

MINUTES

MONTANA SENATE 54th LEGISLATURE -- REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By **CHAIRMAN KEN MESAROS**, on February 16, 1995, at 12:30 P.M.

ROLL CALL

Members Present:

Sen. Kenneth "Ken" Mesaros, Chairman (R)
Sen. Al Bishop, Vice Chairman (R)
Sen. Bruce D. Crippen (R)
Sen. William S. Crismore (R)
Sen. John R. Hertel (R)
Sen. Ken Miller (R)
Sen. Mike Sprague (R)
Sen. Gary Forrester (D)
Sen. Judy H. Jacobson (D)
Sen. Terry Klampe (D)
Sen. Bob Pipinich (D)

Members Excused: None

Members Absent: None

Staff Present: Andrea Merrill, Legislative Council
Serena Andrew, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 352, SB 312
Executive Action: SB 303, SB 267, SB 367, SB 352 & SB 312

EXECUTIVE ACTION ON SB 303

Motion:

SENATOR BOB PIPINICH, SD #29, MISSOULA, MOVED AMENDMENT NO. 1 TO SB 303.

ANDREA MERRILL, LEGISLATIVE COUNCIL STAFF, stated that there were two amendments from the sponsor, one from the Department of Fish, Wildlife & Parks (DFWP), and one from **SENATOR MESAROS, SD #25, CASCADE.**

Discussion:

SENATOR BOB PIPINICH, SD #29, MISSOULA, told the committee amendment No. 1 made provisions for jet skis. When jet skis leave a dock or shore they can't get out of the water with no-wake speed.

SENATOR MIKE SPRAGUE, SD #6, BILLINGS, stated that one of his constituents had expressed concern about no-wake speed, and asked if it treated all watercraft the same.

SENATOR PIPINICH responded that the Coast Guard requires watercraft leaving shore to remain at minimum speed unless water skiing.

CHAIRMAN MESAROS said his amendment would require the same amount of distance between all watercraft (100 feet).

THE COMMITTEE VOTED TO ADOPT AMENDMENT NO.1.

SENATOR PIPINICH MOVED AMENDMENT NO. 2 and said it added some language to existing law for clarification purposes. MS. MERRILL said the language was added to clarify that persons between 13 and 14 can operate a personal watercraft by themselves if they have taken an approved water safety course. This amendment was suggested by law enforcement personnel.

SENATOR KEN MILLER, SD #11, LAUREL, asked where 15, 16 and 17 year olds fit in. MS. MERRILL responded that they can operate watercraft by themselves without an adult because it isn't prohibited.

AMENDMENT NO. 2 PASSED.

CHAIRMAN MESAROS said his amendment provided the same distance and requirements for all watercraft by striking the 150-ft restriction on personal watercraft and inserting 100 ft. He thought two different sets of regulations would create enforcement problems.

CHAIRMAN MESAROS MOVED AMENDMENT NO. 3.

SENATOR BRUCE CRIPPEN, SD 10, BILLINGS, asked why SENATOR PIPINICH had required 150 ft in the original bill. SENATOR PIPINICH replied that people had said the small personal watercraft are so fast and maneuverable that they would like to keep them 150 feet from swimmers, fishermen and docks.

MS. MERRILL said existing law states it is illegal to operate a boat within 20 feet of a buoyed swimming area, 50 feet of a fisherman and 100 feet from divers.

CHAIRMAN MESAROS said his intent was to standardize the distance between vessels for enforcement purposes, and for people who operate different crafts.

SENATOR PIPINICH said he didn't want to cut it down from 150 feet, because the purpose of the bill was public safety, but he would accept 100 ft.

AMENDMENT NO. 3 PASSED.

SENATOR PIPINICH said amendment No. 4 was from DFWP and removed language about watercraft being operated near a diver.

SENATOR SPRAGUE MOVED AMENDMENT NO. 4. THE MOTION CARRIED.

Motion/Vote:

SENATOR PIPINICH MOVED 303 DO PASS AS AMENDED. THE MOTION CARRIED.

