

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

February 12, 1987

The meeting of the Fish and Game Committee was called to order by Chairman Orval Ellison on February 12, 1987, at 1:00 p.m. in Room 312 D of the State Capitol.

ROLL CALL: All committee members were present.

HOUSE BILL NO. 465: Rep. John Cobb, District 42, sponsor, stated HB 465 allows golden eagles to be captured for the sport of falconry in Montana. Presently, they cannot do this and the new section beginning on line 22-25 gives the Extension of Rule Making Authority to the Department of Fish, Wildlife and Parks. He stated the biggest reason for this bill is currently, you cannot capture golden eagles for falconry. However, the U.S. Fish and Wildlife has authorized use of golden eagles for falconry under the depredation permit. In Montana, some golden eagles have been illegally trapped with these depredation permits. Technically, he thinks this is illegal. Therefore, this bill will allow the resident Montana falconers to be able to have these birds legally in the state.

PROPONENTS: JIM FLYNN, Director, Department of Fish, Wildlife and Parks, submitted testimony (Exhibit 1). He stated Montana statutes currently prohibit the capture of peregrine falcons, osprey, bald eagles and golden eagles for the practice of falconry. Federal codes allow only the most advanced class of falconers to possess golden eagles. Under these federal regulations, only eagles captured for control of depredation are allowed for falconry and eagles can only be transferred or released with the written approval of the regional director of the U.S. Fish and Wildlife Service. Montana has an area that meets the federal requirements for capture of depredating golden eagles. This bill should have no impact on the golden eagle resource in Montana or the United States and would allow Montana falconers to use golden eagles in their sport.

JOHN JEFF MCPARTLIN, falconer, submitted testimony (Exhibit 2). He stated HB 465 would delete the golden eagle from the provisions of 26-501.4. At the time this became law, the federal government had already prohibited the removal of golden eagles from the wild for use in falconry, the endangered bald eagle, the endangered sub series or peregrine falcon known as the anatum peregrine falcon and the osprey, which feeds predominately upon fish and has no historical

use in falconry. Today, Federal law continues to prevent the removal from the wild for use in falconry. However, revised federal laws and regulations make it totally legal to remove golden eagles from the wild for use in falconry. Currently, applicants are requesting the permit to acquire a golden eagle be deleted from the provisions of 26-501.4. By this simple step, Montana law and federal law would once more become consistent. Deletion of the golden eagle from this section will further allow true raptor rehabilitators the opportunity to properly condition any injured golden eagles for their return to the wild. He urged the committee to give HB 465 a good recommendation.

MICHAEL CONNORS, a Great Falls resident and falconer, stated support for the bill. He stated these birds do need protection and care while they are being rehabilitated. He pointed out to the committee that a bird should not be in captivity more than four months and they must get them out and start them fending for themselves. He stated this bill would not only give the falconer the time to rehabilitate and exercise the bird, but to call attention to the golden eagle and what a resource they are to the state. He urged the committee to support the bill.

OPPONENTS: JANET ELLIS, representing the Montana Audubon Legislative Fund, submitted testimony (Exhibit 3). She stated MALF is not opposed to falconry, but wants to ensure the birds used in this sport are adequately protected. They felt that federal laws will guide the use of golden eagles used for falconry to protect the birds because: 1) only golden eagles that are taken "from a specified depredation area may be trapped for falconry purposes." Only Master Falconers will be able to get eagles. 3) Federal statues prohibit the use of golden eagles unless "such possession is compatible with the preservation of golden eagles." MALF has only one concern with HB 465 and that is funding for this program. If eagles are to be captured alive and given to falconers, they want to make sure the responsible agency is not burdened with any additional expenses. It will be important to allow the involved agencies the flexibility to assess and charge an appropriate fee that will adequately cover costs. They felt falconry is a sport of privilege and it should not be subsidized by state, or federal government in any way.

NO FURTHER OPPONENTS

REP. RAPP-SVRCEK asked Mr. McPartlin if he had any problems were they to limit this bill to allow falconry only in the cases where golden eagles are being rehabilitated for re-introduction to the wild as opposed to using a healthy

bird for falconry that would not be intended to be re-released to the wild.

MR. MCPARTLIN stated he would see this as possibly opening the door for abuse because this would complicate what the federal law now allows under one license by putting it under another federal license which would be a rehabilitation license. The federal falconry license, which allows the use of the golden eagles, states the eagles to be used are the depredation permits and the rehabilitation permit allows for certain birds of prey to be held only for rehabilitation and re-introduction into the wild.

HEARING CLOSED ON HB 465.

HOUSE BILL NO. 463 AND 464: Rep. John Cobb, District 42, sponsor, stated he had some amendments to HB 463. He explained the amendments which would be "the management of the certain game preserves" in the bill with the appointment of one manager, one assistant, and one FTE. He stated this would allow more flexibility to those areas, and stated an FTE could be many people during the summer. Currently, these wildlife management areas are DFWP's responsibility. There are two persons managing those game ranges consisting of two managers and one assistant that actually live on the game range. He stated this bill covers his concerns about what could happen when the manager of the Sun River Game Range leaves. He has heard they are going to close it down. He stated he would like to see a law stating there will be a fulltime manager out there whether he lives there or not, it does not make a difference, but we must take care of these game ranges and have it managed by at least one person. These people are doing fulltime work maintaining these ranges that consist of thousands of acres. They also get out and patrol for poachers as well as other management studies. He would like to have someone kept full time managing those areas. He felt once this manager is gone, there will be a huge increase in poaching, or people harassing the wildlife.

HOUSE BILL NO. 464: Rep. John Cobb, District 42, sponsor, stated this bill states it requires a manager and an additional FTE to manage the following areas: Blackfoot, Clearwater, Mt. Hagen, Sun River, Beartooth, and the Judith River area. The reason being, all those areas currently have a house on them and most are larger areas of over 10,000 acres. His concern was that there should be fulltime managers on those areas because you just cannot leave those areas unattended without having some problems. He stated the managers also play an important role between the DFWP and the landowner/sportsman relation. With the managers on these lands managing the Fish and Game land, they are

patrolling what DFWP has purchased. He stated to manage such a large amount of land does take a fulltime person. He stated that is why the two bills are together. The fiscal notes, since he has changed everything, show there should be no impact presently because they are slowly closing down anybody living out there. On the Judith River, the manager is going to leave which will leave no one there. He stated this asks if we want to set a policy or not, or do we want to keep the same policy we had before and give the direction to the Fish and Game, and do they want people staying on those management areas or not.

NO PROPONENTS FOR HB 463 OR HB 464

OPPONENTS: Jim Flynn, Director, Department of Fish, Wildlife and Parks submitted testimony (Exhibit 4). He stated the intent of this legislation is one with which the department does not agree. However, the realities of today's financial availability cause them to oppose the bill. In past years, the department had fulltime people on its wildlife management areas, although not to the extent required in this legislation. With improvement in transportation and equipment, coupled with increased personnel and housing costs, they found it more economical to go to the system in effect today.

This system has been more workable as more wildlife management areas have been leased or acquired. The transition to our present system has not hindered our ability to meet the charges they have. At present, they have formed a work crew approach for our WMA's. In each region they have a crew of fulltime and temporary or seasonal workers who are not assigned to a specific area, but who conduct their activities as needed on a seasonal basis. They have experienced that costs to manage areas with resident managers run about three times those with no resident managers. At the same time, they have experienced no difference in meeting their objectives. He urged the committee not to pass these two bills.

NO FURTHER OPPONENTS

REP. HANSON asked Jim Flynn if any thought had been given to getting someone who is retired to just live out there and watch over any of these management areas.

MR. FLYNN stated that is half the equation of concern they have with possible personnel. With the other half being the cost of the living quarters also. Even if they could get the retired person to work for lesser amount of money, they would still have the associated housing costs which are a concern they are trying to avoid also. He pointed out to

the committee he was not very happy with having to do these things, because he felt DFWP should have persons on these areas if for no other reason than for the public. They are public lands, which the public really does not use as much as they could because they are not sure what uses they can use on these areas. But budget realities and concern over FTE levels has caused DFWP to be into this program. As mentioned, they are not missing any wildlife management objectives by doing this and are keeping up the responsibilities as landowners with this working concept.

REP. MOORE stated the Forest Service has a volunteer Senior program where some of the old ranger stations have closed and those people are strictly volunteer not being paid a thing. She wondered if this would work in their situation.

MR. FLYNN stated it might work for part of the circumstances involved; however, their concern regarding the retiree is if he can maintain this large amount of land. He would worry about him being able to do this on a daily basis. he also stated he felt this would mean less warden control also.

HEARING CLOSED ON HB 464 AND HB 465.

HOUSE BILL NO. 431: Rep. John Phillips, district 33, sponsor, stated for those members of the committee that have been on the Fish and Game Committee, this bill may look familiar. This bill is simply to allow the use of dogs to hunt lynx and simply asks to let the Department set the rules for the houndsmen to be able to chase lynx. Although they like to chase the lynx, they also like to hear the dogs run.

