portions of the state snowmobile and boating recreation programs. Services for activities such as weed control, signing, garbage collection and enforcement will still have to be duplicated, causing, in some areas, employees from two different agencies using vehicles and equipment to care for sites in the same locale. Additional costs will occur.



DATE 1-29-87

HB 378

Additional complications of making the proposed transfer would be the difficulty of dividing real estate and property improvements in areas which have shared funding from the federal Land and Water Conservation Fund, the coal tax, and license revenues, as well as other sources. Equally complicated would be the distribution of equipment which not only has funding complications, but would have to be duplicated as each agency would need the capability of maintaining its own facilities.

In summary, it is our belief that the proposed transfer would not achieve efficiencies and could be more costly. But most important is the reality that we now have a system for delivering recreational services which has developed over the past 22 years. While not perfect, it is a mature system that is closely intertwined - Parks, Wildlife and Fish.

To break it up at this time would accrue no benefits to the public as far as recreational opportunities are concerned and we therefore oppose this bill.

HB 352  
January 29, 1987

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife & Parks

HB 352 addresses Section 87-3-122 of the Montana Codes. This section of law was enacted by the 1975 legislature and dealt with the use of spotlights in Montana.

Recently the Montana Supreme Court reviewed this statute in the case of the State of Montana vs. Austin. As a result of that review, the Supreme Court declared that the statute was unconstitutionally discriminatory because of the exceptions contained therein.

Since the Supreme Court's action declared the section of law invalid, Montana's spotlighting laws have been weakened and there is a grey area which needs to be clarified. HB 352 would clarify that grey area and return to a closer prohibition of spotlighting.

We do have one amendment to offer to the bill which would allow department personnel and authorized landowners using kill permits to conduct that activity with spotlights. We feel the amendment would fall within the parameters outlined by the Supreme Court and be constitutionally acceptable because there is a rational basis for these limited exceptions.

The taking of game animals that are damaging property, and doing so under the authority of a kill permit, is legitimately related to protecting property and maintaining game populations within manageable numbers.

We would point out that the Supreme Court, in its original action on this subject, did not find the exceptions for officers authorized to enforce the game and livestock laws unconstitutional. The court did find the exception for landowners, lessees, or their agents unconstitutional.

- We would urge your favorable consideration of this amendment and with it approve HB 352.

Thank you.

(2)

1-29-87

352

AMENDMENT TO HB 352  
INTRODUCED (WHITE) COPY

Requested by Department of Fish, Wildlife & Parks

Page 2.

Following: line 23

Insert: "(2) Department personnel and authorized  
landowners killing depredating wild animals  
pursuant to 87-1-225 are exempt from the  
provisions of this section."

Renumber: subsequent subsections



# Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION

Testimony on HB 406

House Fish & Game Committee

January 29, 1987

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

Mr. Chairman, members of the Committee, my name is Jeanne Klobnak. I stand before you today on behalf of the Montana Wildlife Federation, in their support of HB 406.

The Montana Wildlife Federation (MWF) is a conservation organization, comprised of 4600 members, dedicated to promoting wildlife, wildlife habitat, and sportsmen's interests.

The Montana Wildlife Federation has four primary reasons why its support is offered for HB 406. They are as follows:

- 1) Outfitters and guides should be treated and administered as all other professional occupations in the State;
- 2) Outfitters Advisory Council should be treated as a professional board as all other professional occupations in the State;
- 3) The costs of administering the licensing and Council should be self supported by guides and outfitters license fees;
- 4) No commercial activity, as is outfitting and guiding, should receive special advisory treatment from the Department head responsible for managing the wildlife for the citizens of the State.

Professional occupations administered by the Department of Commerce are similarly organized. They have approximately 3-9 members; members are licensed members of the occupation; and, members serve 3-5 staggered year terms.

The Outfitters Council has 7 licensed outfitters representing Fish & Game administrative districts selected by outfitters residing in the districts. This is done in March by vote. Council members serve 3 year staggered terms and are reimbursed and compensated for their time and expenses.

The Department of Commerce was implemented July 1, 1981. It has eight divisions, one of which is the Division of Business & Licensing. Formerly, this function was the Department of Professional & Occupational Licensing. The Division provides administrative and clerical services to 32 professional licensing boards as well as establishing rules and regulations. I have provided you with a chart which shows the similarity between Board and Council functions.