EXECUTIVE ACTION ON SB 267

Motion:

SENATOR GARY FORRESTER, SD #8, BILLINGS, MOVED THE AMENDMENTS TO SB 267.

Discussion:

SENATOR JUDY JACOBSON, SD #18, BUTTE, commented that the fiscal note was incorrect. **SENATOR FORRESTER** said the Department of State Lands (DSL) had said they would prepare another. With the amendments, the entire boundary would not have to be posted and the inspection would go to a regular 10-year rotation cycle.

CHAIRMAN MESAROS commented that designated access points such as county roads and customary turn offs were one thing, but there is no way to know where you are after you leave the access point if land isn't fenced.

SENATOR JOHN HERTEL, SD #47, MOORE, said he thought "customary" meant you had to go through a particular fence or gate before it would be marked. He didn't think anyone would mark a place where there wasn't a direct line of access.

MS. MERRILL said **SENATOR FORRESTER** mentioned another amendment he wanted to make on line 16 where 5 years would be changed to 10 years.

CHAIRMAN MESAROS asked if **MS. MERRILL** would prefer to prepare another amendment. **SENATOR FORRESTER** said he could put in the 10 years when the bill went to the floor to be sure it moved out of committee before transmittal. **MS. MERRILL** said **SENATOR FORRESTER**

had told her about the 10 years, it should have been in the bill, but she had forgotten.

CHAIRMAN MESAROS stated that, without objection, the committee would include the change from 5 years to 10 years on line 16. **SENATOR HERTEL** said he thought 10 years was excessive - 5 years was plenty.

SENATOR FORRESTER stated that existing law requires DSL enter state lands once every 10 years and he had made the change from 5 years to hold the fiscal note down. Many state agricultural lands are entered every two years.

SENATOR BISHOP commented that this was a really good bill and had been needed for a long time. He suggested passing it as written to see what would happen in two years - only small signs on posts were required. The public is paying for lands and doesn't know where they are.

THE MOTION TO PASS THE AMENDMENTS TO SB 267 PASSED WITH ALL VOTING AYE EXCEPT CHAIRMAN MESAROS WHO VOTED NO.

Motion/Vote:

SENATOR FORRESTER MOVED SB 267 DO PASS AS AMENDED. ALL VOTED AYE EXCEPT SENATORS CRIPPEN, SPRAGUE AND MESAROS WHO VOTED NO. THE MOTION PASSED.

HEARING ON SB 352

Opening Statement by Sponsor:

SENATOR LORENTS GROSFIELD, SD #13, BIG TIMBER, told the committee his bill had to do with diseased buffalo coming into Montana from Yellowstone National Park. When the animals leave the park in search of forage they go through his district, putting farmers and ranchers in a difficult situation. If landowners are unable to secure assistance from DFWP or the park service, and shoot the bison, they are subject to heavy penalties. If they do not shoot, they run the risk of brucellosis being passed to their herds.

If a landowner were feeding elk and attracting bison, **SENATOR GROSFIELD** said this bill would not provide protection.

On page 2, the bill says DFWP needs to work cooperatively and aggressively with the Department of Livestock (DOL). Ranchers want no contact at all between bison and livestock. If Montana should lose its brucellosis-free status it would be a devastating blow to the cattle industry.

SB 352 requires court action be taken if it appears the National Park Service (NPS) is not taking action in a timely manner.

Presently about 4300 bison are within the park; the park's estimated carrying capacity is between 800 and 1400.

Proponents' Testimony:

GEORGE HAMMOND, President, Montana Stockgrowers Association, strongly supported the bill because landowners and cattle producers must be able to protect their property (**EXHIBIT NO. 1**).

LORNA FRANK, Montana Farm Bureau, also supported the bill, but was somewhat concerned that it might alleviate the responsibilities of the park service.

GEORGE PAUL, Executive Director of the Montana Farmers Union, expressed support for the bill.

FRANK RIGLER, Gardiner, said the bill was a band aid approach to the problem, but strongly supported the bill because brucellosis is a health issue.

