

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: By Chairman Severson, on March 2, 1989, at 1:00 p.m. in Room 402, State Capitol.

ROLL CALL

Members Present: Sen. Elmer Severson, Sen. John Anderson, Jr., Sen. Judy Jacobson, Sen. Al Bishop, Sen. Paul Rapp-Svrcek, Sen. Loren Jenkins, Sen. Bill Yellowtail.

Members Excused: None

Members Absent: None

Staff Present: Andrea Merrill, Legislative Council

Announcements/Discussion: None

HEARING ON HOUSE BILL 289

Presentation and Opening Statement by Sponsor: Rep. John Johnson stated that this bill allows for the donation of paddlefish roe to a non-profit corporation for the use in producing caviar products. It is aimed at eliminating waste of a natural resource and adding value to a Montana resource. The bill also designates how the anticipated profits are to be used. To legally snag a paddlefish you must first have a fishing license and you must purchase two distinct paddlefish tags. Two tags, or two fish, is the limit for the year. The non-profit corporation will clean the fish and return the fish for the donated roe. They will then process the roe for sale as caviar products.

Under the present conditions, roe and entrails from fish being cleaned at the intake site are being thrown in garbage containers provided at that site. They are hauled away to a landfill. This bill spells out the distribution of any profit.

List of Testifying Proponents and What Group they Represent:

Robert Van Der Vere, Helena Citizen Lobbyist
Mike Carlson, Past Pres. Glendive Chamber of Commerce
Betty Lou Kasten, Representative of HD 28
Kathy Nedens, Dir. of Glendive Chamber of Commerce

Curt Meads, Hotel owner in Glendive
Sen. Larry Tveit, SD 11

List of Testifying Opponents and What Group They Represent:

Ron Marcoux, Fish, Wildlife and Parks Department
George Holten, Montana Chapter American Fisheries
Society
Don Chance, Montana Wildlife Federation
Janet Ellis, Montana Audubon Legislative Fund
David Jenter, Sportsman

Testimony:

Robert Van Der Vere stated he believes this is a good bill
and he supports this bill.

Mike Carlson left his testimony. See Exhibit #1 and #1a.

Betty Lou Kasten stated she is a conservationist. She
stated that conservation is the wise use of natural
resources. This natural resource has not been used
wisely, but it has been going to waste. The sale of
caviar is not new to Montana. Caviar is sold in Libby
by Wild Mountain Products. I stand in support of this
bill.

Kathy Nedens left her testimony. See Exhibit #2.

Curt Meads left his testimony. See Exhibit #3.

Sen. Larry Tveit stated that most paddlefish are caught
right at the intake spot because of the irrigation dam.
Paddlefishing is highly regulated. The concept of this
bill is very good and the waste has been going on since
1962. The group of people in Glendive that are
involved are doing a good job. I urge passage of this
bill.

Ron Marcoux left his testimony. See Exhibit #4.

George Holten left his testimony. See Exhibit #5.

Don Chance stated they oppose this bill. The underlying
ramifications of the sale of these fish parts alarm the
Federation. Even though roe collection will be
specifically monitored at the intake, there is little
possibility of monitoring other paddlefish
concentration sites throughout the state. Legitimate
bills of sale might be reused to transport additional
roe. This would weaken the protection of wildlife from

illegal harvest and profit guarded against by the provisions of the Lacey Act.

This is a bad idea in the same way that it is a poor idea to authorize the sale of bear gall bladders, eagle talons and feathers as well as the sale of wild game in restaurants. Those provisions in federal law are there for a reason. They are to insure that we do not create an economic incentive for the destruction of our wildlife resources. The issue here is how we protect and manage our wildlife resources here in this state. This bill will raise awareness of the marketability of the paddlefish roe that's raising the potential of the rise of the black market. We feel our natural resources have greater value than just the money that can be obtained from their marketing. We feel this bill will adversely affect the paddlefish in this state.

Janet Ellis stated they oppose the bill but they have amendments (See Exhibit #6). They think this is a very dangerous precedent setting bill. It commercializes a species of special concern. Paddlefish are a long-life fish and it is very difficult to manage them. If you catch a paddlefish and throw it back it will die. But other fish can be thrown back successfully. Over harvesting could have a very long-term detrimental affect on these fish. The current harvest is 8-10% and scientists say that if it would reach 15% you could have very serious long-term problems with the population. We are concerned about the commercialization of wasted animal parts. Also, we are concerned about people throwing the males back when they are selectively fishing for females. Please oppose this bill, but if you don't please consider the amendments.

David Jenter stated he was in opposition to this bill.

Questions From Committee Members: Sen. Rapp-Svrcek asked Pat Graham how the paddlefish are studied and monitored. He stated the MT FWP studies the harvest to find where they concentrate.

Sen. Yellowtail asked Kathy Nedens what a single paddlefish is worth. She said the roe is \$35-\$40 a pound. She said the eggs have to be taken at a certain temperature, cleaned and washed and gone through a recipe process or they are no good. They have to be taken at a cleaning station and refrigerated immediately. We are planning to package them in cans and ship them in refrigerated trucks to a reputable wholesaler in San Francisco who will then re-package

them into small caviar cans. That would mean that one fish is worth about \$400. Each season 2500 fish are taken and half of those are females. But it varies according to the season.

Sen. Jenkins asked Mr. Marcoux about cleaning the fish. He stated they have a facility there where the fish are cleaned quickly. The entrails are currently being collected right there at the cleaning station. A fox farm operator has approached us about using the entrails as feed for the fox farm.

Sen. Severson stated to Mr. Marcoux that there is a parallel between this bill and SB 294, the sale of crayfish. Mr. Marcoux stated that there is a quantity difference between the two fish. Poaching is a problem but once you open up markets the potential for illegal actions is what we need to watch for.

Sen. Jacobson asked Rep. Johnson about a fiscal note because it would have a fiscal impact of MT FWP. He stated there has not been one requested. Sen. Jacobson stated that a fiscal note was needed so we could see what kind of budget to expect and asked him to prepare one.

Sen. Rapp-Svrcek asked Mr. Marcoux about the term "species of concern". He stated that there is a non-game endangered species act in Montana. Within the provisions of that bill, we can designate species that are endangered in Montana which are of special concern. That would be a sensitive species that needs additional attention.

Sen. Rapp-Svrcek asked Mr. Marcoux why the paddlefish is a sensitive species. He stated that it is limited in its distribution in the state, the numbers are a factor and it is a species that is difficult to manage.

Sen. Rapp-Svrcek asked Mr. Marcoux if the department can set an absolute number on the amount of fish that can be taken in one year. Mr. Marcoux stated not at this point. It has only been the number of fish per individual. One key factor on harvest rates is how much water runs down the Yellowstone during the spring.

Sen. Bishop asked Mr. Marcoux how the MT FWP is managing the paddle fish now. Pat Graham of FWP answered. We manage the paddlefish now by monitoring the harvest at various locations in the state.

Sen. Bishop asked Mr. Graham if we were over fishing the paddlefish right now. He stated we had an increase

in harvest partly in response to the motion of that fishery to detract more increasing numbers of people in the 1970's and early 1980's. That is why we instituted the tag system to limit the harvest.

Sen. Yellowtail asked Rep. Johnson how he we would defend legislative policy against other non-profit organizations that are not selected from suing the Department to get in on this situation? Rep. Johnson stated that the Department would have to assure that this would not happen.

Closing by Sponsor: The donations will be from legally caught fish and they will be taken from a controlled area. This will be from the issuance of two tags and what you get is what you keep. You cannot throw it back. We are talking about a non-profit Montana corporation. This bill provides for an effective date and it also provides for a termination date of 1993. It gives three seasons to test this process.

HEARING ON HOUSE BILL 342

Presentation and Opening Statement by Sponsor: Rep. Paula Darko stated that this bill comes from interested sportsmen in her area. There was a concern that there is no minimum caliber restrictions in Montana, and this is to prohibit rimfire in big game hunting.

List of Testifying Proponents and What Group they Represent:

Ron Marcoux, Department of Fish, Wildlife & Parks

List of Testifying Opponents and What Group They Represent:

None

Testimony:

Ron Marcoux left his testimony. See exhibit #7.