The expenses of administering the licensing, enforcement and Outfitters Council have not fully paid for themselves by guide (\$25 resident, \$100 nonresident) and outfitters (\$100 resident, \$250 nonresident) license fees. For example, in 1983, revenues were \$94,000, and expenditures were approximately \$140,000, for a net loss of \$46,000. subsidized by the sportsmen license fees. If these activities were part of Commerce, the statute would require that the activities would pay their prorata share of costs. Until recently, the Department of Fish, Wildlife, & Parks didn't even keep separate financial records on outfitter/guide activities requiring them to estimate costs.

The organization chart you have before you indicates the relationship between the Outfitters Council and the Directors Office. Are Outfitters and Guides are commercial businesses, they should be treated as such. There are other small businesses which benefit from the tourism industry and non-resident hunting (groceries, sports rental companies, sports retail, etc.) which have no special formal relationship with the Director of FWP.

In summary, moving the Guides and Outfitters to Commerce would further align the management of professionals, make the activities self-supporting, and remove the special interest status which the Outfitters Council shares with the Department of FWP. FWP should not be managing the activities of commercial businesses, but should manage wildlife and the hunting and fishing opportunities for all citizens regardless of their class or occupation.

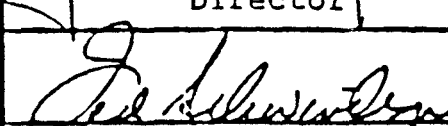
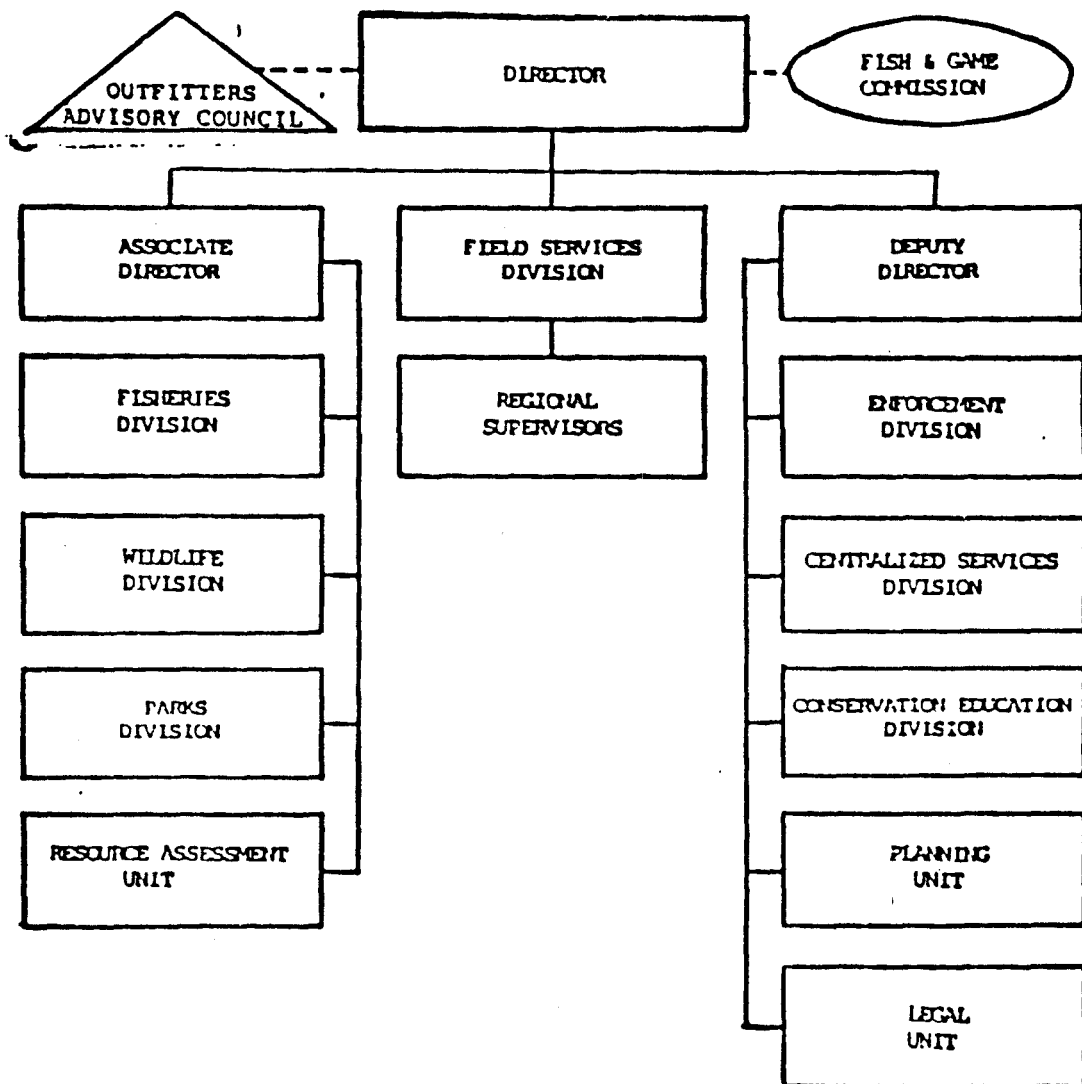
MWF urges that this committee vote do pass on HB 406.