DAVID RIGLER said his ranch has Yellowstone National Park and DFWP for neighbors. It is like living between a double-edged sword. DFWP is trying to do away with game farms because of the risk of diseased game escaping and spreading disease. Elk are depleting grasslands. Brucellosis is a serious matter; undulant fever used to be a common disease. Blood testing went on for years as it was necessary to test every time livestock changed ownership. It took about eight years to achieve brucellosis-free status.

He would like to see DFWP become a responsible neighbor by taking care of diseased and overpopulated animals. He believed in keeping animals healthy and supported the bill.

Opponents' Testimony:

STAN FRASIER, Helena, stated that he questioned "suspected of carrying disease and trespassing" on someone's land. He asked if landowners would be allowed to shoot elk for trespassing.

PAT GRAHAM, Director, Department of Fish, Wildlife & Parks, said the department would like to present some amendments to clarify the bill (**EXHIBIT #2**).

Questions From Committee Members and Responses:

SENATOR BISHOP said he wanted to be sure upland game birds, turkeys, etc. weren't included on line 29, page 1. **Mr. Graham** said the term "game animals" is defined by statute.

SENATOR BISHOP asked if "taking" meant shooting or putting in a pen, and did it mean the species in question could be killed. **Mr. Graham** said he suspected that was the intent.

SENATOR KLAMPE asked **Mr. Graham** to define game animals. **Mr. Graham** said Subsection 5 of 87-2-101, MCA, defines game animals as deer, elk, moose, antelope, caribou, mountain sheep, mountain goat, mountain lion, bear and wild buffalo.

{Tape: 1; Side: B}

SENATOR TERRY KLAMPE, SD #31, FLORENCE said he wanted to be sure game farm animals were not included in this bill. **Mr. Graham** stated that bison are currently defined as three different animals in the statutes. **SENATOR KLAMPE** asked if these were mutually exclusive terms.

BOB LANE, DFWP, Chief Legal Counsel, said there is a separate definition of game farm animals under the game farm statutes. It is not possible for a species to be a game animal and a game farm animal, as game farm regulations state that game farm animals are captive animals.

SENATOR KEN MILLER, SD #11, LAUREL commented that the word "trespass" appeared once too often in amendment No. 4. **Mr. Lane** agreed.

FRANK RIGLER said he had bison on his place four times in 1989. They become agitated, disperse and are hard to kill. They could have gone into Livingston one night.

SENATOR PIPINICH asked how many bison have made it 10 miles down the canyon in the last 5 years. **Mr. Rigler** said three different groups in 1989. There were about 150 in the first group and about half that in the other two groups. **SENATOR PIPINICH** asked if any had come down since 1989. **Mr. Rigler** said not until this year when they came out of Cedar Creek onto his ranch.

SENATOR KLAMPE asked what kind of fences stop bison. **Mr. Rigler** replied that he hadn't seen one yet that would stop bison, especially when someone is shooting at them.

SENATOR BISHOP, returning to the section mentioning "suspected of carrying disease," asked if it weren't correct that all bison are suspected of carrying brucellosis. **SENATOR GROSFIELD** responded that at the present time they are.

SENATOR BISHOP asked if that meant that any bison on private property would be shot. **SENATOR GROSFIELD** replied that DFWP wardens will either attempt to haze them back into the park or shoot them. Both the National Park Service and DFWP try to haze them back if at all possible.

CHAIRMAN MESAROS asked **SENATOR GROSFIELD** if he had reviewed the amendments and if he concurred. **SENATOR GROSFIELD** said he didn't have a problem with the amendments. There is a legitimate point about trespassing. His goal in preparing this legislation was trying to change livestock trespass laws to cover bison.

Closing by Sponsor:

SENATOR GROSFIELD told the committee this was not a game farm bill. He had heard a suggestion to include the language, "until disease is eradicated" and he said he would not object to a termination date on the bill, but preferred the language, "...until the Yellowstone bison have achieved brucellosis-free status."