Questions From Committee Members: Sen. Yellowtail asked Rep. Darko if it was necessary to say "game animal". She stated that 87-2-101 states that deer, elk, moose, caribou, antelope, mountain sheep, mountain goat, mountain lion, bear and wild buffalo are game animals.

Sen. Yellowtail asked Rep. Darko what would be the harm in shooting mountain lions with a bigger caliber gun. She stated that when people are hunting mountain lion they want the pelt and they get really close. If they don't get a good shot they will ruin the pelt.

Closing by Sponsor: Rep. Darko thanked the committee for hearing the bill and urged a do pass.

DISPOSITION OF HOUSE BILL 342

Discussion: None

Amendments and Votes: None

Recommendation and Vote: Sen. Rapp-Svrcek moved to pass this bill. It was passed on a voice vote. BE CONCURRED IN.

DISPOSITION OF HOUSE JOINT RESOLUTION 6

Discussion: None

Amendments and Votes: None

Recommendation and Vote: Sen. Jenkins moved to pass this bill. It was passed on a voice vote. BE CONCURRED IN.

DISPOSITION OF HOUSE BILL 290

Discussion: None

Amendments and Votes: Sen. Rapp-Svrcek moved to pass the amendments (See Exhibit #8). The amendments passed on a voice vote.

Recommendation and Vote: Sen. Jenkins moved to pass the bill. It passed on a voice vote. AND AS AMENDED BE CONCURRED IN.

DISPOSITION OF HOUSE BILL 186

Discussion: None.

Amendments and Votes: None

Recommendation and Vote: Sen. Yellowtail moved to pass the bill. It was passed on a voice vote with Sen. Jenkins voting no. BE CONCURRED IN.

ADJOURNMENT

Adjournment At: 2:45 p.m.


ELMER D. SEVERSON, Chairman

LAB/FISMIN.302

FISMIN.302

SENATE STANDING COMMITTEE REPORT

March 3, 1989

MR. PRESIDENT:

We, your committee on Fish and Game, having had under consideration HB 342 (third reading copy -- blue), respectfully report that HB 342 be concurred in.

Sponsor: Darko (Vaughn)

BE CONCURRED IN

Signed:



Elmer D. Severson, Chairman

41 e 189
313 40
10 a.m.

SENATE STANDING COMMITTEE REPORT

March 3, 1989

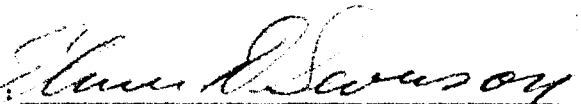
MR. PRESIDENT:

We, your committee on Fish and Game, having had under consideration HJR 6 (third reading copy -- blue), respectfully report that HJR 6 be concurred in.

Sponsor: O'Keefe (Mazurek)

BE CONCURRED IN

Signed:



Elmer D. Severson, Chairman

Handwritten notes:
H.C. 31 187
10 11

SENATE STANDING COMMITTEE REPORT

March 3, 1989


MR. PRESIDENT:

We, your committee on Fish and Game, having had under consideration HB 186 (third reading copy -- blue), respectfully report that HB 186 be concurred in.

Sponsor: Ream (Yellowtail)

BE CONCURRED IN

Signed:


Elmer D. Severson, Chairman

Glendive Area Chamber of Commerce and Agriculture

200 N. Merrill • P.O. Box 930

Glendive, Montana 59330

Phone (406) 365-5601



SENATE FISH AND GAME

EXHIBIT NO. 1

DATE March 2, 1989

BILL NO. HB 289

My name is Mike Carlson and I am the past president of the Glendive Chamber of Commerce and Agriculture. I am here today to express my support for House Bill 289. I am a graduate of the University of Missoula School of Forestry in Natural Resource Conservation. I have worked 15 years now in the soil conservation field in Montana with agriculture.

I have been working on this proposal for a year and it has large support in the Glendive area. Paddlefish have been caught at the Intake fishing area, 18 miles north of Glendive since 1962. At this fishing site on the Yellowstone River, there is a large rock diversion dam for irrigation purposes. The fish have a hard time crossing this barrier on their way upstream and congregate here. Fishermen come from all over the U.S. to catch these fish which average 50 lbs. and can weigh up to 100 lbs. The catch is limited by law to 2/per person. A fisherman must have a MT fishing license, conservation license and buy 2 tags which cost \$3.00. An average of 3,300 fish a year are caught at this site during a 2-month period. Two-thirds are female or around 2,200 total and 1/4 to 1/3rd of a paddlefish is edible, the rest is thrown away. Many fishermen clean their fish here using a MT Fish, Wildlife & Parks cleaning station. Our organization would like to collect the eggs from the female fish as they are cleaned here. Presently they are disposed of in a landfill and the MT FWP pays someone to haul it away to the Glendive landfill. This is a problem at our landfill.

These fish eggs can be sold as caviar. Around 10 years ago, a private businessman in Glendive tried to collect the eggs but was turned down by MT FWP. Our proposal is non-profit with all proceeds after expenses to be used in a beneficial manner.

We want at all costs to protect the paddlefish. Our proposal will not lead to over-fishing or other illegal activities due to the strict control now in place at the Intake fishing area. We simply want to make use of a wasteful situation that has gone on too long. MT FWP studies indicate the paddlefish population to be healthy and sustainable.

Why do we want the potential income from this proposal? The Glendive area has been hit hard by the loss of our oil related industries and a depressed agriculture economy in the 1980's. Our tax base has been lowered and our economy is depressed. We would like to find a source of revenue to upgrade and improve some of the outdoor recreation, historical, cultural and public services in the Glendive area. Dollars generated from the sale of caviar could be used as seed money when applying for many grants available.

We would also like to develop a MT entrance tourist center on I-94 to provide information to the many hunters, fishermen, snowmobilers, skiers, and tourists who come here from the east. We would like to retain 50% of the profits for these activities. We will setup a special committee to solicit proposals and fund worthwhile projects that are proposed.

Glendive Area Chamber of Commerce and Agriculture

200 N. Merrill • P.O. Box 930

Glendive, Montana 59330

Phone (406) 365-5601



Page 2

We also would like to find a source of revenue to fund outdoor recreation improvements in eastern Montana. We hear of the need for improvements in our State parks and recreation areas but state funds are short. There are many ideas sportsmen have for improving outdoor activities. The other fifty percent of the profits after expenses would be allocated to the MT FWP for paddlefish activities in eastern Montana.

We have met with MT FWP and they have been excellent in providing information on this proposal. We have only one concern on the bill and its amendments. We ask that the MT FWP department leave the details on the marketing and sale of the caviar up to us. We can best develop a marketing plan that will return the most income from this "Made in Montana" product. We intend to make this product, Montana Caviar, a new industry that will put Glendive and Montana into national recognition.

We feel the interest and purpose of this bill and the initiative of the people of Glendive was not to go into the business of harvesting paddlefish roe to raise revenue 100% for a state agency. We ask for a 50-50 split on the income after expenses. We believe the MT FWP department should have looked at their policy sooner in this regard rather than disposing the roe in a dump each year. We are throwing away \$100,000/year. We would like to see the revenue generated from this value added proposal be used to benefit eastern Montana's citizens and its wildlife and recreation resources.

Mike Carlson
Chairman- Paddlefish Caviar Committee

SEN. T. FISH AND GAME

EXHIBIT NO. 1a

DATE March 2, 1989

BILL NO. HB 289

House Bill 289/03

Amendment No. 1: Page 5, line 6:

After of: strike "one"
Insert: "two"

Amendment No. 2: Page 5, line 8:

After and: strike "two"
Insert "one"

Amendment No. 3: Page 4, line 6:

After the: strike "marketing and"
Then it will read: "shall also develop rules for the
sale of caviar"

SENATE FISH AND GAME

EXHIBIT NO. 2

D. March 2, 1989

FILE NO. HB 289

Mr. Chairman and members of the committee:

My name is Kathy Nedens and I am the Executive Director of the Glendive Chamber of Commerce. I am here today to urge your support of H.B. 289.