MONTANA DEPARTMENT OF  
FISH, WILDLIFE & PARKS  
ORGANIZATION CHART

## ORGANIZATION CHART

MONTANA  
DEPARTMENT OF  
FISH, WILDLIFE & PARKS

September, 1983

  
Director  
Governor

FY 86 Priority Action Plan

Division - Enforcement

Priority - Outfitter Administration - Legislation in 1971 revised the Outfitter Law. An employee was designated to Administer the program and an outfitter council was created. Field responsibilities were increased and industry growth created an additional workload and expenditures.

A. Issue

Legislative authority was granted to agencies to access license fees commensurate with cost in 1983. From 1903-1971 the outfitter-guide license fee was \$10. With revision of the outfitter law the fee was raised to \$50 for an outfitter license and \$15 for guide license. In 1983 the fee was raised to \$100 for an outfitter license to \$25 for a guide license. Estimates of Administrative costs were conservative and need for a data base to justify further increase was apparent. The Outfitter Council is allowed per diem, mileage and allowance while attending official meetings. This expenditure has been earned in the enforcement budget. Our conservative estimate of all expenditures in 1983 was approximately \$140,000. The fee increase established was negotiated with the industry. Currently the Department derives approximately \$94,000 annually from the sale of outfitter and guide licenses.

B. Objectives

To determine actual cost of administering and monitoring the outfitter law and establishing license fees commensurate with cost.

C. Approach

Effective July 1, 1985 all expenditures (salaries - mileage - per diem - equipment, etc.) on administration and field activities will be coded to an assigned project number to accurately record and document expenditures.

Region one	---	4116-01
Region two	---	4216-01
Region three	---	4316-01
Region four	---	4416-01
Region five	---	4516-01
Region six	---	4616-01
Region seven	---	4716-01

Commerce Department  
Duties of Board  
(37-1-131)

1. Set and enforce standards and rules governing licensing and certification.
2. Sit in judgment in hearings for suspension revocation or denial of license
3. Pay its prorated share of assessed costs of department

Fish, Wildlife and Parks  
Outfitters Council  
(87-4-105)

1. Set outfitters and guide standards
2. Set rules of procedures and rules of qualification for license
3. Hold hearings and proceedings to suspend or revoke licenses
4. Set rules to safeguard health, safety and welfare of persons utilizing services of outfitters and protection of landowners and general public



Commerce Department Professions

Architects  
Athletics  
Barbers  
Chiropractors  
Cosmetologists  
Dentists  
Denturists  
Electricians  
Hearing Aid Dispensers  
Horse Racing  
Landscape Architects  
Medical Examiners  
Morticians  
Nurses  
Nursing Home Administrators  
Occupational Therapists  
Optometrists  
Pharmacists  
Physical Therapists  
Plumbers  
Polygraph Examiners  
Private Security Patrolmen  
Professional Engineers and Land Surveyors  
Psychologists  
Public Accountants  
Radiologic Technologists  
Realtors  
Sanitarians  
Social Workers  
Speech Pathologists  
Veterinarians  
Massage Therapists  
Osteopathic Physicians  
Podiatry Examiners  
Milk Control  
Banking  
Housing  
Aeronautics  
Coal Board  
County Printing  
Hard Rock Mining  
MT Economic Development  
Health Facility Authorization  
Science and Technology

HB 406  
January 29, 1986

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife & Parks

HB 406 will change the name of the Montana Outfitters' Council to the Board of Outfitters, and transfer that board to the Department of Commerce along with the licensing authority for outfitters and guides. This transfer of authority from the Department of Fish, Wildlife & Parks is a move whose time has come. It is a move which has been imminent for sometime.