It is not just a disease problem; it is next to impossible to keep fences in place and the cost of maintaining fences is prohibitive. Undulant fever is brucellosis in humans and it is incurable.

VICE CHAIRMAN AL BISHOP ASSUMED THE CHAIR FOR THE HEARING ON SB 312.

HEARING ON SB 312Opening Statement by Sponsor:

CHAIRMAN KEN MESAROS said the intent of SB 312 was to streamline and clarify the duties of the departments of Livestock and Fish, Wildlife & Parks in management of bison leaving Yellowstone National Park and suspected of carrying brucellosis. The present bison population of YNP is estimated to be in excess of 4,000 while the park's carrying capacity is estimated to be approximately 1,200.

SENATOR MESAROS said he had received amendments from DFWP (EXHIBIT #3).

The Department of Livestock would be given the lead in controlling bison that have been identified with brucellosis. The DOL would be responding to contagious disease that affects the cattle industry; DFWP would be allowed to assist. If bison were identified as free of disease at some point in the future, DFWP could develop a hunting program.

Montana spent \$30 million to eradicate brucellosis. If the brucellosis-free status is lost, industry will pay \$10 million annually for vaccinations. Sanctions have recently been placed on Montana by five other states. Having DOL address the problem would help perceptually.

Bison would be physically removed by the safest and most expeditious manner or destroyed by the use of firearms. Carcasses would be donated to Indian tribes or sold to help defray expenses. DFWP would be responsible for management of disease-free bison threatening persons or property.

The bill was designed to streamline functions of both departments and augment the current lawsuit initiated by Governor Racicot. It would also identify the fact that there is a need for

Yellowstone National Park to arrive at a long-term solution, but it is very difficult for the State of Montana to dictate federal policy.

Proponents' Testimony:

CORK MORTENSON, Executive Director of the Department of Livestock, said **SENATOR MESAROS** had contacted his department about the contents of SB 312 and his department supported the measure (**EXHIBIT #4**).

GEORGE HAMMOND, President, Montana Stockgrowers, strongly supported the bill because diseased Yellowstone bison threaten Montana's cattle industry (**EXHIBIT #5**).

FRANK RIGLER said it has been mentioned that elk migrating from Yellowstone Park may also carry brucellosis, but thought if the bison herd became disease-free, the problem with elk would take care of itself.

LORNA FRANK, Montana Farm Bureau, said five or six and possibly as many as eight states now require testing of animals coming out of Montana. This is a great economic burden to farmers and ranchers. She urged support of the bill.

GEORGE PAUL, Montana Farmers Union, said his organization, representing about 4,000 rural families, strongly supported SB 312. The issue is serious. He believed **SENATOR MESAROS** had gone a long way to outline a clear, cooperative effort between agencies, and urged support of SB 312.

DAVID RIGLER supported the bill and said it would help if YNP would act.

Opponents:

STEVE ANTONIOLI, Skyline Sportsmen, said brucellosis should be the responsibility of DOL; personal injury should be the responsibility of DFWP. DFWP has long been given the burden of dealing with brucellosis and hunters are paying for it through license fees. Sportsmen are receiving nothing from this control program. He had hoped for some kind of hunting, but DFWP refused.

Mr. Antonioli said he didn't mind paying taxes, but didn't agree with using license fees for brucellosis control. The Skyline Sportsmen filed a lawsuit to make the state follow the 1991 law. If this bill did what **SENATOR MESAROS** said it would and put the burden on DOL, it appeared the bill would relieve the department's responsibilities under the 1991 law. The bill "requires" DFWP to assist in brucellosis control. That would make it legal to use license fee money for wardens to shoot bison.

On the second page the bill states hunting wild bison is not appropriate. Hunting is the only way sportsmen can recoup their benefits. The bill says there might be a buffalo hunt in the future, but he didn't believe it would happen soon.

TONY SCHOONEN, Anaconda Sportsmen's Association, concurred with everything **Mr. Antonioli** said. Their two organizations were able to get the buffalo bill passed in 1985. He agreed with the DOL's concern about brucellosis and undulant fever, but out of all the buffalo killed until the hunt was eliminated in 1991, none of the hunters contracted undulant fever.