PROPOSERS: Jim Flynn, Director, Department of Fish, Wildlife and Parks submitted testimony (Exhibit 5). He stated DFWP supports adding lynx to the list of species that can be pursued with dogs. Through the years they have supported the hunting of mountain lions and bobcats with the use of dogs and felt that the experience with this hunting has been acceptable to the public as well as the resource. Since these species generally overlap in range and habitat, no measurable adverse impact is anticipated.

JOHN SEVEREIDE, Secretary of the Montana State Houndsmen Association submitted testimony (Exhibit 6). The MSHA is advocating to add lynx to the list of animals that can be pursued with hounds. The lynx was mistakenly omitted when bobcats were added to the list. Trapping of lynx is regulated by the same quota system that regulates the harvest of bobcats which includes trapping and hunting with hounds. This system is working well and providing adequate protection for these cats. Under this system, houndsmen only take

approximately 15% of the bobcats harvested. They would expect to take an even smaller percentage of the lynx harvest as they are an even greater challenge to tree. The fact that lynx cannot be chased with hounds when it is legal to pursue lions and bobcats can oftentimes present a dilemma for the houndsman. In poor snow conditions, lynx tracks can be mistaken for those of another cat species. The MSHA would urge the committee's support of HB 431 in hopes of alleviating some of the conflict that could occur in the field.

DICK WILSON, member of the State Houndsmen Association, stated his full support for HB 431.

WAYNE BEACH, member of the State Houndsmen Association voiced his support for HB 431.

OPPONENTS: JANET ELLIS, representing the Montana Audubon Legislative Fund submitted testimony (Exhibit 7 ). She stated MALF opposed HB 431 and the hunting of lynx with hounds. At this time, they do not feel the DFWP has enough information on present status of lynx in Montana to allow for additional hunting pressure on these cats. Lynx populations cycle every nine or ten years. In Montana, they do not have a large enough population of lynx to establish any cycling of the population. It appeared to MALF that the Department really does not have a good idea about the lynx population in the state today. She stated MALF does not want to be critical of the DFWP because they are doing a poor job, they are sure they are doing the best job they can with the resources they have available. However, MSLF must oppose HB 431 on the grounds that not enough information is known about lynx populations at this time to know if additional pressures would be tolerated by the species.

REP. JANET MOORE, stated she was opposed to the bill and felt the houndsmen and the trappers need to get together and work this thing out. She stated there is definitely a real conflict going on out there between these two groups of sportsmen. Her main concern was just who is harassing whom, and felt there could be cause for lawsuits involving this situation. She felt the best way for these groups of people to work this out was by talking to one another and simply getting this straight. She stated she instructed them to do this in 1985 and now they are back again complaining about the same situation when they could have been doing something about this, as she had instructed them to do.

HEARING CLOSED ON HB 431.

EXECUTIVE SESSION:

HOUSE BILL NO. 535: Chairman Ellison asked Rep. Hanson if she was ready with the subcommittee report on the B-10 bills.

Rep. Hanson reported the subcommittee met twice and discussed the numbers for the non-residents and they had five bills to work from. They amended HB 535 to have 5,000 B-7 licenses, with the Commission able to select where they were going to go on a statewide basis. The subcommittee also amended so that of the 5,000 deer licenses, there were to be 3,000 set aside for the guides and outfitters, the B-7. She stated the rest of the report can be found on the second page of the amendments. She distributed instruction #12. (Exhibit 1).

Rep. Hanson then moved a DO PASS on HB 535.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 535: REP. PAVLOVICH stated he would like to segregate the amendments when voting. He stated it would be too confusing to vote on all the amendments at one time. He then made a motion to amend the #11 amendment on the handout sheet when talking about changing the 6,000 to 5,000. He would like to substitute his amendment in place of 5,000, insert 3,000 and of that 3,000 he would like to give 1,000 to the outfitter leaving 2,000 for the other applicants.

REP. BRANDEWIE stated with such extensive amendments, he felt it would just get too confusing trying to replace the old language with the new amendments and suggested having a grey bill drafted in order to look at all the new language the way it will read in the bill. He felt they were not in a rush to get this bill out, and this would most likely help alleviate lengthy discussions as well.

REP. GIACOMETTO stated he was not pleased with any of the amendments proposed by the subcommittee and distributed a set of amendments he proposed for HB 535; however, his proposed amendments directly conflict with the subcommittee amendments.

REP. BULGER suggested to the committee, that anyone wishing to offer amendments to the bill give them to Dave and have a grey bill prepared. After this time, they will all have a chance to study the grey bill reflecting all the amendments. Then come into a meeting and be able to do the business. He moved a grey bill be drafted. Rep. Moore seconded the motion.

REP. GIACOMETTO asked Dave Cogley, regarding his amendments which were in direct conflict to the amendments proposed by the subcommittee, would it be possible to draft a grey bill

which included both sets of amendments when they were directly conflicting each other. He felt by doing this they may end up back to the exact place they started.

DAVE COGLEY stated yes, they would directly conflict and, in this case, they should draft two separate bills, each reflecting the two sets of amendments, which would be the best way to proceed.

REP. DAILY explained the subcommittee amendments once again, and pointed out it involved making a major decision for the State of Montana. He felt it was better to do it the best way the committee know how and having the grey bills drafted was the most appropriate way to proceed in order to make the best decision.

REP. ELLISON stated he knew the subcommittee report would probably not satisfy everyone, and the best way to proceed was to have two individual grey bills drafted. He announced to the committee they would take it up next week, giving the bills a chance to be drafted.

HOUSE BILL NO. 406: Rep. Grady referred to the gray bill of HB 406 which the committee was given a copy of (Exhibit 3). Rep. Giacometto explained that in the subcommittee, after talking with the outfitters and guides, and after letting them see a copy of the amendments, the hunting outfitters and the fishing and floating guides came to an agreement of all the outfitters on this particular situation, and they all agreed they are in favor of moving to the Department of Commerce. Rep. Giacometto stated this is what the gray bill reflects as drawn up. Rep. Giacometto moved the gray bill HB 406 DO PASS.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 406: Rep. Grady stated after the subcommittee got done talking with the outfitters and guides and came to a final decision, he stated this did result in the gray bill they have before them. He stated he felt everyone was pretty much in agreement, and most of the difficult areas had been dealt with and most of the questions had been answered.

REP. GRADY stated there was also a Statement of Intent to the bill that requires action as well. He instructed the committee to study the Statement of Intent that was found in their books.

CHAIRMAN ELLISON stated to the committee that Rep. Grady moved HB 406 DO PASS AS AMENDED by the gray bill.

REP. REAM asked if there was some discussion in the subcommittee about the effective date stating he was still



somewhat concerned about how quickly this happened and whether there has been enough input around the state. He felt one way around that was to set the effective date for later on.

REP. GIACOMETTO stated regarding this, the Department of Commerce was fully aware of what was taking place and as far as the majority of the outfitters that they spoke with, they are in favor of it. With this bill that could go into effect dealing with this board, with what is done in the bill, they could go ahead and proceed with their election process ahead of time to be able to have the Board take place, with an effective date on passage and approval.

DAVE then explained that the effective date is not passage and approval. That is only for the election to take place and for rules to be adopted. The bill itself does not become effective, except for the one section authorizing the transition, until October 1, 1987. All of the rules would become effective on October 1 that have been adopted being the rules the Department now has. The Board would take office on October 1, and the present law would continue in full force until October 1.

REP. PHILLIPS had concerns regarding enforcement and questioned how they would carry out the duties of enforcement. He stated he does not know of any other board that has an elected "peace officer".

REP. GRADY stated in other states they do actually have their own enforcement agency and they can, under the Department of Commerce, set up their own enforcement people, and that is what this section of the bill pertains to. He stated in other states, they have not gone so far as to do this because they will lose some of their enforcement by transferring out of the Department of Fish, Wildlife and Parks.

REP. JENKINS felt after reading the amendments, this seems to give the outfitters complete control of saying who will be in outfitting, authority over the licensing, and they can cut anyone out that they decide to. He stated he felt this was just leaving them with far too much authority.

REP. DRISCOLL stated that apparently there must be more to the law, stating how you become a guide somewhere in the bill, stating this would prevent them from just "shutting someone out". He stated this is not the language on how you become an outfitter, and amidst all the amendments in the bill, he felt there must be an area specifically stating how you become an outfitter.

REP. BRANDEWIE asked if the new addition of fines and forfeiture fits under the title. He stated he signed the bill, but did not sign a bill that included felonies in it. He stated he objected to the fact that it was in there.

DAVE stated, yes, this does fit under the title, because it is a logical part of enforcing the licensing law, and that is what the bill does, is establish a licensing board.