The Department of Fish, Wildlife & Parks and the Montana Outfitters and Guides have historically worked together to develop rules and procedures which upgraded and professionalized the outfitting industry.

This historic growth has been one of increasing activity in numbers of outfitters and their clients. In 1904, Montana licensed 14 guides and sold 65 nonresident big game licenses. In 1955, 173 outfitters worked in the state with 2,180 nonresident big game licenses sold. In 1985, 17,000 nonresident big game licenses were sold and there were 556 licensed outfitters. We have continued to see an increased number of outfitters and guides in 1986 and 1987. This growth parallels an increased interest in outdoor recreation by the American public. This interest, coupled with Montana's premier recreational opportunities, has increased the demand for outfitter services in various capacities such as big game hunting, float fishing and white-water rafting.

Along with this growth, the needs of the industry for standards, insurance and other facets of the industry have developed. With the current structure, it is a growing responsibility for this agency to attempt to address at least some of these needs.

It then becomes questionable as to how much time and effort we as a fish, wildlife and outdoor recreation agency ought to be spending on the regulation of a viable and substantial occupation such as the outfitting and guide industry.

In reviewing neighboring states, it is evident that the trend is with outfitter boards which administer all functions of the state's outfitting act and thus regulate themselves as do other occupations in Montana.

As mentioned, the time has come for the outfitting industry in Montana to assume its proper position, along with other professions and occupations, and to have greater control over the direction of its own destiny. We support this bill.

WITNESS STATEMENT

NAME Eugene P Lee BILL NO. H.R. 406  
ADDRESS Box 514 Bedford 701 59411 DATE 1-29-87  
WHOM DO YOU REPRESENT? not outfitting Council Chairman  
SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This group neither opposes or supports at this time, we have had inadequate time to call a meeting or call all our people by mail. We respectfully request a delay in a vote on this issue at this time.

This is one of the few industries that is not depressed. We would like to assure that we better ourselves with a move or else it makes little reason to move.

Sincerely,

Eugene P Lee



Fishing & Floating Outfitters  
Association of Montana  
P.O. Box 1372  
Livingston, Montana 59047

EXHIBIT (6)  
DATE 1-29-87  
HB 406

Rep. Orval Ellison, Chm.  
Fish and Game Comm.

### Testimony on HB-406

Mr. Chairman, members of the Committee; for the record I am Richard Parks, owner of a sporting goods store and outfitting business in Gardiner. I am also President of the Fishing and Floating Outfitters Association of Montana which, at last count, had 227 members statewide. I have to confess that I am here as much to learn about this bill as I am to testify as it is not a product of our concerns within the industry, nor, as far as I am aware, of concerns expressed by the Outfitter Council or the Montana Outfitter and Guides Association or the Department of Fish, Wildlife and Parks.

This is not to say that such concerns do not exist and some of them were excited by my reading of the bill. People within the industry had begun discussions to prepare a revision of the outfitter law for the next session of the legislature to correct some of those problems - particularly the confusion that existed between administrative and criminal sanctions in the enforcement of the law. It is possible that the proposed change would address that simply by the change in department - if so - well and good. We were however struck by several features of the proposed changes that should be commented on.

The bulk of this proposal would simply transport the existing Outfitter Council over to the Department of Commerce and change its name to the Board of Outfitters. There is, however, a substantial addition to the powers of the new "board" included on page 6 in sections 4, 5 and 6. As an Association I think we can live with the idea that the standards by which we are to be judged would now be set by the board rather than F, W & P's **BUT**, and this is a big but; if that is to be the case the basis on which the board is selected must be changed because the current method creates an Outfitter Council which is fundamentally malapportioned. Using the F, W & P's administrative regions to apportion the board ignores the fact that about 40% of all the outfitters are in Region 3 alone. Using this method the 30% of the outfitters in Regions 4, 5, 6 and 7 elect a majority of the board. Using this election process, which takes no account of the floating outfitters' work schedules while denying them an opportunity to vote by written or absentee ballot, disenfranchises the 40% of the outfitters that our Association represents. In short, this new board with its expanded

WITNESS STATEMENT

NAME Duane Neal BILL NO. 921  
ADDRESS Box 28 PRINCE RIVER DATE Jan 29  
WHOM DO YOU REPRESENT? REGION 3 OUTFITTERS DELEGATE  
SUPPORT 1 OPPOSE 1 AMEND 1

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

COMMENTS:

I represent around 200 Outfitters in F&G Region III and I have served on the Outfitters' Council 5 years. Until two days ago I and apparently all other Outfitters in this State were unaware a bill was being introduced in the Legislature moving us from the Fish & Game Department to the Commerce Department. The Outfitters I had a chance to poll via telephone had very strong feelings both pro & con. At this time I can neither support or oppose the bill and feel action on the bill should be delayed until the outfitting industry can be made aware of the ramifications of this bill. I thank you for your mail.

powers must be restructured so as to fully represent the scope of the outfitting industry. I don't think that can be done with an elected board without specifying a very complicated election process. It would be simpler for the Governor to appoint outfitters to the board that, by law, had to represent diverse geographic areas and segments of outfitting. It is possible that the board would benefit by having a non-outfitter member. Naturally the terms of the members should be staggered so as to provide continuity on the board.

At the present time there is no mechanism for denying an outfitters license based on number of outfitters already in the field. It is possible that this law would establish just such a mechanism in sections 4 and 5. We urge caution in this though I can tell you that many members of our Association would love to have a value created in their license beyond the annual cost of renewal. Others are equally opposed to this creation of a "blue sky" value. At this point I can not provide you with a clear position but I can warn you of the mine field ahead. This is especially so since the industry today is often assulted by comments from the general sporting public. We think it is probable that should this bill be passed, the next word we hear would be the cry from some folks that there are "too many outfitters in Montana - they are killing all our fish and game." This would be accompanied by a demand to use the rules to reduce the number of outfitters. Some of the outfitters who figured they would survive a purge would be happy to jump on this bandwagon in order to get rid of their not necessarily less competent, but less well financed, neighbors. The premise that outfitters are somehow to blame for precieved declines in fishing quality is simply wrong - I am typical of our segment of the industry - and our clients killed a grand total of 10 trout and 15 whitefish during the 1986 season. At the same time lets be honest and admit that there are a few situations in which overcrowding is a continuing issue. We do not believe that outfitters are solely responsible for these situations nor do we believe that it is right to make them bear the sole burden of the solutions. In any case these areas are few in number and we think it better to go after solutions cooperatively, within the fish and game regulations - rather than with the meat axe of a whole new law.

It might be worthwhile asking who is going to be in the field to enforce the outfitter regulations? What mechanism will the board employ to inform itself of the biological concerns now brought to it by F,W & P's? If the board which makes the rules is removed from Fish, Wildlife and Parks than what authority will the game wardens have in these matters? It seems to me that we may be preparing to abandon the only agency with the personel to enforce regulations or have I missed something? I have not seen the fiscal note on this bill but we are also concerned that all this new process may run up the cost of our license. What will this cost us? Thank you.

January 29, 1987

State of Montana  
Fish and Game Legislative Committee

Re: H.B. 406

EX-117 (8)  
DATE 1-29-87  
HB 406

Mr. Chairman and Committee Members:

My name is Ralph Holman, Outfitter, Region-5 Council member and rancher from Big Timber, Montana. My experience in the controversy relating to Council versus Board dates back to 1967 when a small group of Outfitters, members of an existing association, decided they, as stated by one, "had to straighten out all these other Outfitters" and attempted to pass legislation similar to Idaho that would turn control of outfitting over to said association.

Beyond a doubt the industry badly needed regulation and upgrading, therefore, a group of us went to work on it. I personally made a trip to Boise, Idaho and spent 3 days researching state records for documentation of the Idaho Outfitter Board's work record, which showed strong disregard for the law, discrimination, and favoritism, to put it mildly. I can give going details, however, I point out that this was in 1970 and is not intended to reflect on the Idaho Board's operations following 1970.

In 1971, following much controversy, leaders of the outfitting groups agreed to put everything on paper, outlining two proposals; a Board or stay with Fish and Game with a Council. This was done and every outfitter in the state received a copy asking for a vote. The results were 108 votes for a Council with Fish and Game, 6 for a Board and 4 for a Board with revisions. Two factors were strongly stressed as reasons for favoring, ten to one, staying with Fish and Game Department. (1) I do not want my competitor, who wants me out of business, in a position where he can judge me and (2) cost of operating an independent Board. Compare law enforcement by a Board member subject to repercussions to a Game Warden not subject.

We also had a gentlemen's agreement that the outcome of this vote would decide the issue once and for all, however, every session since the inception of the Council in 1972, we have faced attempts to promote a Board. During one legislative session we worked with one of a past Governor's attorneys who had misinformed us that the General Fund would finance a Board. We compiled realistic cost of operation figures that showed an increase of approximately 3 times the cost of being with the Fish and Game Department. Upon being informed by the Governor's office that the industry had to totally finance the cost of the Board operation, legislation was dropped.