He thought hunters had done a good job of controlling bison. The bill says DFWP will use license dollars for control actions. It isn't fair. He thought it would be a miracle if the park service did anything in the near future.

JEAN SOUVIGNY, Greater Yellowstone Coalition, commented that the process was taking a very long time, and agencies were currently operating under the interim plan. She wondered if the door would remain open on the interim plan. Even the Governor has supported alternatives. Her organization wanted to be sure those options were not foreclosed.

Questions From Committee Members and Responses:

SENATOR SPRAGUE asked **Mr. Graham** if he were comfortable with giving up his position on the buffalo and giving the responsibility to DOL. **Mr. Graham** responded that it depended on how the bill was read. The bill clarifies that when disease is the issue DOL is in charge. It is merely a different way of wording what is in the present rule.

The specific duties of DFWP are outlined as: Section 2, Subsection (2)(a) "...responsible for the management of wild buffalo or bison in this state that have not been exposed to or infected with a dangerous or contagious disease but may threaten persons or property; and (b) "shall consult with DOL on implementation of the provisions of (2)(a); and (c) "shall assist the DOL in managing wild buffalo or bison that enter the state on public or private land from a herd that is infected with a dangerous disease...."

While the responsibilities are different, the animal going through a fence might also be infected with brucellosis.

SENATOR SPRAGUE commented that he was sympathetic, but wondered if it would be necessary to go through Livestock from now on whenever there was a problem with bison. **Mr. Graham** said that for disease control purposes, DOL would be the lead agency - under current law and this bill as well.

{Tape: 2; Side: A;}

SENATOR SPRAGUE asked if every bison were assumed to be diseased. **Dr. Siroky, DOL**, said it's possible to vaccinate bison to make them disease-free. Once they are clean, DOL is out of the picture.

SENATOR KLAMPE asked if brucellosis were the only disease of concern. **Dr. Siroky** said yes.

SENATOR KLAMPE asked if **Dr. Siroky** saw any potential that this bill would interfere with the ability to formulate an alternative plan. **Dr. Siroky** answered no, because it would still be possible to capture, haze, etc.

SENATOR KLAMPE asked **Jean Souvigny** if the discussion had satisfied her concerns. **Ms. Souvigny** responded that it had. If DOL felt that quarantine was not precluded, her organization was comfortable with it.

SENATOR PIPINICH stated that the committee had two bills in hand and one or two coming from the House. If one should come over that brings back hunting, he asked **SENATOR MESAROS** if he would support it. **SENATOR MESAROS** said his bill did not eliminate hunting bison. It would allow hunting of disease-free bison in the future, but he would resist opening up public hunting without strict supervision because of the disease potential.

SENATOR PIPINICH commented that not one person contracted undulant fever while bison were hunted. The veterinarian said as long as these bison are cooked to a certain point, the meat is safe. He asked why **SENATOR MESAROS** was opposed to reopening the hunt.

SENATOR MESAROS said he believed the disease could be contracted through a person's skin while dressing the animal, and he believed the hunt had been safe because it was highly supervised. He had presented the bill on behalf of public health.

SENATOR SPRAGUE asked if hunting would ever be appropriate, since the bill says hunting of wild bison is not appropriate. **SENATOR MESAROS** responded that a major portion of this bill uses language in existing law.

SENATOR HERTEL asked **Frank Rigler** if the hunt had been successful in his area. **Mr. Rigler** said it had been successful for hunters but not for ranchers. The animals that were not shot dispersed. If hunters had killed them all as they came out of the park it would have been better. He also mentioned that he thought a man in Red Lodge had contracted undulant fever following a hunt.

Closing by Sponsor:

SENATOR MESAROS commented that he appreciated the good hearing on his bill. It was not an anti-hunting bill. His concern was addressing brucellosis and the public health problem. He wanted to augment the interim plan and the Governor's lawsuit. It was not an anti-DFWP bill either - merely a very difficult issue.