During May, June, and the early part of July, anglers from all over the U.S. travel to Intake Diversion Dam, 17 miles north of Glendive to rig up and snag the elusive prehistoric paddlefish of the Yellowstone. Over the years, the great influx of fishermen has given Intake the name "Paddlefish Capital of the World." Paddlefishing is a heritage Glendive has been proud of since 1915. In 1962 interest in the fish exploded and soon State Fish and Game officials had to impose a limit of two paddlefish a season per person. After consulting with wildlife biologists, the Glendive Chamber proposed collecting eggs from tagged fish only on a voluntary basis. This program will protect the paddlefish and insure the preservation of the species. Fishermen will be able to have their fish cleaned and packaged in exchange for donating the eggs, which are presently being hauled to a land fill. An additional measure of protection for the paddlefish species would be provided by actually raising paddlefish fry in the current Miles City hatchery, this process is highly successful in Yankton, South Dakota, and by sharing the profit with the Fish and Game Department the funding would be available to develop the habitat and fishery management necessary for preservation.

Setting up a facility, processing the roe to caviar, and marketing the product can all be accomplished for a minimal amount of capital and expertise. The unique concept by the Glendive Chamber of Commerce is to turn a presently discarded natural resource into a product capable of generating revenues to enhance and impact Eastern Montana. The Glendive Chamber of Commerce has received an overwhelming amount of public support for this project, because as a nonprofit private-sector organization we can insure a fair and equitable distribution of the profits to much needed community projects unable to be funded presently due to economic depression and cutbacks in Eastern Montana.

PROJECT SUMMARY

PROPOSAL FOR THE COMMERCIAL USE OF PADDLEFISH ROE

By: The Glendive Chamber of Commerce & Agriculture
January, 1989

1. PURPOSE: To collect paddlefish eggs (roe) at the Intake fishing area each spring from paddlefish caught by fishermen. Presently they are disposed of in a landfill. After collection the roe can be processed, canned and marketed as caviar. The sale of the "Made in Montana" product could produce significant revenue.
2. PROPOSAL: The Glendive Chamber of Commerce would collect the eggs from tagged paddlefish only with permission of the Montana Fish and Game Commission and the Montana Department of Fish, Wildlife, and Parks. The Glendive Chamber of Commerce would provide free fish cleaning to those fisherman who would voluntarily donate the roe.
3. DISTRIBUTION OF PROFITS: An amount of the profits equal to that year's expenses will be reserved to fund the following year's operation. The remainder of the profits will be distributed as follows:

One-half of the proceeds from the sale of paddlefish egg products, in excess of the costs of collection, processing, marketing and administration, will be deposited in a state special revenue fund established for the department. The fund and any interest earned thereon, will be used to benefit the paddlefish fishery, including fishing access improvements, habitat and fisheries management and/or to provide information to the public regarding fishing in eastern Montana which could include the design and construction of interpretive displays. The department director will establish an advisory committee pursuant to 2-15-122 consisting of a member from the Montana nonprofit organization, an area local government representative, and two representatives for area sportsmen. The committee will work with the department in developing recommendations and reviewing projects for the expenditure of these funds.

The other half of the proceeds from the sale in excess of the costs of collection, processing, marketing and administration, will be paid to the nonprofit corporation which processes and markets the roe. This organization will solicit proposals for community development in the Glendive area. One of their priorities will be a Montana Entrance Tourist and Visitor Center on I-94 highway. This will be open year round to provide information to those entering the .

state from the east on tourism, recreation, sportsman, etc. The non-profit committee will review proposals and fund projects. These dollars can be used as seed money for various grants.

4. LEGISLATIVE CHANGES NEEDED: Change in State law to allow Glendive Chamber of Commerce to harvest and market paddlefish roe.

The Glendive Area Chamber of Commerce and Agriculture will develop a processing facility with the assistance of the Montana Small Business Development Center. This proposal will develop new jobs in the Glendive area.

For more information contact: Glendive Chamber of Commerce
Mike Carlson or Kathy Nedens
(365-5601)

Glendive Area Chamber of Commerce and Agriculture

200 N. Merrill • P.O. Box 930

Glendive, Montana 59330

Phone (406) 365-5601



February 3, 1989

Senator Elmer Severson; Chairman
Fish and Game Committee
Capitol Station
Helena, MT 59620

Dear Members of the Fish & Game Committee:

A committee of the Glendive Area Chamber of Commerce and Agriculture has studied and drafted a proposal to use a presently discarded natural resource to benefit not only our community, but impact Eastern Montana as a whole. In our present stage of economic struggle, we need to view this proposal from three aspects.

1. The proposal will generate revenues to enhance fishing accesses, fund recreational improvements and develop tourist centers to provide hunters, fishermen, snowmobilers and travelers information as they enter Montana from the east.
2. The proposal is two-fold because again we have an added value as a "Made in Montana Product."
3. By using tagged fish, only on strictly volunteer basis, which only a non-profit organization could justifiable afford to do, we are protecting and preserving the species.

The Glendive Area Chamber of Commerce and Agriculture has established the ground work necessary to process and market the product and we have proposed the distribution of profits. The break down of which is included in the project summary you have been supplied.

Sincerely,

Kathy Nedens
Executive Director

KN:re

Glendive Area Chamber of Commerce and Agriculture

200 N. Merrill • P.O. Box 930

Glendive, Montana 59330

Phone (406) 365-5601



FACT SHEET

STATISTICS

1972-1987 70% of all fish caught at Intake are female. 2500 females per year, with an average weight of 50lbs. Approximately 8-10lbs. of eggs per female fish.

Price of caviar: \$30.00-\$40.00/lb.

PROCESS

Eggs are collected and transported to a state approved processing facility in Gldv. The eggs are washed, screened, placed in a brine solution, and packaged in 3 gal. containers. Containers are shipped, in refrigerated trucks, to food brokers for further processing and marketing.

FACILITY STATISTICS

Building site and processing equipment already available to the Glendive Chamber of Commerce. Expertise in processing and marketing of caviar has been acquired by the Gldv. Chamber of Commerce.

Employ 6-12 people for a 2 month period.

BUSINESS CONTACTS

Department of Commerce - Helena, Mt.

Small Business Administration - Gldv., Mt.

Bear Creek Fisheries - Libby, Mt.



SENATE FISH AND GAME
EXHIBIT NO. 3
DATE March 2, 1989
BILL NO. HB 289

February 3, 1989

Senator Elmer Severson: Chairman
Fish and Game Committee
Capitol Station
Helena, MT 59620

Dear Fish and Game Committee Members:

It would appear that we have at last opportunity in House Bill 289 to address the wasteful practice of discarding paddlefish eggs simply because we have not been big enough to work through accompanying problems.

I don't know how any one who believes Montana's wealth should not be wasted could in good conscience long tolerate this blatant disregard for the potential value of this natural resource. It not only could enhance Montana's economy for the eggs in the raw state, but it also has the potential for the value added in processing, marketing, and the sale in the form of caviar.

The Glendive Chamber of Commerce should be applauded for bringing this type of legislative opportunity to us and I urge your support.

Yours sincerely,

A handwritten signature in cursive script that reads "Curt Meeds".

Curt Meeds, President

CM:jc

HB 289
March 2, 1989

Testimony presented by Ron Marcoux, Department of Fish, Wildlife & Parks

The paddlefish, which evolved in prehistoric times, is one of the last relic fish species in the Missouri River Basin. It is only found in one other river system in the world, and that is in China.

The paddlefish is a long-lived, migratory fish. The fish spawning in the Yellowstone River reside the rest of the year in Garrison Reservoir, North Dakota. This makes managing them very difficult.

Over the years, the popularity of this fish has increased, partially in response to local promotions. In response, we have had to impose additional restrictions on harvest. At this time we require paddlefish fishermen to have a special tag and limit their harvest to two fish per year. We have also made it illegal to catch and release paddlefish to reduce the practice of high-grading and the subsequent delayed mortality which was observed.

House Bill 289 proposes to legalize the collection, processing and selling of paddlefish eggs for caviar. The department has historically opposed bills which lead to the commercialization of unique and important fish and wildlife. These are public resources and have been traditionally valued for providing sport harvest, viewing or other public benefits.