REP. REAM directed a question to Ron Curtiss, President of the Montana Outfitters and Guides, stating he has no qualms one way or the other where the outfitters want to be administered; however, he stated at the hearing there seemed to be some confusion in terms of people knowing what was going on. He stated it seemed they have three options, those being they can go ahead and pass it, which means that some members of the committee or the legislature might be subject to concern back home from people who said they did not know what was going on, and the outfitters and guides pulled a fast one on the legislature; the second option is to kill the bill, and the third option is dealing with the effective date. One thing that could be done is pass it, but make the effective date later on, say two years from now, which gives everyone a chance to see what is going on and finalize some of the rules or provisions of the bill, as has been discussed. He asked Mr. Curtiss if he knew if all the outfitters and guides in the state know what is going on at this point in time, or is there a large percentage of these folks who have no idea what, in fact, is going on.

MR. CURTISS stated that no, most people do not know what is going on. He stated the bill came out too late, and it has not been circulated well enough that all the outfitters have had a chance to look at it. The outfitter organizations have had a chance to look at it and those are the elected representatives of the outfitters, and they are the ones that have looked into it and have spent enough time researching it, so they will be informed enough to report to their organizational members.

REP. REAM then asked Mr. Curtiss how he would feel about an effective date being set at two years from now.

MR. CURTISS stated the outfitters felt that if it went into effect this October, it would give them a chance for a year and half to work on this, before the legislature met next time, so if there were problems with it, and they know that there are going to be some problems, they would be able to address it during the next legislative session, and clean up the problems at that time. They felt that no matter how much they study the issue, unless it is put into effect, they are not going to know how it is going to affect them

from that standpoint because no one has had experience under the board type situation.

REP. JENKINS moved to TABLE HB 406. Question was then called. A roll call vote was taken. The motion FAILED 11-7.

REP. BULGER stated he voted to table the bill, not because he wanted to see the bill killed, but because he felt the committee needed additional time to work out some of the difficulties mentioned in the committee. He felt a formal motion was in order, to delay action on this bill. Rep. Moore stated she agreed with Rep. Bulger and felt more time was necessary to work on the bill.

REP. GIACOMETTO moved for the purpose of allowing him to get some amendments on the penalty sections, that no action is taken on this bill until the following Tuesday. Rep. Moore seconded the motion.

REP. DAILY then moved that the committee pass the bill for the day. Question being called. The motion CARRIED unanimously.

CHAIRMAN ELLISON pointed out that they will be changing the "whole shooting match" with this bill, and it is something that cannot be done overnight. However, he stated the committee is getting short on time, and must start getting these bills out of committee.

HOUSE BILL NO. 431: Rep. Phillips moved HB 431 DO PASS. Rep. Moore then made a substitute motion that HB 431 DO NOT PASS.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 431: REP. GRADY stated he would like to know what the objections to this bill are. He stated they did discuss two years ago, however, he felt it at least deserved to be discussed.

REP. PHILLIPS stated he would have to speak in favor of the point brought out by Rep. Grady in that he does not see all that much wrong with this bill. In fact, the last session, the people did not see that much wrong with it except the "bears" included in the bill. He stated he is strongly against the DO NOT PASS motion.

Question being called, a roll call vote was taken. The motion FAILED 14-4. Rep. Phillips moved to simply reverse the vote to a DO PASS. Question being called, the motion CARRIED.

HOUSE BILL NO. 463: Rep. Rapp-Svrcek moved that HB 463 DO PASS. Rep. Cobb moved to amend HB 463, concerning Sun River Game Reserve which is stricken from the bill. His amendment includes one manager, one assistant, and one FTE, and the FTE perhaps might include having a few more part time people in the summer. This takes care of all three categories and stated he would have Dave draft the final language.

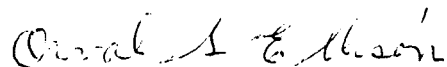
Question was then called on the amendment. The motion CARRIED with Rep. Pavlovich voting NO.

REP. GRADY stated he felt more time was needed with this bill, and moved to PASS THE BILL for the day. Question was then called. The motion FAILED unanimously.

REP. ELLISON stated he had concerns regarding the fact that they are buying land faster than they can keep up with the management of it. He stated this happened in the Parks Division, making it necessary to release some of the Coal Tax money for management purposes, and he felt they must get a handle on it somewhere because they cannot keep buying lands without adequate funding available to manage those lands.

REP. MOORE moved HB 463 DO PASS AS AMENDED. Question was then called. A roll call vote was taken. The motion CARRIED 14-4. See Standing Committee Report Nos. 1- .

ADJOURNMENT: There being no further business to come before the committee, the hearing was adjourned at 3:55.



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ORVAL ELLISON, Chairman

## DAILY ROLL CALL

FISH & GAME

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb. 12, 1987

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

HB 465  
February 12, 1987

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

Montana statutes currently prohibit the capture of peregrine falcons, osprey, bald eagles and golden eagles for the practice of falconry.

Unlike the other three restricted species, golden eagles are plentiful throughout their North American range, and occur in mountainous regions across the entire northern hemisphere.

Federal codes allow only the most advanced class of falconers to possess golden eagles. Under these federal regulations, only eagles captured for control of depredation are allowed for falconry, and eagles can only be transferred or released with the written approval of the regional director of the U.S. Fish and Wildlife Service.

Montana has an area that meets the federal requirements for capture of depredating golden eagles.

This bill should have no impact on the golden eagle resource in Montana or the United States, and would allow Montana falconers to use golden eagles in their sport.

The department supports passage of HB 465.

HOUSE BILL NO. 465  
PROPOSED LEGISLATION TO PERMIT THE CAPTURE AND USE  
OF GOLDEN EAGLES IN THE STATE OF MONTANA FOR THE ART  
OF FALCONRY

UNDER PRESENT MONTANA FALCONRY LAW CHAPTER 5--PROTECTION OF CERTAIN WILD BIRDS--SALE OF CONFISCATED BIRDS AND ANIMALS, PART 26-501.4 STATES AS FOLLOWS: "THE PEREGRINE FALCON (*Falco peregrinus*), BALD EAGLE (*Haliaeetus leucocephalus*), GOLDEN EAGLE (*Aquila chrysaetos*) AND OSPREY (*Pandion haliaetus*) MAY NOT BE CAPTURED IN THIS STATE FOR THE SPORT OF FALCONRY.

HOUSE BILL NO. 465 WOULD DELETE THE GOLDEN EAGLE FROM THE PROVISIONS OF 26-501.4. AT THE TIME WHEN 26-501.4 BECAME A PART OF MONTANA FALCONRY LAW THE FEDERAL GOVERNMENT HAD ALREADY PROHIBITED THE REMOVAL OF GOLDEN EAGLES FROM THE WILD FOR USE IN FALCONRY. FURTHERMORE, THE U.S. FISH AND WILDLIFE SERVICE PROHIBITED THE REMOVAL FROM THE WILD FOR USE IN FALCONRY THE ENDANGERED BALD EAGLE, THE ENDANGERED SUB SPECIES OF PEREGRINE FALCON KNOWN AS THE ANATUM PEREGRINE FALCON AND THE OSPREY, WHICH FEEDS PREDOMINATELY UPON FISH AND HAS NO HISTORICAL USE IN FALCONRY IN THE UNITED STATES. AS MONTANA LAW COULD BE MORE RESTRICTIVE BUT NOT LESS RESTRICTIVE THAN THE EXISTING FEDERAL LAW THESE FOUR SPECIES: THE BALD EAGLE, GOLDEN EAGLE, PEREGRINE FALCON AND OSPREY WERE PLACED UNDER THE PROVISIONS OF 26-501.4 WHICH PLACED FEDERAL AND MONTANA STATE LAW IN TOTAL AGREEMENT.

TODAY, FEDERAL LAW CONTINUES TO PREVENT THE REMOVAL FROM THE WILD FOR USE IN FALCONRY THE ENDANGERED ANATUM PEREGRINE FALCON, BALD EAGLE AND OSPREY. HOWEVER, REVISED FEDERAL LAWS AND REGULATIONS (REVISED JANUARY 6, 1984) PUBLISHED IN 50 CFR 22.24 NOW MAKE IT TOTALLY LEGAL TO REMOVE GOLDEN EAGLES FROM THE WILD FOR USE IN FALCONRY. CERTAINLY, APPLICANTS REQUESTING A PERMIT TO ACQUIRE A GOLDEN EAGLE FOR FALCONRY MUST MEET CERTAIN STRINGENT CRITERIA FOR THE ACQUISITION, TRANSPORT AND HOUSING OF THE GOLDEN EAGLE. HOWEVER, AS OUTLINED IN 50 CFR 22.24 THESE REVISED FEDERAL REGULATIONS DO PERMIT THE LEGAL TAKE FROM THE WILD AND USE OF GOLDEN EAGLES IN FALCONRY.