Those of us who support administration, licensing and enforcement by the Department of Fish, Wildlife and Parks have always been frank and open in asking the association and all of the licensed outfitters for recommendations and other input on how to improve the Council. It was my understanding that the association were going to make recommendations in 1986 which did not materialize. Notice of H.B. 406 came to me a few days ago as a complete surprise, as it did to outfitters in Region-5 where I have found continuing support for our present arrangement. We are, however, realistic and can recognize that there is room for improvement. In my opinion the Council should have more authority which we have recommended and are considering. We definately need regulations that will serve as a pre-requisite to being elected to serve on the Council. Proven ethical standards, experience, financial stability and operating a full time outfitting business.

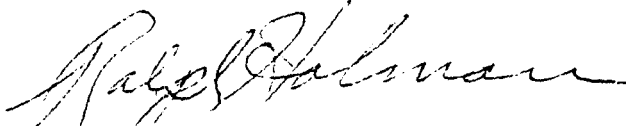
have on several occasions, evaluated the cost of properly and efficiently conducting a Board operation. We have seen cost figures on Board operations in Idaho and Colorado. I am firmly convinced that the cost of properly conducting a Board, as required by law, will far exceed our present costs. Another factor is liability. If the Board revokes a license and are hit with a multi-million dollar lawsuit and judgement, who do we send the bill to? If we have to double or triple license fees in order to efficiently and effectively implement our duties, who faces a horde of angry outfitters? Who takes the abuse and criticism that the Department now shoulders. Will the backers of this bill guarantee predicted costs and assume responsibility for a bond to assure liability protection? We are now protected by the Department's umbrella, let's keep it that way.

We are also strongly convinced that all 600 plus outfitters of Montana are entitled to have this issue presented to them in writing, totally clarified and have the opportunity to vote on the issue and make recommendations. This can and should be done. I am confident that a large majority will strongly oppose formation of an Outfitter Board.

Functions of the Council and our relation to the Department were thoroughly investigated by the Legislative Audit Review Committee and the office of Legislative Auditor in 1983, resulting in being complimented by the Auditor's office and the Committee for our joint cooperation, efforts and high qualifications. Continuation of our joint programs were highly recommended.

I have served on the Council by re-election, since inception in 1972. The Council's position has been, supported by the Department, that all outfitters are treated fairly and equally and where justified the Council have unquestionably performed their duty as required by law. The Council have worked with Department Administrative, Legal and Law Enforcement personell since inception developing 15 years of experience and expertise in addition to 5 years of work by a number of well intentioned outfitters formulating the original law. We currently have a highly qualified, ethical and important industry that brings 40-million new dollars into the economy of Montana. An industry built on 20 years of hard work by Department personell and outfitters, a credit to Montana. Twenty years ago almost anyone with a \$10.00 bill could become an outfitter and extensive fraud gave good outfitters a black eye. Do not let the future of our industry be determined by a vocal minority or by those primarilly concerned for their own pleasure. Do not digress our industry 20 years. Your consideration is deeply appreciated.

Respectfully submitted

  
Ralph Holman



## VISITORS' REGISTER

FISH AND GAME

COMMITTEE

BILL NO. HB 352; HB 378; HB 406DATE JANUARY 29, 1987SPONSOR SCHYE; COBB; GRADY

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<i>Richard Clark</i>	<i>Gardiner</i>	?	
<i>Kim ...</i>	<i>...</i>		
ESTHER STENBERG	MT Wildlife Fed	HB 406	
Marvin Barber	MT assessors asst.	HB 406	
Janet Ellis	MT Audubon		HB 378
<i>Lisa Jepson</i>	<i>Townsend</i>		
<i>Robert ...</i>	<i>...</i>		HB 378
J.P. BENDER	GR. FALLS		
<i>Jeannette ...</i>	<i>MWF</i>	HB 406	
<i>Smoko Elser</i>	<i>MD, GA.</i>		
<i>Dennis Hemminger</i>	<i>Dept of State Lands</i>		
<i>Bill Bigelow</i>	<i>Big Timber, MT 59011</i>		
<i>Lisa ...</i>	<i>Wk. Farm Bureau</i>	?	?
<i>Larry Workman</i>	<i>Eureka</i>	?	?
<i>Bill ...</i>	<i>Bozeman</i>		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.