We continue to have a concern with commercialization of paddlefish roe which may unintentionally increase both legal and illegal harvest. The long lifespan and migratory habits of the paddlefish make accurate management of harvest very difficult. This is one reason we try to manage the species conservatively. If we make a mistake now by overharvesting spawners, we may not know it for many years.

The present status of the paddlefish is a growing concern in other Missouri Basin states. The U.S. Fish & Wildlife Service (see attachment) sent a letter indicating their concern that paddlefish numbers may be declining in the upper Missouri Basin due primarily to changes in habitat. Both the Fish & Wildlife Service and the State of North Dakota (see attachment) share our concern relative to illegal harvest resulting from commercialization of the species.

In its present form, HB 289 attempts to address the concern of overharvest by limiting fishermen to a donation of their paddlefish eggs. This should reduce the motivation to legally overharvest paddlefish. However, the potential for illegal harvest may be enhanced through publicity on the value of the eggs or illegal transport of eggs.



United States Department of the Interior
FISH AND WILDLIFE SERVICE

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228

IN REPLY REFER TO:
FFA/
MAILSTOP 60142

JAN 26 1989

Honorable Bob Ream:
Montana House of Representatives
Chairman, House Fish and Game Committee
Montana Legislature
Capitol Station
Helena, Montana 59620

Dear Mr. Ream:

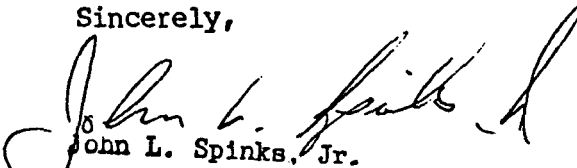
We have been advised a bill permitting the sale of paddlefish eggs is before the Montana Legislature. The U.S. Fish and Wildlife Service is alarmed that passage of such legislation may set a dangerous precedent and unwittingly contribute to the further decline of this fish.

State and Federal biologists currently are involved in a variety of projects designed to identify management action necessary to stop the further decline of paddlefish populations in the Upper Missouri River basin. There is every indication to support the need for further restricting the taking of paddlefish.

The legalization of sale of fish or fish products, particularly by individuals or non-governmental entities, will serve to create additional demand once the profitability of such a venture is recognized. We recognize the worthiness and well-intentioned funding objectives in mind with the subject proposed legislation. However, the biological cost to the paddlefish will far exceed the more short-termed benefits of such sales.

The paddlefish has been placed under extreme pressure over the past several years through various modifications and changes in its habitat. We are concerned and respectfully suggest that the matter at hand receive very careful and comprehensive review.

Sincerely,


John L. Spinks, Jr.
Deputy Regional Director

cc: Steve McMullin
Department of Montana Fish, Wildlife and Parks

NORTH DAKOTA GAME & FISH DEPARTMENT

100 North Bismarck Expressway
Bismarck, North Dakota 58501-5095
Phone: (701) 221-6300

"Variety in Hunting and Fishing"

January 27, 1989

Honorable Robert Ream
Chairman, Fish and Game Committee
Montana House of Representatives
State Capitol Building
Helena, MT 59620

Dear Congressman Ream:

We have recently been informed of the introduction of HB209, which would allow for the commercial sale of paddlefish eggs in Montana. Our understanding of the bill is that egg donations would be taken only from paddlefish harvested from the Yellowstone River, which are required to be tagged upon harvesting.

The idea of donated eggs assumably prevents any profit being realized by the angler thus no incentive.

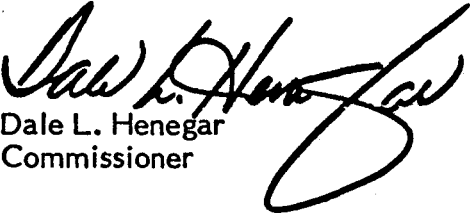
We are going on record as opposing this bill for a variety of reasons. The American Fisheries Society currently lists the paddlefish as a species of concern in Montana and North Dakota. More stringent regulations on the harvest and possession of paddlefish in North Dakota have been implemented in the past five years in an effort to revitalize the paddlefish population and provide greater recreation for those who prefer to fish for this species. In addition, we are seriously considering implementing a tagging system, such as Montana currently utilizes on the Yellowstone River, in an effort to more closely control the harvest of paddlefish. The paddlefish population in that portion of the Missouri and Yellowstone Rivers is common to both Montana and North Dakota.

Our concern does not arise from the donation of legally harvested fish and donated eggs. However, there has to be a market or common buyer for the processing of the eggs into caviar. Herein lies the potential for irreparable harm to the population. If the market for the caviar should be quite good, there is significant potential for illegal harvest of paddlefish for economic gain. A significant increase in the harvest could jeopardize a future paddlefish fishery for Montana and North Dakota.

Honorable Robert Ream
Page 2
January 27, 1989

I'm sure you can understand our concern and hope you seriously consider the ramifications. The paddlefish is a precious natural resource that is historically common to our states that likely will not withstand commercial exploitation.

Sincerely,



Dale L. Henegar
Commissioner

DLH/gmo

cc: Steve McMULLIN

TESTIMONY IN OPPOSITION TO HOUSE BILL 289

by George Holton representing

MONTANA CHAPTER OF THE AMERICAN FISHERIES SOCIETY

March 2, 1989

I am George Holton, speaking for the Montana Chapter of the American Fisheries Society. The American Fisheries Society is the oldest and largest professional society representing fisheries scientists. I was a fisheries biologist for 35 years, 30 of these with Montana Department of Fish, Wildlife and Parks as Chief Fisheries Biologist and Assistant Fish Division Administrator. I am now in private business, my wife and I have a gallery and gift shop here in Helena. We recently joined the Helena Chamber of Commerce. I say this so you will know I am not automatically against chamber of commerce projects.

In 1986 the North Central Division of the American Fisheries Society held a paddlefish symposium to address concerns about the well being of this species. The news wasn't all bad, paddlefish populations seem to be holding their own. Still, a summary said something to the effect:

Paddlefish habitat and in some cases populations have been greatly reduced over the past several decades by water resource development projects. The range of the species has diminished. Now, a new threat has arisen. Within the past few years the demand for paddlefish eggs for caviar has put a severe strain on various populations.

Here I will add that we, in Montana, have heard some "horror" stories about the taking of paddlefish for their eggs. For example, in Louisiana, where there is an abundant population, considerable numbers of paddlefish were netted, slit open for their eggs, and the carcasses abandoned. This prompted a three-year ^{study} on the status of paddlefish. Just-completed, the study recommends a limited harvest by commercial fishermen for the flesh, and a yearly six-month closure on commercial harvest to prevent the exploitation of spawners.

Now back to the summary of the paddlefish symposium, in addressing the question "Is the paddlefish a threatened resource?" it concluded, the answer isn't yes and the answer isn't no: rather, the answer is, not yet.

A few years ago when I was still with the Department of Fish, Wildlife and Parks I asked scientists knowledgeable on paddlefish

how many spawning areas still remain in the United States. The answer was six primary spawning areas, two of them being in Montana, one in the lower Yellowstone River and one in the Missouri River upstream from Fort Peck Reservoir.

This gives us a responsibility that extends beyond the boundaries of our state.

The Montana Chapter of the American Fisheries Society is opposed to the commercialization of paddlefish eggs, even the mild commercialization proposed by HB 289.

We have three main concerns:

First, we feel this will increase the harvest of paddlefish. We can even envision special paddlefishing days to obtain money from egg sales for community projects.

However, in our judgement the present annual take of 8 to 10 percent of the Yellowstone River paddlefish population is all it can stand. A very real problem is that our knowledge of paddlefish numbers, sizes and age composition is sketchy, and harvest regulations have not been fully evaluated as to their effectiveness. Commercial eggs sales should include much closer monitoring of the population, but this would be costly and, with the stress on economy in government, not likely to happen.