EXECUTIVE ACTION ON SB 312Motion:

SENATOR FORRESTER MOVED THE AMENDMENTS. SENATOR MESAROS SAID A FURTHER AMENDMENT FROM DFWP SHOULD BE INSERTED ON PAGE 2, LINE 16 FOLLOWING 1]. INSERT "UNDER A PLAN APPROVED BY THE GOVERNOR..." THIS STATEMENT WAS ACCIDENTALLY OMITTED. THE AMENDMENTS PASSED.

SENATOR FORRESTER MOVED SB 312 DO PASS AS AMENDED.

Discussion:

SENATOR KLAMPE asked what could be done immediately for bison control. SENATOR MESAROS replied that DFWP and DOL could respond to bison leaving the park - over 300 have been shot this year.

SENATOR KLAMPE asked what the difference would be. SENATOR MESAROS said the bill would give DOL the lead role on a disease basis and DFWP would be responsible for animals identified as disease-free in the future.

SENATOR MILLER said it wasn't clear to him whether or not future hunting would be limited.

SENATOR JACOBSON commented that the point had been made earlier - the wording that hunting is not appropriate is in present law. She thought the point was that DFWP said they don't feel managing the disease through hunting is appropriate, but they didn't say they thought hunting was not appropriate.

SENATOR MESAROS agreed that the section being discussed is existing law. For drafting purposes, it is simpler to go back and make changes to existing law. DFWP is given authority for future hunting on lines 10 and 11 on page 2 where it says the department is responsible for the management of wild buffalo that have not been exposed to disease.

SENATOR MILLER MADE A SUBSTITUTE MOTION TO AMEND THE BILL: ON PAGE 2, LINE 4, AFTER "BISON IS" TO STRIKE "NOT" AND INSERT AFTER "APPROPRIATE AND" AND STRIKE "BUT" TO READ: THE LEGISLATURE FINDS THAT THE MANAGEMENT THROUGH HUNTING OF PUBLICLY OWNED WILD BUFFALO OR BISON IS APPROPRIATE AND THAT SIGNIFICANT POTENTIAL EXISTS FOR SPREAD OF CONTAGIOUS DISEASE...."

SENATOR MESAROS stated that some language was omitted from the previous amendment just adopted. For clarification purposes, that sentence would read: "The legislature finds that the management through hunting of publicly owned wild buffalo or bison originating in YNP is not appropriate, but that significant potential exists...."

SENATOR MILLER agreed his sentence was not correct and restated his amendment: "The legislature finds that the management through hunting of publicly owned wild buffalo or bison originating from YNP is appropriate and that significant potential exists for the spread of contagious disease to persons or livestock in Montana and for damage to personal property by wild buffalo and bison." He said his point was that hunting was one appropriate way to handle diseased bison.

MS. MERRILL suggested that an easier way to make the point would be to say "The legislature finds...hunting...bison from the park may be appropriate but the potential for disease exists."

SENATOR MILLER agreed.

SENATOR CRIPPEN commented that it would depend on how strong a statement the committee wanted to make - the law was being repealed.

SENATOR KLAMPE said it seemed the wording was irrelevant at that point. He asked if the amendment were consistent with the intent of the bill. **SENATOR MESAROS** said it was not.

SENATOR HERTEL commented that the amendment took the emphasis away from the bill - to get the park to do something about the problem.

SENATOR PIPINICH said both bills heard that day were good, but there was no time to work on them. He asked if they could be tabled, put together with the bills from the House, put into a subcommittee and still get them out.

SENATOR MESAROS said no, this was a consensus bill.

SENATOR BISHOP asked **SENATOR MILLER** if he would consider withdrawing his amendment and rewording the motion to read: "The legislature finds that the potential exists for the spread of contagious disease to persons or livestock from bison migrating from YNP and for damage to persons or property." After "species" on line 7: "A species not requiring disease control or which appears to need disease control."