FOR MONTANA LAW TO AGAIN BE IN AGREEMENT WITH FEDERAL LAW AND ALLOW THE SAME PRIVILEGE TO FALCONERS AS THE REVISED FEDERAL LAW NOW DOES, I WOULD RESPECTFULLY REQUEST THAT THE GOLDEN EAGLE BE DELETED FROM THE PROVISIONS OF 26-501.4. BY THIS ONE, SIMPLE STEP MONTANA LAW AND FEDERAL LAW WOULD ONCE MORE BECOME CONSISTENT.

FURTHER ON UNDER MONTANA FALCONRY LAW CHAPTER 5, SECTION 26-501.17 STATES THE FOLLOWING: "PREDATORY HAWKS AND OWLS DESTROYING LIVESTOCK OR POULTRY MAY BE KILLED AT ANY TIME BY LIVESTOCK OR POULTRY OWNERS. EAGLES MAY BE KILLED IN COMPLIANCE WITH FEDERAL LAW AND REGULATION." THE FEDERAL GOVERNMENT UNDER 50 CFR 22.23 DOES PERMIT FOR THE TAKING OF EAGLES, BOTH BALD AND GOLDEN EAGLES, FOR DEPREDAATION CONTROL PURPOSES. UNDER PRESENT MONTANA AND FEDERAL LAW, AND UNDER CERTAIN CIRCUMSTANCES

IT WOULD BE ABSOLUTELY LEGAL FOR A PERSON WITH THE PROPER PERMIT TO CAPTURE OR DESTROY WITH A FIREARM, A GOLDEN EAGLE IN MONTANA. HOWEVER, EVEN THOUGH THE REVISED FEDERAL REGULATIONS COULD VERY POSSIBLY ALLOW A PROPERLY LICENSED FALCONER TO CAPTURE AND USE THAT VERY SAME GOLDEN EAGLE IN FALCONRY WHICH IS NOW EARMARKED FOR DEATH UNDER A DEPREDATION LICENSE, 26-501.4 PREVENTS THE LEGAL REMOVAL FROM THE WILD OF A GOLDEN EAGLE FOR FALCONRY AS THE LAW NOW STANDS.

IN THE TRUE SENSE OF FAIRNESS AND AS A SOUND CONSERVATION MEASURE, I WOULD ASK THAT THE MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS AND THE STATE'S LAW MAKERS CONSIDER ADOPTION OF THE FEDERAL REGULATIONS WHICH NOW PROVIDE FOR THE CAPTURE AND USE OF GOLDEN EAGLES FOR FALCONRY. I WOULD FURTHER OFFER THAT IF A BEAUTIFUL AND MAGNIFICENT RESOURCE CAN BE LEGALLY ENJOYED AS AN ALTERNATIVE TO BEING LEGALLY DESTROYED THAT CAN NOW BE DONE BY DELETION OF THE GOLDEN EAGLE FROM 26-501.4.

AS A FINAL CONSIDERATION THERE ARE PEOPLE ENGAGED IN THE REHABILITATION OF SICK, INJURED OR OTHERWISE INCAPACITATED BIRDS OF PREY. BOTH THE STATE OF MONTANA AND THE UNITED STATES FISH AND WILDLIFE SERVICE HAVE OFFERED QUALIFIED PERSONS THE PRIVILEGE OF CARING FOR SUCH BIRDS WITH THE ULTIMATE GOAL OF BEING ABLE TO EVENTUALLY RETURN ATLEAST A PORTION OF THESE BIRDS BACK TO THE WILD. WHEN A BIRD OF PREY SUFFERS AN INJURY SUCH AS A WING FRACTURE, AFTER THE BONE MENDS IT IS ABSOLUTELY NECESSARY TO DETERMINE WHETHER OR NOT THAT BONE HAS MENDED PROPERLY TO THE POINT OF ALLOWING THE BIRD TO NOT ONLY FLY WITH A HIGH DEGREE OF NORMALCY, BUT TO RETURN TO A WILD ENVIRONMENT, FLY AND HUNT IN SUCH A FASHION THAT IT HAS ATLEAST A REASONABLE EXPECTATION FOR SURVIVAL. AS THE PRESIDENT OF "WINGS TO FREEDOM", A NON-PROFIT ORGANIZATION ESTABLISHED TO CARE FOR BIRDS OF PREY IN NEED OF REHABILITATING, I OFTEN EMPLOY FALCONRY TECHNIQUES IN THE CARE AND HANDLING OF BIRDS BEING HELD FOR REHABILITATION. UNDER THE PRESENT MONTANA LAW, WHEN I RECEIVE AN INJURED GOLDEN EAGLE ACQUIRED FROM THE WILD HERE IN MONTANA, TO FLY SUCH A BIRD AFTER IT HAS RECOVERED FROM ITS INJURY AT QUARRY TO DETERMINE ITS ABILITY FOR FUTURE SURVIVAL IN THE WILD WOULD BE PROHIBITED. AN INJURED HAWK, EAGLE OR FALCON MAY RECOVER FLYING POWERS TO FLY IN A RELATIVELY STRAIGHT LINE FROM POINT "A" TO POINT "B". THIS SHOULD DEFINITELY NOT BE CONSTRUED AS BEING CAPABLE OF FLYING AT A SWIFT AND FLEEING QUARRY WHICH IS EITHER RUNNING OR FLYING FOR ITS VERY LIFE. YET, IN THE REAL WORLD OF PREY AND PREDATION THAT A PERSON INVOLVED IN REHABILITATION WORK HOPES TO BE ABLE TO RELEASE AS MANY AS POSSIBLE OF THE INJURED BIRDS RECEIVED, LIFE IN THE WILD FOR THAT BIRD CERTAINLY INVOLVES FAR MUCH MORE THAN FLYING FROM POINT "A" TO POINT "B". DEPENDING ON THE SPECIES, THE RAPTOR WILL BE RETURNED TO A WORLD WHERE TWISTING, TURNING, DIVING, STOOPING AND HUNTING...OFTEN CARRIED ON AT HIGH SPEEDS, WILL TEST THE STRENGTH AND ENDURANCE OF THAT BIRD EVERY DAY OF ITS LIFE.

DELETION OF THE GOLDEN EAGLE FROM 26-501.4 WILL FURTHER ALLOW TRUE RAPTOR REHABILITATORS THE OPPORTUNITY TO PROPERLY CONDITION ANY INJURED GOLDEN EAGLES FOR THEIR RETURN TO THE WILD.

*John Jeff McFarlin*  
Feb 12 1987



Montana  
Audubon Legislative Fund

Testimony on HB 465  
February 12, 1987

(3)  
2-12-87

Mr. Chairman and Members of the Committee,

465

My name is Janet Ellis and I'm here today representing the Montana Audubon Legislative Fund. The Audubon Fund is composed of 9 chapters of the National Audubon Society and has 2500 members located throughout the state.

The Audubon Fund neither supports nor opposes HB 465. We are not opposed to falconry but we want to ensure that birds used in this sport are adequately protected. We feel that federal laws that will guide the use of golden eagles used for falconry protect the birds because:

1) Only golden eagles that are taken "from a specified depredation area may be trapped for falconry purposes." Montana does allow depredating birds to be taken. Most of these eagles taken for depredation, are probably killed as relocation is an expensive process.

2) Only Master Falconers will be able to get eagles. These falconers have at least 5 years of experience and must demonstrate their ability to work with large raptors. They hence must demonstrate their interest and skills as falconers before golden eagles could be possessed.

3) Federal statues prohibit the use of golden eagles unless "such possession...is compatible with the preservation of golden eagles."

We have only one concern with HB 465 and that is funding for this program. If eagles are to be captured alive and given to falconers, we want to make sure that the responsible agency is not burdened with any additional expenses. It will be important to allow the involved agencies the flexibility to assess and charge an appropriate fee that will adequately cover costs. We feel that falconry is a sport of privilege and it should not be subsidized by state - or federal - government in any way.

We also reserve the right to change our position on this legislation if we are made aware of any abuses that go on-from loop holes, or changes in the federal law<sup>th</sup> that jeopardize golden eagles in any way.

Thank you.

HB 463 and HB 464  
February 12, 1987

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

The intent of this legislation is one with which the department does not disagree; however, the realities of today's financial availability cause us to oppose the bill. The goals of the sponsor of this bill are commendable, but not practical.

Montana's wildlife management areas, including the state's game ranges, are managed by the department for the primary purpose of protecting, enhancing and conserving important habitats and their associated wildlife. Our charge as the state's wildlife management agency and those of federal mandates require us to do so.

In past years, the department had full-time people on its wildlife management areas, although not to the extent required in this legislation. However, with improvement in transportation and equipment, coupled with increased personnel and housing costs, we found it more economical to go to the system we have in effect today. This system has been more workable as more wildlife management areas have been leased or acquired. The transition to our present system has not hindered our ability to meet the charges we have.