Second, how about paddlefish spawning runs in the Missouri River? Most of the spawning is in the 160 river miles from Fort Peck Reservoir upstream to the mouth of the Marias River with a concentration in the lower 45 miles. In addition, a large number of paddlefish from Lake Sakakawea (created by Garrison Dam) in North Dakota run up to Fort Peck Dam. It is 170 river miles from the North Dakota border to the dam. For most of this distance the north bank of the river is in the Fort Peck Indian Reservation where the state has no jurisdiction over fish and wildlife.

Our question is, how can paddlefish egg sales be limited to eggs from the Yellowstone River alone?

This brings up our third concern, that a black market will develop. At present, possession of 50 pounds of paddlefish eggs would be suspicious. With this bill, wardens would have to assume there was a valid purpose.

The river distances are long--55 miles from the mouth of the Yellowstone to Intake, plus the couple hundred miles of the Missouri already mentioned--and almost all of the river miles are in remote areas. State fines are simply not enough to deter violators who could collect several thousand dollars worth of eggs in a single night. In effect this bill could establish a pipeline for the sale of illegal as well as legal eggs.

No amount of enforcement effort would stem illegal paddlefish

harvests. It would be analogous to efforts to curb the drug trade. As someone asked my daughter when she was a public defender in Maryland: "Why work at McDonald's Restaurant for \$3.35 an hour when you can sell drugs on a street corner for \$1,000.00 a week?"

The Montana Chapter of the American Fisheries Society opposes House Bill 289. The unique and rare paddlefish is too valuable a resource to jeopardize by commercialization of its eggs.

Amendments to House Bill No.289
Third Reading Copy

Requested by Janet Ellis
For the Committee on Fish and Game

Prepared by Dave Cogley
March 2, 1989

SENATE FISH AND GAME

EXHIBIT NO. 6

DATE March 2, 1989

BILL NO. HB 289

1. Page 1, line 19.

Strike: "At a minimum, it"

Insert: "It"

2. Page 1.

Following: line 23

Insert: "(2) regulation of commercial buyers and establishment
of a permit requirement for buyers if the department
determines such a requirement is necessary to properly
administer the program;"

Renumber: subsequent subsections

3. Page 2.

Following: line 6

Insert: "The department may not dictate marketing strategies for
the caviar, including but not limited to the time of year it
is sold or the containers in which it is sold."

4. Page 4, line 7.

Following: "CAVIAR"

Insert: "under this section"

5. Page 5, line 6.

Strike: "ESTABLISHED CONSISTING"

Insert: "appointed by the commission and shall consist"

Tri-County Sanitarian

Dawson - Prairie - Wibaux

207 W. Bell

Glendive, Montana 59330

Phone: 365-5772

HB 289
3/2/89



2/27/89

Senator Elmer Severson, Chairman
Fish and Game Committee
Capitol Station
Helena, MT 59620

Dear Fish And Game Committee:

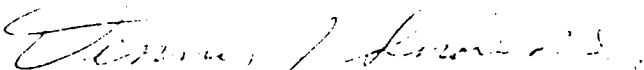
As you already know the Glendive Chamber of Commerce has introduced HB 289 for the extraction and ultimate sale of paddlefish roe. For many years now the Glendive landfill has been impacted during the paddlefish session with tons of entrails from the fish.

The landfill operator only covers the landfill each evening. During the paddlefish season temperatures often reach into the 90's and sometimes higher. As you can imagine this causes an immense fly problem. ARM 16.14.520 (5) states that "flies and other insects, as well a rodents, shall be effectively controlled".

If the roe could be legally removed and the remainder used for fox or mink food (there are such farms in the immediate area) the impact on the landfill would greatly be reduced during the 60 day paddlefish run.

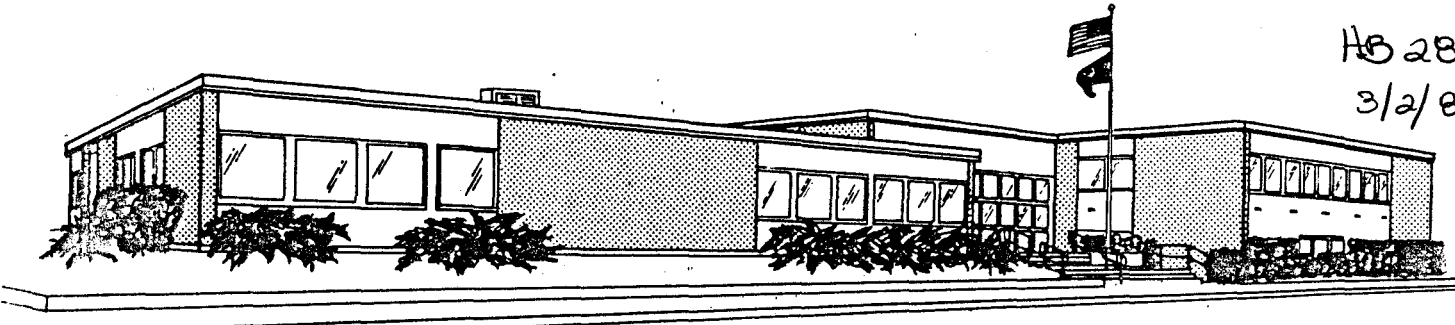
This office and the Glendive Public Works Director wholly endorse and encourage your committee to support HB 289.

Yours for a better environment.


Dennis J. Snow R.S.
District Sanitarian

CC: Wilber Wallace, Glendive Public Works Director,
City Hall, Glendive Mt. 59330
Glendive Chamber of Commerce, Box 930, Glendive, Mt.
Dawson County Commissioners, 207 West Bell, Glendive, Mt.

HB 289
3/2/89



County of Dawson

Office of:
County Commissioners
Phone 365-3562
Robert Ziegler
W.M. Harpster
Judy Reddig

207 W. Bell
Glendive, MT 59330

Office of:
Clerk and Recorder
Phone 365-3058
Patricia Peterson

Office of:
County Treasurer
Phone 365-3026
Cindi Hansen

February 20, 1989

Senator Elmer Sverson; Chairman
Fish and Game Committee

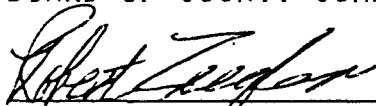
Re: HB 289, The Paddlefish Roe Bill

The Dawson County Commissioners want to go on record as supporting this bill and ask your committee to give it your favorable consideration.

We are dealing here with a resource that is presently coming from legally tagged fish caught at the only place where licensing is required in Montana. The roe is now being thrown away and hauled to the local landfill. With proper processing this is a valuable by-product and could be a substantial source of income for the fish and game and our local Chamber of Commerce. Profits from the sale of the roe will all go to non-profit organizations and will stay in the community and state.

Sincerely,

BOARD OF COUNTY COMMISSIONERS


ROBERT ZIEGLER, CHAIRMAN


W.M. HARPSTER, MEMBER


JUDY REDDIG, MEMBER

Glendive, Montana
59330



HB 289
3/2/89

Phone (406) 365-3318
300 South Merrill

February 20, 1989

Senator Elmer Severson; Chairman
Fish and Game Committee
Capitol Station
Helena, MT 59620

Attention: Chairman Severson and Committee Members

Dear Gentleman:

I am writing on behalf of the Glendive City Council and myself regarding HB 289. Please give this bill favorable consideration because we feel it will be of great benefit to our community.

This Paddlefish project will be a boost to our economy. Because of the drop in oil prices, our economy has been very poor and we need other small businesses to replace this loss.

Thank you for your time and consideration given to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lester Ollerman".

Lester Ollerman
Mayor

LO:re

HB 289
3/2/89

Please be advised that the Glendive Chapter of Walleyes Unlimited is in support of House Bill concerning Paddlefish Caviar. We feel the monies generated by the sale of Paddlefish Caviar will greatly enhance the Paddlefisheries by supplying much needed funds for the study and supervision of the fisheries.

We also support the Glendive Chamber of Commerce in their efforts in attempting to obtain money for projects on the lower Yellowstone River and Eastern Montana Communities.