At present we have formed a work crew approach for our WMA's. In each region we have a crew of full-time and temporary or seasonal workers who are not assigned to a specific area, but who conduct their activities as needed on a seasonal basis. When the work is completed for the year, they are not on the payroll.

We have experienced that costs to manage areas with resident managers run about three times those with no resident managers. At the same time, we have experienced no difference in meeting our objectives.

In this time of concern for public expenditures and the size of government, we think this legislation is unwarranted.

Thank you.

EXHIBIT (5)  
DATE 2-12-87  
HB 431

HB 431  
February 12, 1987

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

The Department of Fish, Wildlife & Parks supports adding lynx to the list of species that can be pursued with dogs.

Through the years we have supported the hunting of mountain lions and bobcats with the use of dogs, and feel that the experience with this hunting has been acceptable to the public as well as the resource.

Since these species generally overlap in range and habitat in much of the state, no measurable adverse impact is anticipated.



## Montana State Houndsmen Association



January 1987

Legislators,

The Montana State Houndsmen Association was formed in the spring of 1983. The primary purpose of this Association is to insure and reserve the privilege to hunt with hounds in a sportsmanlike manner and maintain the natural hunting instincts of hounds. Other purposes include the promotion of fellowship and friendship among sportsmen and houndsmen, promote sound game management, and a good image of houndsmen to the general public.

The Montana State Houndsmen Association is advocating to add lynx to the list of animals that can be pursued with hounds. The lynx was mistakenly omitted when bobcats were added to the list.

Trapping of lynx is regulated by the same quota system that regulates the harvest of bobcats which includes trapping and hunting with hounds. This system is working well and providing adequate protection for these cats. Under this system houndsmen only take approximately 15% of the bobcats harvested. We would expect to take an even smaller percentage of the lynx harvest as they are an even greater challenge to tree.

The fact that lynx cannot be chased with hounds when it is legal to pursue lions and bobcats can oftentimes present a dilemma for the houndsman. In some poor snow conditions lynx tracks can be mistaken for those of another cat species. At other times hounds are free cast to pick up a trail. Trained lion and bobcat dogs will also start a lynx trail. Although houndsmen don't kill these lynx that are mistakenly treed they have been placed in an illegal situation by having pursued them.

According to a three year survey conducted jointly by the Montana State Houndsmen Association and the Department of Fish, Wildlife and Parks, hounds are only treeing about 50% of the bobcats that they pursue and houndsmen are spending approximately 5 recreation days hunting for every bobcat that's treed. Only 33% of the bobcats that are treed by houndsmen are being taken. The other cats are left to perpetuate the species that offers such a challenge for our hounds. The lynx is an even greater challenge and we would like the recreational opportunity to pursue them.

The Montana State Houndsmen Association would like to thank you for your concern and careful consideration on this piece of legislation.



Montana  
Audubon Legislative Fund

(7)  
DATE 2.12.87  
HB 431

Testimony on HB 431  
February 12, 1987

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I am here today representing the Montana Audubon Legislative Fund. The Legislative Fund is composed of 9 chapter of the National Audubon Society and has 2500 members located throughout the state.

The Audubon Fund opposes HB 431 and the hunting of lynx with hounds. At this time we do not feel that the Department of Fish, Wildlife & Parks has enough information on present status of lynx in Montana to allow for additional hunting pressure on these cats.

While doing research to establish what position we would take on this bill, I called the DFWP to find out about lynx populations in the state. I was told that HB 431 "only" allowed lynx to be hunted with hounds - that mountain lions and bobcat were already hunted by hounds so that this bill wasn't a big deal and that there was no biological reason to oppose the bill. My question wasn't answered: what about lynx population in the state? How were lynx quotas established? I was told to contact a biologist in Missoula - so I did.

Lynx populations cycle every 9 or ten years. In Montana, however, we do not have a large enough population of lynx to establish any cycling of the population. The only population study I was told about concerning lynx took place in 1980 or 1981. That study estimated densities of lynx in different parts of the state and established the quota system that is used today.

It appears to us, that the Department really does not have a good idea about the lynx population in the state today. We have reached this conclusion based on the following evidence:

1) Lynx populations have been used as a classic example of a species that cycle in numbers. Lynx populations all over the world are known to cycle depending on prey species (snowshoe hares, primarily) availability. In Montana, however, we are told that there is not an extensive enough population base to establish any cycling. The study done in the early 1980's was a one year study - and a one year study cannot pick up trends in a population on a 10 year cycle. That study decided what the lynx population was in the state - yet didn't stretch itself enough to decide if the lynx population was at a record high when the study was done or even at an all time low.

2) From the study done in the early 1980's, a quota system was established for trappers in the state. That quota system varies from region to region. Interesting enough, the quotas on

lynx have never been reached. It could be argued that the quotas have never been reached because there are more lynx than there are hunters hunting them or that the quotas are too high and are hence impossible to reach. If you would ask enough questions over at the DFWP, you would realize that the Department doesn't know which of those option is the right one. They don't know much about lynx populations in the state.

3) An extreme example in the quota system can be seen in Region 7 which includes Miles City. Five lynx are currently allowed to be taken there each year. To date, one lynx has been taken in that area - one lynx in the 6 years since the quota system was established. Region 7 is admittedly out of good lynx habitat. But why does the Department allow a quota of 5 to be taken annually? It doesn't make sense based on any biological evidence available. I will also wager to you that the quotas established in other Regions are not based on adequate information on lynx populations.

I am not critical of the DFWP because they are doing a poor job, because I'm sure that they are doing the best job they can with the resources they have available. We must oppose HB 431 on the grounds that not enough information is known about lynx populations at this time to know if additional pressures would be tolerated by the species.

We must also point out that in these times when landowner-sportsmen relationships are delicate, it would not help that relationship by allowing dogs, who are unaware of trespass signs, to hunt animals that will run long distances.

Thank you.

Amendments to HB 535 (Introduced bill)

1. Title, line 4.  
Strike: "REVISING" through "OF" on line 6  
Insert: "ALLOCATING"
2. Title, line 5.  
Following: "NONRESIDENT"  
Insert: "DEER "A" AND"
3. Title, line 6.  
Following: "LICENSES"  
Insert: "BETWEEN APPLICANTS INTENDING TO EMPLOY LICENSED OUTFITTERS AND ALL OTHER APPLICANTS"
4. Title, line 6.  
Following: "LICENSES;"  
Strike: "CREATING" through "LICENSE;" on line 8
5. Title, line 8.  
Strike: "B-11"  
Insert: "B-7"
6. Title, line 9.  
Strike: "6,000" through "HUNTERS" on line 12  
Insert: "5,000"
7. Title, line 12.  
Following: "87-2-504"  
Insert: "AND 87-2-505"
8. Page 1, line 16 through line 12, page 3.  
Strike: Sections 1 and 2 in their entirety  
Renumber: subsequent sections
9. Page 3, line 15.  
Following: "licenses."  
Insert: "(1)"
10. Page 4, line 3.  
Strike: "or B-11"
11. Page 4, line 5.  
Strike: "If" through end of line 7  
Insert: "(2) No more than 5,000 Class B-7 licenses may be sold in any license year. Of these licenses 3,000 must be issued in the order applications are received to applicants intending to employ a licensed outfitter, and 2,000 must be issued by drawing between all other applicants."
12. Page 4.

Following: line 7

Insert: "Section 2. Section 87-2-505, MCA, is amended to read:

" 87-2-505. (Effective March 1, 1986) Class B-10--nonresident big game combination license. (1) Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the fee of \$350 and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. (2) Not more than 17,000 Class B-10 licenses may be sold in any one license year. Of these licenses 5,600 must be issued in the order applications are received to applicants intending to employ a licensed outfitter, and 11,400 must be issued by drawing between all other applicants."

Renumber: subsequent sections

13. Page 4, lines 12 through 15.

Strike: Section 5 in its entirety



Amendments to HB 535 (introduced bill)

EXHIBIT (2)

DATE 2-12-87

HB 535

1. Page 2, line 4.

Strike: "Not more than 6,000"

Insert: "Six thousand"

Strike: "may" through "one" on line 5

Insert: "are available for sale in each"

2. Page 2, line 8.

Strike: "April 1"

Insert: "March 15"

Strike: "one-half"

Insert: "6,500 of"

3. Page 2, line 9.

Following: "authorized"

Insert: "Class B-10"

Strike: "of each class"

Insert: "and 3,000 of the authorized Class B-11 licenses"

4. Page 2, line 11.

Strike: "one-half" through "sponsor," on line 12

Insert: "the remaining licenses available for applicants indicating they will hunt with a resident sponsor on private land owned by that sponsor."

5. Page 3, line 8.

Strike: "May 1"

Insert: "April 15"

6. Page 3, line 11.

Strike: "on May 15"

Insert: "after April 15"

7. Page 4, line 7.

Strike: "administrative regions 4, 5, 6, and 7"

Insert: "the state"

EXHIBIT

(3)

DATE 2-12-87

HB 406

## HOUSE BILL NO. 406

INTRODUCED BY GRADY, BRANDEWIE, MENAHAN, HANSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE NAME OF THE MONTANA OUTFITTERS' COUNCIL TO THE BOARD OF OUTFITTERS; TO REVISE THE METHOD OF SELECTION OF MEMBERS; TO TRANSFER THE COUNCIL TO THE DEPARTMENT OF COMMERCE; TO TRANSFER LICENSING AUTHORITY FOR OUTFITTERS AND GUIDES FROM THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO THE BOARD OF OUTFITTERS; TO PROVIDE FINES AND FORFEITURES FOR VIOLATIONS; AMENDING SECTIONS 2-15-3403, 87-4-101, 87-4-102, 87-4-104, 87-4-127, 87-4-128, AND 87-4-142, MCA; AND REPEALING SECTIONS 87-4-105, 87-4-106, AND 87-4-144, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE FOR A PORTION OF THE ACT."

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

Section 1. Section 2-15-3403, MCA, is amended to read:

"2-15-3403. Montana--outfitters--council Board of outfitters. (1) There is a Montana--outfitters--council board of outfitters.

(2) (A) The council board consists of seven members. Each--member--shall--be--a--licensed--outfitter--and--shall represent--one--of--the--seven--fish-and-game-administrative districts. A--member--shall--be--selected--by--the--licensed

1 outfitters--residing--in--that--district--by--election--at--an  
 2 annual--meeting--of--the--outfitters--to--be--held--in--the--city  
 3 where--the--regional--headquarters--is--located--during--the--month  
 4 of--March--A--majority--vote--cast--by--written--ballot--of--all--the  
 5 outfitters--in--attendance--at--the--meeting--shall--determine--the  
 6 member--from--the--district--At--the--election--an--alternate  
 7 member--shall--also--be--elected--by--written--ballot--to--serve--if  
 8 the--member--is--unable--to--act-

9 (3)--If--a--member--or--alternate--resigns--or--a--vacancy  
 10 exists--for--any--reason--on--the--council board,--the--council  
 11 board at--its--next--official--meeting--after--the--vacancy--occurs  
 12 shall--recommend--to--the--director--of--the--department--of--fish,  
 13 wildlife,--and--parks commerce the--names--of--two--licensed  
 14 outfitters--residing--in--the--administrative--region--where--the  
 15 vacancy--occurred--to--fill--the--vacancy--for--the--remainder--of  
 16 the--unexpired--term--If--a--vacancy--cannot--be--filled--from--that  
 17 administrative--region,--the--appointment--must--be--made--from--an  
 18 adjoining--region--If--a--vacancy--cannot--be--filled--from--an  
 19 adjoining--region,--the--appointment--must--be--made--from--any  
 20 remaining--region--The--director--shall--fill--the--vacancy--from  
 21 the--names--submitted- TO BE APPOINTED BY THE GOVERNOR.

22 (B) FIVE MEMBERS SHALL BE LICENSED OUTFITTERS, EACH OF  
 23 WHOM HAS A MINIMUM OF 5 YEARS EXPERIENCE AS A LICENSED  
 24 OUTFITTER AND IS ACTIVELY INVOLVED IN THE OUTFITTING  
 25 BUSINESS. EACH OUTFITTER MEMBER SHALL REPRESENT ONE OF THE

1 FIVE DISTRICTS DESIGNATED IN 2-15-3402(2). TWO QUALIFIED  
 2 PERSONS IN EACH DISTRICT MUST BE NOMINATED FOR APPOINTMENT  
 3 BY THE LICENSED OUTFITTERS RESIDING IN THAT DISTRICT AT AN  
 4 ANNUAL MEETING OF THE OUTFITTERS IN THAT DISTRICT TO BE HELD  
 5 ON A SATURDAY DURING MARCH OR APRIL. A LICENSED OUTFITTER  
 6 NOT ATTENDING MAY ASSIGN HIS VOTE TO AN ATTENDING OUTFITTER  
 7 BY A WRITTEN AND SIGNED PROXY, BUT ONLY ONE SUCH PROXY VOTE  
 8 MAY BE CAST BY AN ATTENDING OUTFITTER. NAMES OF NOMINEES  
 9 WILL BE SUBMITTED TO THE GOVERNOR WHO WILL SELECT ONE  
 10 OUTFITTER BOARD MEMBER FROM EACH DISTRICT.

11 (C) THE GOVERNOR SHALL ALSO APPOINT ONE MEMBER WHO IS  
 12 AN EMPLOYEE OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS  
 13 AND ONE MEMBER FROM THE GENERAL PUBLIC.

14 (3) A VACANCY ON THE BOARD MUST BE FILLED IN THE SAME  
 15 MANNER AS THE ORIGINAL APPOINTMENT.

16 (4) The members shall serve staggered 3-year terms and  
 17 take office on the day they are elected.

18 (5) The ~~council~~ board is allocated to the department  
 19 of commerce for administrative purposes only as prescribed  
 20 in 2-15-121.

21 ~~(6) The council is not subject to the provisions of~~  
 22 ~~2-15-122.~~

23 ~~(7) Members of the council are entitled to be~~  
 24 ~~reimbursed and compensated as are members of advisory~~  
 25 ~~councils in 2-15-122(5).~~

1        (6) EACH MEMBER OF THE BOARD IS ENTITLED TO RECEIVE  
2        COMPENSATION AND TRAVEL EXPENSES AS PROVIDED FOR IN  
3        37-1-133."

4        Section 2. Section 87-4-101, MCA, is amended to read:

5        "87-4-101. Definitions. As used in this part chapter,  
6        unless the context requires otherwise, the following  
7        definitions apply:

8        (1) "Board" means the board of outfitters provided for  
9        in 2-15-3403.

10       (2) "Department" means the department of commerce  
11       provided for in Title 2, chapter 15, part 18.

12       ~~(1)~~ (3) "License year" means that period commencing  
13       January 1 and ending December 31 of the same year.

14       ~~(2)~~ (4) "Nonresident" means a person other than a  
15       resident.

16       ~~(3)~~ (5) "Outfitter" means any person, except a person  
17       providing services on real property that he owns for the  
18       primary pursuit of bona fide agricultural interests, who:

19       (a) engages in the business of outfitting for hunting  
20       or fishing parties, as the term is commonly understood;

21       (b) for consideration provides any saddle or pack  
22       animal or personal service for hunting or fishing parties or  
23       camping equipment, vehicles, or other conveyance, except  
24       boats, for any person to hunt, trap, capture, take, or kill  
25       any game and accompanies such a party or person on an

1 expedition for any of these purposes;

2 (c) for consideration furnishes a boat or other  
3 floating craft and accompanies any person for the purpose of  
4 catching fish; or

5 (d) for consideration aids or assists any person in  
6 locating or pursuing any game animal.

7 ~~(4)---"Outfitters'---council"---means---the---Montana~~  
8 ~~outfitters'---council---provided-for-in-2-15-3403-~~

9 ~~(5)~~(6) "Professional guide" means a person who is an  
10 employee of an outfitter and who furnishes only personal  
11 guiding services in assisting a person to hunt or take game  
12 animals or fish and who does not furnish any facilities,  
13 transportation, or equipment.

14 ~~(6)~~(7) "Resident" means a person who qualifies for a  
15 resident Montana hunting or fishing license under 87-2-102.

16 ~~(7)~~(8) "Participant" means a person using the services  
17 offered by a ~~license~~ licensed outfitter or professional  
18 guide."

19 Section 3. Section 87-4-102, MCA, is amended to read:

20 "87-4-102. Determination of what constitutes  
21 consideration. The providing of the services, property, or  
22 equipment mentioned in 87-4-101~~(3)~~(5) or the advertising of  
23 services to assist persons to hunt, pursue, or take wildlife  
24 or to fish shall be presumed to have been for consideration  
25 for the purposes of this ~~part~~ chapter."