South East Region Director

GERALD FRANK

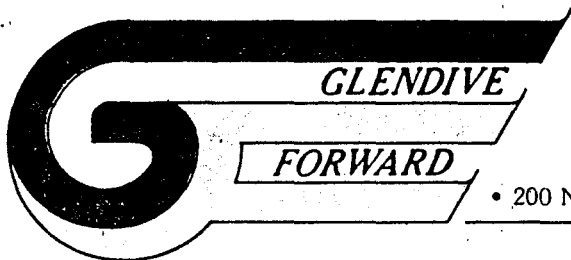
Glendive Chapter President

BURKE WALKER

Lifetime Member

JIM JESSEN

HB 289
3/2/89



• An Economic Development Corporation •

• 200 N. Merrill Ave. • P.O. Box 930 • Glendive, Montana 59330 • (406) 365-8612

February 27, 1989

Senator Elmer Severson; Chairman
Fish and Game Committee
Capitol Station
Helena, MT 59620

Dear Fish and Game Members:

Glendive Forward, as the local development organization, is vitally concerned about the current economic conditions in Eastern Montana. We fully support the efforts of the Glendive Area Chamber of Commerce and Agriculture regarding the Paddlefish Roe project, and ask that you lend your support in endorsing HB 289.

The Paddlefish Roe project, is an example, that through the partnership of Glendive Forward, the city of Glendive, and the Glendive Area Chamber of Commerce and Agriculture, positive steps are being taken for the re-vitalization of the Glendive community.

In this time of economic downturn, drought, decreased oil and gas activity, this community is determined to move forward in a positive way, rather than be discouraged by current events. This resourcefulness and determination reflect the quality of people in Eastern Montana. We take pride in our ability to retrench and move forward in times of adversity.

The broad spectrum of support that the Glendive Area Chamber of Commerce and Agriculture has received from the entire community exemplifies the statement that "WORKING TOGETHER DOES MAKE A DIFFERENCE."

Once again, we urge your endorsement of HB 289.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Sparr".

Kathy Sparr
Executive Director

KS/re





HB 289
3/2/89

February 6, 1989

To Whom It May Concern:

My Company, Bear Creek Fisheries, has been in the caviar business for four years in the State of Montana. We are based in Libby, MT. We were contacted by the Glendive Area Chamber of Commerce and Agriculture in regards to the possibility of processing and selling Paddle Fish roe.

At this time, we have made arrangements for the sale of all roe available. We have not reached any price, for the roe, as we have to see the quality and quantity of the roe, as this decides what its value will be.

We will come to the Glendive area and help set up the processing and shipping of this product. I have been in close contact with the Chamber and feel they can do a good job of processing and shipping a high quality product.

We the people of Montana, need to do more of this type of business, as this roe can be quite profitable and as it is now thrown away and not used. What a shame. So we here at Bear Creek Fisheries, will do all in our power to help the Glendive Area Chamber of Commerce and Agriculture get this project going.

Thank you.

Owner, Bear Creek Fisheries
Gary D. Smith



6 February 1989

Mr. Gary Smith
358 Bear Creek Road
Libby, MT 59923

Re: Letter of Intent to
Process Sturgeon Caviar in Montana

Dear Gary:

Ms. Dafne Engstrom, Vice President for Product Development of California Sunshine, asked me to write to you declaring our intention to work with you in developing Paddlefish caviar processing in Montana. Dafne is now in Europe with several major caviar houses.

California Sunshine - World's Leader in Caviar Innovation

First, given what we know today, California Sunshine Fine Foods, Inc. is eager to pursue new sources of Caviar. Since we first popularized the American Golden Caviar from whitefish, we have processed a Columbia River Sturgeon Caviar, and now have an on-going joint venture with the People's Republic of China. We are considered by many to be the leading source of caviar innovation in the world.

Upcoming Caviar Shortage

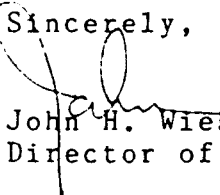
Second, there is great concern that the Soviet Union's industrial pollution will jeopardize the Caspian Sea catch. This is very likely to create a world caviar shortage.

Enhanced Reputation for Sophisticated Food

Third, the addition of as much as 10 tons of Paddlefish caviar from Montana is likely to enhance the reputation of the state of Montana as a sophisticated food producer.

Gary, please let me know how and when we can get started. Since I understand that there are still some Statutes barring development of this industry, I strongly urge you to persist in your efforts for Legislative Reform.

Sincerely,


John H. Wiest
Director of Marketing

HB 289
3/2/89

opinion

Miles City Okla

1-31-89

Guest Editorial

Roe vs. waders

From the other end of the Yellowstone comes a little ingenuity that is running right up against some of the strongest rules of the Montana Fish and Game Commission.

The river near Sidney and Glendive is one of the few places you can find the Paddlefish. It's a distant cousin of the sturgeon, and has some characteristics of some other pre-historic fishes.

Montana allows sportfishing for paddlefish, in the Yellowstone and Missouri rivers, with a limit of two per fisherman. As with any game taken by sportsmen in Montana, the anglers are expected to use what they keep, except for the innards.

But some of the innards, in this case, have a value all their own. The paddlefish roe is reportedly something of a delicacy, and a treat to those who fancy caviar.

There could be a market for the roe, in fact, but the Fish and Game folks don't want to allow commercial fishing for the paddlefish, because it's a somewhat rare and perhaps limited species. Fine.

But the Chamber of Commerce in Glendive would like to allow the anglers to

donate any paddlefish roe they don't want to a non-profit organization, and further allow the organization to market the roe. The Chamber says roe with a value of over \$100,000 a year ends up in the Glendive landfill, and there ought to be a better use for the resource.

The Fish and Game, of course, is concerned about exploitation and black-marketeering of the roe and poaching and other enforcement problems. Those are points which are well taken, but it still seems as though there ought to be a way.

One suggestion might be that the organization would have to split the income from the roe sales with the Fish and Game agency, to provide the agency with more money for enforcement efforts.

We can all appreciate the problems created by allowing commercial use of the state's game resources. But the waste of those resources is just as regrettable, and there ought to be a way to work out a philosophical and practical compromise. — Livingston Enterprise.

HB 289
3/2/89

RANGER REVIEW
Glendive, MT
Nov. 13, 1988

Chamber readies local caviar proposal

By GINNY ARCHDALE
Ranger-Review Staff Writer

With less than two months to go before the beginning of the 1989 Montana legislative session, the Glendive Area Chamber of Commerce and Agriculture is kicking into higher gear its efforts to develop a local caviar business.

The idea was first discussed by the chamber last April.

Mike Carlson, chamber president, Thursday reviewed with other chamber board members a draft written proposal for using paddlefish roe to make caviar.

He said he will be taking the proposal to a meeting with the chairman of the Montana Fish and Game Commission later this month.

One section of the proposal notes that state laws which currently prohibit the use of any game animal for commercial interests may have to be changed.

The proposal suggests that a bill be drafted to that effect, and that the bill

also define where the income from the caviar would be spent.

The chamber proposes half the net profits of the operation go to the chamber, with half going to the state Department of Fish, Wildlife and Parks.

The chamber would use its share for projects such as a year-round staffed Gate City Visitor Center near Interstate 94 to provide information to tourists, sportsmen and snowmobilers. It also suggests fisheries or biology scholarships to Dawson Community College and other community projects such as swimming pool improvements, library, fairground improvements and a community center.

The proposal suggests FWP use its share of the caviar profits for Eastern Montana projects such as replacing the existing bridge into the Inlake fishing area, paving the road into Inlake, improving campgrounds on both sides of the river at Inlake,

building more access sites to the Yellowstone River for fishermen, repairing and maintaining off-stream dams in Eastern Montana, constructing new dams, paving the Makoshka State Park road and improving campsites in Makoshka.

The amount of money available would depend on the contract price for caviar and the extent of the paddlefish run in a given year.

The chamber estimates 15,000 to 20,000 pounds of roe would be available each year.

The written proposal doesn't list a price for caviar, but in April Chamber Director Kathy Nedens noted it sells for between \$30 and \$50 an ounce.

The chamber's proposal calls for the chamber to hire people who would be at Inlake around the clock during paddlefish season to clean the paddlefish, extract the eggs and keep them refrigerated.