Section 4. Section 87-4-104, MCA, is amended to read:

"87-4-104. Powers and duties of department board relating to outfitters and guides. The department board shall:

(1) prepare and publish an information pamphlet which contains the names and addresses of all licensed outfitters. This pamphlet shall be available for free distribution as early as possible during each calendar year but not later than the second Friday in March. The pamphlet shall contain the names and addresses of only those outfitters who have a valid license for the current license year. ~~The costs of publication of the pamphlet shall be paid from the state special revenue fund, fish and game account.~~

(2) cooperate with the federal government ~~through its appropriate agencies or instrumentalities~~ in matters of mutual concern regarding the business of outfitting and guiding in Montana;

~~(3) establish a minimum of two meetings annually with the outfitters' council;~~

~~(4) consult with the outfitters' council to develop policy concerning the administration of outfitting;~~

~~(5) designate a warden with no conflict of interest whose primary duties are to administer outfitting and guiding laws and regulations;~~

~~(6)~~ (3) when the fish and game commission determines it

1 necessary-to-protect-the-fishing--resource7--public--health7  
 2 public--safety7--or-public-welfare7-establish-and-regulate-a  
 3 moratorium-on7applicable-to either--or--both--the--Madison  
 4 River--or the Big-Hole-River7 on the-issuance-of-outfitter  
 5 licenses-for-the-purpose-of-float--fishing7 as--defined--in  
 6 87-4-101(3)(c)(5)(c)7 except--that-those-fishing-outfitters  
 7 licensed-in-1980-may-receive-renewal-licenses7-if-qualified7  
 8 The-total-number-of-professional-guide-licenses-endorsed--by  
 9 fishing--outfitters--under-a-moratorium-may-not-be-less-than  
 10 the-total-number-issued-in-19807

11 (3) ENFORCE THE PROVISIONS OF THIS CHAPTER AND RULES  
 12 ADOPTED PURSUANT TO THIS CHAPTER;

13 (4) establish outfitter standards and professional  
 14 guide standards;

15 (5) adopt:

16 (a) rules of procedure;

17 (b) rules to administer and enforce this chapter,  
 18 including but not limited to rules prescribing all requisite  
 19 qualifications for licensure. These qualifications must  
 20 include training, experience, knowledge of rules of  
 21 governmental bodies pertaining to outfitting, and condition  
 22 and type of gear and equipment; and

23 (c) any reasonable rules, not in conflict with this  
 24 chapter, necessary for safeguarding the health, safety, and  
 25 welfare of those persons using the services of outfitters



1 and for the protection of landowners and the general public;  
 2 (6) hold hearings and proceedings to suspend or revoke  
 3 licenses of outfitters and professional guides for due  
 4 cause."

5 Section 5. Section 87-4-127, MCA, is amended to read:

6 "87-4-127. Fees. (1) The department board shall  
 7 establish fees commensurate with costs as provided in  
 8 37-1-134.

9 (2) Applications shall be accompanied by a license fee  
 10 as specified by the department board.

11 (3) If a nonresident resides in a state requiring  
 12 residents of the state of Montana to pay in excess of the  
 13 amount established by the department board for a similar  
 14 license, the fee for such nonresident outfitter's or  
 15 professional guide's license shall be the same amount as the  
 16 higher fee charged in the state where the nonresident  
 17 resides. ~~All--fees--collected--under--this--part--shall--be~~  
 18 ~~deposited-as-provided-in-87-1-601-~~

19 (4) The license fee--shall--be--used FEES MUST BE  
 20 DEPOSITED IN THE STATE SPECIAL REVENUE FUND AND MUST BE USED  
 21 BY THE BOARD to investigate the applicant, to enforce this  
 22 part, and for administrative costs, SUBJECT TO 37-1-101(6)."

23 Section 6. Section 87-4-128, MCA, is amended to read:

24 "87-4-128. Investigation of applicant -- issuance or  
 25 denial of license. (1) ~~The director-in-his-discretion-may~~

1 ~~cause-to-be-made-such-additional-investigation--and--inquiry~~  
2 ~~relative--to--the~~ board shall investigate each applicant for  
3 an outfitter's or professional guide's license and an  
4 applicant's determine his qualifications ~~as-he-considers~~  
5 advisable.

6 (2) The ~~director~~ board may deny or refuse to issue any  
7 new license or to renew any previous license if~~7--in--his~~  
8 ~~opinion7~~ the applicant does not meet the qualifications  
9 herein stated. In the event that any application for license  
10 is denied or refused, the ~~director~~ board shall immediately  
11 notify the applicant, setting forth in the notice the  
12 grounds upon which the denial or refusal is based.

13 (3) Final decision as to issuance of renewal licenses  
14 shall be made not later than 30 days from the date of  
15 receipt of the completed application for renewal and not  
16 later than 90 days from the date of receipt of a completed  
17 application for a new license.

18 (4) A licensee in good standing is entitled to a new  
19 license for the ensuing license year upon complying with the  
20 provisions of this part chapter, and completing an  
21 application for license renewal on a form provided by the  
22 department board, and payment of the renewal fee, but is  
23 exempt from having to retake the written examination.

24 (5) An outfitter licensee must make an application for  
25 license renewal by January 1 of the license year. A penalty

1 fee of \$50 will be charged in addition to the regular  
 2 resident or nonresident outfitter's license fee if the  
 3 application for such license is not completed and made by  
 4 January 1 of the license year. This subsection does not  
 5 apply to a new applicant for an outfitter's license."

6 Section 7. Section 87-4-142, MCA, is amended to read:

7 "87-4-142. Procedure for suspension or revocation of  
 8 license -- reissuance. (1) Proceedings for the revocation or  
 9 suspension of a license issued hereunder may be taken upon  
 10 charge or recommendation of any person. All such charges or  
 11 recommendations must be made in writing, must state the  
 12 facts upon which such charge or recommendation is based, and  
 13 must be signed and sworn to by the person making the charge  
 14 or recommendation. Any such charge or recommendation shall  
 15 be filed with the director board. Thereupon, the director  
 16 board shall initiate a preliminary investigation of all  
 17 facts in connection with the charge.

18 ~~(2) -- A copy of all information shall be transmitted -- to~~  
 19 ~~the -- outfitters' -- council. -- The outfitters' -- council may make~~  
 20 ~~recommendation as to -- the -- action -- to -- be -- taken. -- Any -- such~~  
 21 ~~recommendation shall be made in writing and delivered to the~~  
 22 ~~director -- within -- 20 -- days -- after -- date -- of -- transmittal -- of -- such~~  
 23 ~~information to the council.~~

24 (3)(2) If the accusation be deemed to be unfounded or  
 25 trivial, the director board shall dismiss the same and will

1 advise the licensee charged and the complaining party of the  
2 action. Should If the director--determine board determines  
3 the charge or recommendation to have good cause and to be  
4 sufficiently founded, he it shall appoint a hearing officer  
5 who shall conduct a hearing on such charges in accordance  
6 with the Montana Administrative Procedure Act.

7 ~~(4)~~(3) The ~~director~~ board thereupon shall cause a copy  
8 of the charge~~7--recommendation-of-the-council7~~, and a record  
9 of the investigation to be served upon the licensee involved  
10 not less than 20 days prior to the day set for hearing  
11 thereon, which hearing shall be before an appointed hearing  
12 officer at a time and place set by such officer. At the  
13 hearing, the licensee involved may be represented by  
14 counsel. After full, fair, and impartial hearing, the  
15 ~~director~~ board may suspend the accused's license or his  
16 right to hold a license for a period not to exceed 3 years,  
17 may order the license revoked, or may dismiss the charge or  
18 recommendation based upon the facts shown at the hearing.

19 ~~(5)~~(4) A revoked or suspended license may be reissued  
20 or reinstated at the discretion of the ~~director~~ board."

21 NEW SECTION. SECTION 8. PENALTIES -- DISPOSITION OF  
22 FINES AND FORFEITURES. (1) A PERSON WHO VIOLATES ANY  
23 PROVISION OF THIS CHAPTER OR RULE ADOPTED UNDER THIS CHAPTER  
24 IS GUILTY OF A MISDEMEANOR AND IS PUNISHABLE BY A FINE NOT  
25 EXCEEDING \$500.

1        (2) A PERSON WHO PURPOSELY ENGAGES IN OUTFITTING  
2 WITHOUT A LICENSE AS REQUIRED BY THIS CHAPTER IS GUILTY OF A  
3 FELONY AND PUNISHABLE BY A FINE OF NOT LESS THAN \$2,000 AND  
4 NOT MORE THAN \$5,000. IF CONVICTED, SUCH PERSON SHALL  
5 FORFEIT EQUIPMENT OR OTHER PERSONAL PROPERTY AT THE LOCATION  
6 OF ARREST USED DIRECTLY IN THE COMMISSION OF THE OFFENSE, AS  
7 PROVIDED IN [SECTIONS 9 AND 10]. IN ADDITION THE PERSON MUST  
8 BE ASSESSED THE AMOUNT OF ALL COSTS INCURRED BY THE BOARD IN  
9 INVESTIGATING AND PREPARING THE CASE FOR TRIAL.

10       (3) FIFTY PERCENT OF ALL FINES AND FORFEITURES PAID  
11 UNDER THIS SECTION AND OF ALL MONEY COLLECTED FROM THE SALE  
12 OF FORFEITED PERSONAL PROPERTY MUST BE DEPOSITED IN THE  
13 GENERAL FUND OF THE COUNTY IN WHICH THE CONVICTION IS  
14 OBTAINED, AND 50% MUST BE DEPOSITED IN THE STATE SPECIAL  
15 REVENUE FUND FOR THE USE OF THE BOARD IN ENFORCING THIS  
16 CHAPTER.

17       NEW SECTION. SECTION 9. WHEN PROPERTY MAY BE SEIZED.  
18 A PEACE OFFICER WHO HAS PROBABLE CAUSE TO MAKE AN ARREST FOR  
19 COMMISSION OF THE OFFENSE OF OUTFITTING WITHOUT A LICENSE  
20 AND WHO HAS PROBABLE CAUSE TO BELIEVE THAT EQUIPMENT OR  
21 PERSONAL PROPERTY AT THE LOCATION OF ARREST HAS BEEN USED  
22 DIRECTLY IN THE COMMISSION OF THE OFFENSE SHALL SEIZE THE  
23 EQUIPMENT OR PROPERTY AND IMMEDIATELY DELIVER THE EQUIPMENT  
24 OR PROPERTY TO THE SHERIFF OF THE COUNTY IN WHICH SEIZURE IS  
25 MADE, TO BE HELD AS EVIDENCE UNTIL FORFEITURE IS DECLARED OR

1 RELEASE IS ORDERED.

2 NEW SECTION. SECTION 10. FORFEITURE OF PROPERTY USED  
3 IN COMMISSION OF OFFENSE OF OUTFITTING WITHOUT A LICENSE.

4 (1) NO EQUIPMENT OR PERSONAL PROPERTY IS SUBJECT TO  
5 FORFEITURE UNDER [SECTION 8] IF THE OWNER OF THE EQUIPMENT  
6 OR PROPERTY ESTABLISHES THAT THE ACT OR OMISSION WAS  
7 COMMITTED OR OMITTED WITHOUT HIS KNOWLEDGE OR CONSENT.

8 (2) A FORFEITURE OF EQUIPMENT OR PERSONAL PROPERTY  
9 ENCUMBERED BY A VALID SECURITY INTEREST IS SUBJECT TO THE  
10 INTEREST OF THE SECURED PARTY IF HE NEITHER HAD KNOWLEDGE OF  
11 NOR CONSENTED TO THE COMMISSION OF THE OFFENSE.

12 (3) THE PROCEDURE FOR FORFEITURE OF EQUIPMENT OR  
13 PERSONAL PROPERTY SEIZED UNDER [SECTION 9] IS THE SAME AS  
14 PROVIDED IN TITLE 44, CHAPTER 12, PART 2, FOR FORFEITURE OF  
15 ITEMS RELATED TO THE UNLAWFUL MANUFACTURE, DISTRIBUTION, OR  
16 POSSESSION OF CONTROLLED SUBSTANCES, EXCEPT THAT PROCEEDS  
17 FROM THE SALE OF EQUIPMENT OR PROPERTY UNDER THIS SECTION,  
18 AFTER SATISFACTION OF VALID ENCUMBRANCES ON THE PROPERTY,  
19 MUST BE DISTRIBUTED AS PROVIDED IN [SECTION 8].

20 NEW SECTION. SECTION 11. ENFORCEMENT. INVESTIGATIONS,  
21 SEIZURES, AND ARRESTS FOR VIOLATIONS OF THIS CHAPTER MAY BE  
22 MADE BY ANY PEACE OFFICER; WARDEN OF THE DEPARTMENT OF FISH,  
23 WILDLIFE, AND PARKS; AGENT DESIGNATED BY THE BOARD; OR  
24 FEDERAL AGENCY PERSONNEL DESIGNATED BY THE BOARD.

25 NEW SECTION. Section 12. Transfer of agency -- name

1 change -- duties transferred. (1) The Montana outfitters'  
2 council is transferred to the department of commerce and is  
3 renamed the board of outfitters.

4 (2) The authority and functions of the department of  
5 fish, wildlife, and parks regarding licensing of outfitters  
6 and guides are transferred to the board of outfitters, and  
7 any reference in 87-4-122, 87-4-124, 87-4-125, 87-4-129,  
8 87-4-131, and 87-4-143 to the department of fish, wildlife,  
9 and parks or to the department or director, meaning the  
10 department of fish, wildlife, and parks or the director of  
11 that department, is changed to the board, meaning the board  
12 of outfitters.

13 NEW SECTION. Section 13. Codification instruction.

14 (1) The code commissioner shall recodify Title 87, chapter  
15 4, part 1, as a separate chapter of Title 37, and the  
16 provisions of Title 37, chapter 1, apply. The code  
17 commissioner shall change internal references accordingly.

18 (2) THE CODE COMMISSIONER SHALL RECODIFY SECTION  
19 2-15-3403 AS AN INTEGRAL PART OF TITLE 2, CHAPTER 15, PART  
20 18.

21 NEW SECTION. Section 14. Repealer. Sections 87-4-105,  
22 87-4-106, and 87-4-144, MCA, are repealed.

23 NEW SECTION. SECTION 15. TRANSITION -- EFFECTIVE  
24 DATE. (1) MEMBERS OF THE BOARD OF OUTFITTERS MAY BE  
25 NOMINATED AND APPOINTED UPON PASSAGE AND APPROVAL OF THIS

1     ACT BUT MAY NOT TAKE OFFICE PRIOR TO THE EFFECTIVE DATE OF  
2     THIS ACT. THE BOARD UPON APPOINTMENT MAY ADOPT RULES AS  
3     AUTHORIZED IN THIS ACT, BUT SUCH RULES MAY NOT BECOME  
4     EFFECTIVE PRIOR TO THE EFFECTIVE DATE OF THIS ACT.

5             (2) THIS SECTION IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-



# ROLL CALL VOTE

HOUSE COMMITTEE FISH & GAME

DATE February 12, 1987

BILL NO. HB 406

TIME 2:00 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			X
BOB REAM			X

TALLY

7 11

Lee Fritz  
Secretary

Orval S. Ellison  
Chairman

MOTION: Rep. Jenkins moved to TABLE HB 40 . Question was then  
called, a roll call vote was taken. The motion failed 11-7.

# STANDING COMMITTEE REPORT

FEBRUARY 12

19 87

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

report HB 431

☒ do pass  
☐ do not pass


☐ be concurred in  
☐ be not concurred in

☐ as amended  
☐ statement of intent attached

REP. ORVAL ELLISON

Chairman

"AN ACT TO ALLOW THE USE OF DOGS TO HUNT LYNX; AND AMENDING  
SECTION 87-3-124, MCA."

  
FIRST

WHITE

reading copy (            )  
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# ROLL CALL VOTE

HOUSE COMMITTEE FISH & GAME

DATE FEBRUARY 12, 198

BILL NO. HB 431

TIME 2:15 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		X	
BOB REAM		X	

TALLY

4

14

  
Secretary

  
Chairman

MOTION: Rep. Moore moved HB 431 DO NOT PASS. Question being  
called, a roll call vote was taken. The motion failed 14-4. Rep.  
Phillips moved to simply reverse the vote, to a DO PASS. The  
committee voted unanimously.

# STANDING COMMITTEE REPORT

FEBRUARY 12

19 87

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

report HB 463

☒ 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 5.

Strike: "SUN RIVER GAME PRESERVE AND THE"

2. Title, line 7.

Strike: "APPOINTMENT"

Insert: "EMPLOYMENT"

3. Title, line 7.

Strike: "AND TWO ASSISTANTS"

Insert: ", ONE ASSISTANT, AND AN EQUIVALENT OF ONE FULL TIME EMPLOYER"

4. Page 1, line 12.

Strike: "appoint"

Insert: "employ"

5. Page 1, line 12.

Strike: "and two assistants"

Insert: ", an assistant manager, and an equivalent of one full time employee"

6. Page 1, line 13.

Strike: "Sun River game preserve and the"

7044b/L:JEA\WP:jj

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# ROLL CALL VOTE

HOUSE COMMITTEE FISH & GAME

DATE FEBRUARY 12, 1987

BILL NO. HB 463

TIME 3:54 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		X	
BOB REAM			X

TALLY

14 4

Lisa R. [Signature]  
Secretary

Orval J. Ellison  
Chairman

MOTION: Rep. Moore moved HB 463 DO PASS AS AMENDED. Question being  
called, a roll call vote was taken. The motion carried 14-4.

# STANDING COMMITTEE REPORT

FEBRUARY 12 19 87

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

**HB 465**

report \_\_\_\_\_

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☐ as amended  
☐ statement of intent attached

REP. ORVAL ELLISON

Chairman

"AN ACT TO ALLOW GOLDEN EAGLES TO BE CAPTURED FOR THE SPORT OF  
FALCONRY; AND AMENDING SECTION 97-5-205, MCA."

  
FIRST

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## VISITORS' REGISTER

# FISH + GAME

COMMITTEE

BILL NO. HB 431

DATE Feb. 12, 1967

SPONSOR Phillips

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# FISH & GAME

DATE Feb. 12, 1987

CS-33



## VISITORS' REGISTER

FISH & GAME COMMITTEE

BILL NO. H13 A6A

DATE Feb. 12, 1987

SPONSOR CCRB.

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

FISH & GAME COMMITTEE

DATE Feb. 12, 1987

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.