The roe would be transported to Glendive where it would be washed,

salted and canned before being sold to a retailer. Or another option would be to do minimal initial processing in Glendive and then send it in drums to a retailer who would properly age, can and market it.

The proposal states the chamber would need to find capital and expertise to develop the processing facility.

Carlson noted Montana Gov. Ted Schwinden has been opposed to the proposal in the past.

In a letter to businessmen Joe Crisafulli Sr., in 1985, Schwinden cited fears that a commercial operation would adversely affect the paddlefish population and create enforcement problems.

Crisafulli had done some research into the possibility of making paddlefish caviar.

The chamber's proposal addresses concerns about controlling violations, saying that due to the two fish limit and tougher enforcement at Inlake, violations shouldn't be a problem.

The proposal states no money would be paid to fishermen for the roe, which would be voluntarily donated to the chamber. The roe would be accepted from tagged fish only.

Carlson also noted the governorship is changing hands, which could mean changes on the Fish and Game Commission as well. While that makes starting a push for approval of the project difficult, he said it has to be done now because of the need to change laws in the upcoming legislative session.

He noted local members of Walleyes Unlimited have been consulted about the proposal and they have indicated their approval especially if the profits can be used to make fishing better in the area. "I see no difference between using the paddlefish eggs and selling deer hides," Carlson said.

3/2/89

Soviets to ban caviar exports

*Blind
Stamp
12-2-87*

MOSCOW (AP) — The Soviet Union soon will ban the export of consumer goods ranging from caviar to children's shoes and will limit travelers to \$60 worth of souvenirs, the official news agency Tass said Sunday.

The radical changes in export and customs regulations evidently are aimed at remedying an extreme shortage of consumer goods in the Soviet Union and assuaging citizens angry over the scarcity of such basic items as soap and windshield wipers.

Tass said the restrictions approved by the Council of Ministers will take effect Feb. 1 and last until the end of 1990. It did not give a date for the decision.

The brief announcement limiting exports of consumer goods to 100 rubles, or \$60, per person specifically included tourists. But it did not explain the effect of the ruling on the Soviet Union's attempts to earn scarce hard currency by selling the best caviar, fur hats and coats, vodka and souvenirs in stores that require dollars, pounds or other freely convertible money.

Tass said it will be forbidden to export televisions, refrigerators, freezers, washing and sewing machines, children's clothing and shoes, coffee and caviar.

Coffee is not grown in the Soviet Union, and the import duty is up to \$15 a pound.

The announcement also said customs duties will climb to 20 to 100 percent of the retail price on vacuum cleaners, mixers, coffee-grinders, irons and other items.

#B 289
3/2/89

The Billings Gazette
Saturday, Jan. 21, 1989

Bill backs Glendive caviar idea

By MARK HENCKEL
Gazette Outdoor Editor

Glendive would become the caviar capital of Montana under legislation proposed to allow the processing and sale of paddlefish eggs in the Eastern Montana city.

The legislation, House Bill 289 introduced by Rep. John Johnson, D-Glendive, would set up a non-profit corporation that would collect eggs donated by fishermen who snag paddlefish making their spring

spawning run up the Yellowstone River to Intake Diversion Dam.

Money generated by the eggs would then be used to fund outdoor recreational activities in Eastern Montana and act as seed money for community development projects in the Glendive area.

The bill was the brainchild of the Glendive Chamber of Commerce and proposes to make use of something that's presently being hauled away as garbage. At present it is illegal to sell the eggs, or any wild game.

"Right now, there are fish cleaned right there and the eggs are being thrown away," said Mike Carlson, chamber president. "Over the past 10 years, there has probably been a million dollars worth thrown away."

"We envision hiring somebody to clean the fish for free for fishermen who would donate the eggs to us. Those eggs have to be treated quite carefully."

(More on Caviar, Page 16A)

Caviar

From Page One

"We then could start a small facility to take care of the eggs which would be washed and salted. And we're thinking of setting up a small canning facility."

"It would be a Made-In-Montana produce. We'd call it Montana Caviar, I suppose."

Carlson said that Kathy Nedens, executive director of the chamber, explored the sales possibilities of the caviar and found there would be no problem in selling it.

"Paddlefish are just a shade under sturgeon for the quality of the caviar," Carlson said. "We contacted a food broker in California and she said she didn't even need a test. She knew what the quality was and could handle any amount we could get her."

The plan to market paddlefish eggs isn't new. It came up before about 10 years ago. At the time, however, the Montana Department of Fish and

Game opposed the plan, saying it could lead to widespread poaching and over-harvest of the fish.

Because paddlefish are such a long-lived species, over-harvest could hurt the Intake paddlefish population for decades.

Regulations at the time, however, were more wide open for paddlefish. Now, fishermen are limited to two a year and are issued tags which must be attached to paddlefish taken at Intake.

Carlson said that he met with Fish, Wildlife and Parks representatives last week in Miles City and they indicated the plan would likely be opposed again. The reasons were poaching, once again, and the possibility that violators might forge the plastic paddlefish tags and get around the law that way.

Although the annual paddlefish spawning run at Intake is relatively short, running just a couple of months each year, there's still a chance to make big profits on the eggs.

Nedens said her research found that about 1,777 female paddlefish are caught there each season and each one contains seven to 10 pounds of eggs.

"The eggs would sell for \$30 to \$40 per pound. If everyone donated their eggs, it would generate about 14,000 pounds of eggs that would be sold for

approximately \$400,000," Nedens said. "Even if you cut that in half, \$200,000 is a lot to work with."

The Glendive chamber would set up the non-profit corporation and a separate committee made up of representatives of outdoor organizations to decide where the money would be spent.

"Our proposal is for 50 percent of the money to go to enhance outdoor recreational activities in Eastern Montana like improving fishing access, habitat, campgrounds and fisheries," Carlson said. "The other half would go to the Glendive chamber which would solicit proposals for community development in the Glendive area. Our first priority would be a Montana entrance visitor center on I-94 for people coming into Montana."

Johnson said he has found support from other legislators since introducing the bill in the state house.

"It's a wasted natural resource. In a good year, there's a tremendous amount of eggs that get thrown away," Johnson said. "We have found a buyer for it. Why not use it for development in eastern Montana."

The bill will come up for hearing before the House Fish and Game Committee next Wednesday.

RANGER REVIEW
Glendive, MT
January 22, 1989

DCC, paddlefish hearings scheduled

By Ranger-Review Staff

Two matters of direct concern to Glendive — Dawson Community College's budget and a proposal to turn paddlefish roe into profitable caviar — will be before the Montana Legislature this week.

DCC President Don Kettner presented his budget request Thursday morning to the education subcommittee of the legislature's appropriation committee.

He said Friday he felt "fairly good" about the presentation until getting a call late Friday to meet with the subcommittee again Monday.

"I don't know what's happening," he said.

The Fish and Game Committee of the Montana House will hold a hearing at 3 p.m. Tuesday on a bill which would allow Intake fishermen to donate the roe of their paddlefish to a nonprofit corporation for use in caviar production.

Rep. Betty Lou Kasten, R-Brockway, whose District 28 encompasses West Glendive, sits on the Fish and Game Committee.

House Bill 289 is being promoted by the Glendive Area Chamber of Commerce and Agriculture.

The chamber hopes to be designated as the nonprofit corporation involved in caviar production from Intake paddlefish.

The bill specifies that only the roe of tagged paddlefish taken during regular paddlefish season at Intake may be donated for caviar.

The Department of Fish, Wildlife and Parks is given the responsibility of supervising the collection of the roe.

It also states that after deducting

the cost of collecting paddlefish roe, the nonprofit corporation will use any profits to enhance and develop fishing access, habitat, campgrounds and fisheries in the area of the Intake fishing access site and to provide information on tourism and recreation in the area.

Glendive residents also will be watching later in the week as the Montana Fish and Game Commission meets Wednesday and Thursday to make a final decision on whether to begin charging entrance fees to state parks, including Makoshika State Park.

The fee proposal drew some support, but a great deal of criticism, at a public meeting in Glendive Jan. 11.

Kasten, during a telephone call-in session with local residents at the Dawson County Courthouse on Wednesday, said attempts are being made to "jar money loose" from the FWP's license revenues for state parks.

Her comment came in response to a question from Intake-area farmer Mary Sobotka who asked whether it would be possible to transfer some of the hunting and fishing license revenues to the general fund since the licenses are for game animals which are considered public property.

The call-in session was the first in what will be weekly conference calls with local residents while the legislature is in Helena.

The phone call comes into the Dawson County Courthouse community room and goes through a speaker so that everyone in the room can hear. Those wishing to ask questions of legislators use a microphone.

HB 342
March 2, 1989

Testimony presented by Ron Marcoux, Department of Fish, Wildlife and Parks

The department supports HB 342 prohibiting the use of rimfire ammunition for hunting big game. It should be noted that most states have some form of firearms or caliber restrictions for big game hunting.

We also support the provisions to continue allowing the hunting of mountain lions and dispatching downed big game with rimfire ammunition.

We believe this legislation will assist in reducing unnecessary wounding of our big game species.

SENATE FISH AND GAME

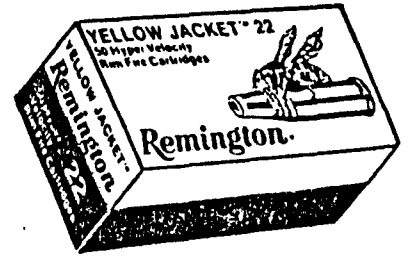
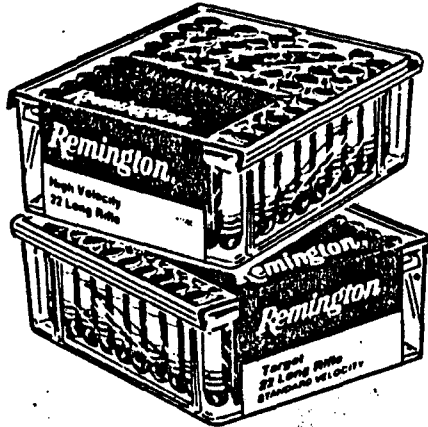
EXHIBIT NO. 7

DATE March 2, 1989

BILL NO. HB 342

REMINGTON RIM-FIRE AMMUNITION

with "KLEANBORE" PRIMING



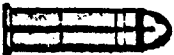
"HIGH VELOCITY" CARTRIDGES with "Golden" Bullets



22 Short

No.	Bullet weight and style	Wt. case, lbs.	Per box
1022	29 gr., Lead	29	\$1.70
1122	27 gr., Lead, Hollow Point	28	1.80

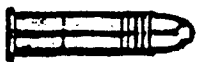
50 in a box, 5,000 in a case.



22 Long

No.	Bullet weight and style	Wt. case, lbs.	Per box
1322	29 gr., Lead	31	\$1.80

50 in a box, 5,000 in a case.



22 Long Rifle

No.	Bullet weight and style	Wt. case, lbs.	Per box
1522	40 gr., Lead	40	\$1.91
1622	36 gr., Lead, Hollow Point	38	2.09

50 in a box, 5,000 in a case.

100 Pack

1500	40 gr., Lead	40	\$3.82
1600	36 gr., Lead, Hollow Point	38	4.18

100 in a box, 5,000 in a case.



22 W.R.F.
(Remington Special)

No.	Bullet weight and style	Wt. case, lbs.	Per box
1822	45 gr., Lead	48	\$5.64

50 in a box, 5,000 in a case.

★ New

"TARGET" STANDARD VELOCITY CARTRIDGES



22 Short

No.	Bullet weight and style	Wt. case, lbs.	Per box
5522	29 gr., Lead	29	\$1.70

50 in a box, 5,000 in a case.



22 Short Gallery

No.	Bullet weight and style	Wt. case, lbs.	Per box
5722*	29 gr., Lead	57	\$8.12
6722*	15 gr., Special Composition	37	8.12

250 in a box, 10,000 in a case.

* New Improved—not for Revolvers.



22 Long Rifle

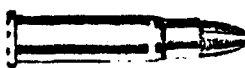
No.	Bullet weight and style	Wt. case, lbs.	Per box
6122	40 gr., Lead	40	\$1.91

50 in a box, 5,000 in a case.

22 Long Rifle, Target 100 pack.

No.	Bullet weight and style	Wt. case, lbs.	Per box
6100	40 gr., Lead	40	\$3.82

100 in a box, 5,000 in a case.

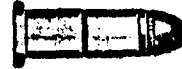


5mm
Remington
Magnum

No.	Bullet weight and style	Wt. case, lbs.	Per box
1050	38 gr., "Power Lokt" H.P.	21	\$9.66

50 in a box, 2,000 in a case.

Prices Subject to Change Without Notice.

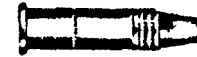


22 Win. Automatic

No.	Bullet weight and style	Wt. case, lbs.	Per box
7522	45 gr., Lead	52	\$6.19

50 in a box, 5,000 in a case.

"YELLOW JACKET" CARTRIDGES Hyper-Velocity



22 Long Rifle

No.	Bullet weight and style	Wt. case, lbs.	Per box
★1722	33 gr. Truncated Cone, Hollow Point	36	\$2.37

50 in a box, 5,000 in a case.

MATCH CARTRIDGES



Rifle Match
22 Long Rifle
100 pack.

No.	Bullet weight and style	Wt. case, lbs.	Per box
6600	40 gr., Lead	39	\$6.47

100 in a box, 5,000 in a case.

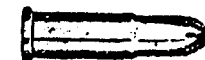


Pistol Match
22 Long Rifle

No.	Bullet weight and style	Wt. case, lbs.	Per box
6800	40 gr., Lead	39	\$6.47

100 in a box, 5,000 in a case.

SHOT



22 Long Rifle
Hi-Speed

No.	Wt. case, lbs.	Per box
9322	33	\$3.92

50 in a box, 5,000 in a case.

BLANK



22 Short

No.	Wt. case, lbs.	Per box
9022	7	\$11.14

250 in a box, 5,000 in a case.

Additional Information on Rimfire Cartridges

Arnie Erhardt, gunsmith at Capitol Sports in Helena, supplied the following information:

Navy Arms Co. imports a .41 calibre rimfire cartridge from Europe. This is used for a twin-barrel derringer pistol.

Dominion Cartridge Co. of Canada manufactured 32 calibre rimfire cartridges until the mid-1970's. These are no longer available commercially and could only be found at gun shows, etc.

32 cal. rimfire were made for calibre Remington rolling block
32 cal. rimfire were made for calibre Marlin lever action
32 cal. rimfire were made for calibre Stevens single shot.

There are approximately 12 different .22 calibre rimfire cartridges available.

SENATE STANDING COMMITTEE REPORT

March 3, 1989

MR. PRESIDENT,

We, your committee on Fish and Game, having had under consideration HB 290 (third reading copy -- blue), respectfully report that HB 290 be concurred in.

Sponsor: Giacometto (Jacobson)

1. Title, line 5,
Following: "IF"
Insert: "THEY ARE WITHIN"
2. Title, line 6.
Strike: "IS MAINTAINED"
3. Page 4, lines 3 and 4.
Following: "vicinity" on line 3
Insert: "and within visual contact"
Following: "rod" on line 3
Strike: remainder of line 3 through "rod" on line 4

SENATE FISH AND GAME


EXHIBIT NO. 8

DATE March 2, 1989.

BILL NO. HB 290

AND AS AMENDED BE CONCURRED IN

Signed,


Elmer D. Severson, Chairman

*proposed
PM- 3/2*

Amendments to HB Bill No. 290
3rd Reading Copy

Requested by Sen. Jacobson
For the Senate Fish and Game Committee

Prepared by Andrea Merrill
March 2, 1989

1. Title, line 5.

Following: "IF"

Insert: "THEY ARE WITHIN"

2. Title, line 6.

Strike: "IS MAINTAINED"

3. Page 4, lines 3 and 4.

Following: "vicinity"

Insert: "and within visual contact"

Following: "rod"

Strike: remainder of line 3 through "rod" on line 4

SENATE FISH AND GAME

EXHIBIT NO. 8

DATE March 2, 1989

BILL NO. HB 290