SENATOR MILLER WITHDREW HIS ORIGINAL AMENDMENT AND SUBSTITUTED THE MAY BE APPROPRIATE AMENDMENT SUGGESTED BY MS. MERRILL.

Motion/Vote:

SENATOR MILLER MOVED SB 312 BE AMENDED AS FOLLOWS: PAGE 2, SECTION 2. (1) THE LEGISLATURE FINDS THAT THE MANAGEMENT THROUGH HUNTING OF WILD BUFFALO OR BISON MAY BE APPROPRIATE BUT THE POTENTIAL FOR DISEASE EXISTS. A ROLL CALL VOTE RESULTED IN FIVE SENATORS VOTING AYE AND SIX VOTING NO AND THE SUBSTITUTE MOTION FAILED.

SENATOR MESAROS REQUESTED THE VOTE ON THE DO PASS AS AMENDED MOTION. A ROLL CALL VOTE RESULTED IN FIVE VOTING AYE AND SIX VOTING NO AND THE MOTION FAILED.

SENATOR PIPINICH MOVED TO RECONSIDER AND TABLE SB 312. SENATOR MESAROS COMMENTED THAT THIS MIGHT BE A PROBLEM WITH TRANSMITTAL AND SENATOR PIPINICH WITHDREW HIS MOTION.

EXECUTIVE ACTION ON SB 352

Motion:

SENATOR HERTEL MOVED THE AMENDMENTS. ALL VOTED AYE AND THE MOTION CARRIED.

Motion/Vote:

SENATOR HERTEL MOVED SB 352 DO PASS AS AMENDED. A ROLL CALL VOTE RESULTED IN FOUR NO VOTES AND SEVEN AYE VOTES AND THE MOTION CARRIED.

EXECUTIVE ACTION ON SB 367

Motion:

SENATOR KLAMPE MOVED TO TABLE SB 367. SENATOR MESAROS ASKED FOR DISCUSSION BEFORE MOVING TO TABLE THE BILL.

Discussion:

SENATOR BISHOP said the committee should consider the source of the funding for the habitat program; it comes from hunting license fees and it does not matter whether they are resident or nonresident fees.

His second point was that several Montana court cases have stated that wild animals have always existed in Montana, they cause damage, and a landowner cannot expect to be compensated for that damage. The funding for the habitat program comes from sportsmen's dollars and it was set aside for a specific purpose.

SENATOR KLAMPE commented that SENATOR BISHOP had been on the Fish, Wildlife & Parks Commission and asked how the bill worked. SENATOR BISHOP remarked that it had worked very well. He had carried HB 526 in the Senate and believed in it.

Motion/Vote:

SENATOR KLAMPE REITERATED HIS MOTION TO TABLE SB 367. SENATORS CRISMORE AND CRIPPEN VOTED NO; ALL OTHERS VOTED AYE AND THE MOTION CARRIED.

RECONSIDERATION OF SB 312

SENATOR CRIPPEN MOVED TO RECONSIDER ACTION ON SB 312. THREE WERE OPPOSED; EIGHT VOTED AYE AND THE MOTION CARRIED.

SENATOR MESAROS MOVED SB 312 DO PASS AS AMENDED. A ROLL CALL VOTE FOLLOWED WITH FIVE VOTING AYE AND SIX VOTING NO. THE MOTION FAILED.

SENATOR PIPINICH AGAIN MOVED TO TABLE SB 312. SENATOR MESAROS STATED THAT IF THERE WERE NO OBJECTION, THE PREVIOUS VOTE WOULD BE REVERSED AND THE BILL TABLED. THE COMMITTEE CONCURRED.

A letter on SB 312 was received after the hearing from Pat Graham, DFWP. It is included as (EXHIBIT #6).

RECONSIDERATION OF EXECUTIVE ACTION ON HJR 8

Discussion:

SENATOR MESAROS commented that HJR 8 was tabled at the last hearing when several members were absent and he thought it should be reconsidered.

Motion/Vote:

SENATOR MESAROS MOVED HJR 8 BE REMOVED FROM THE TABLE FOR DISCUSSION.

Vote:

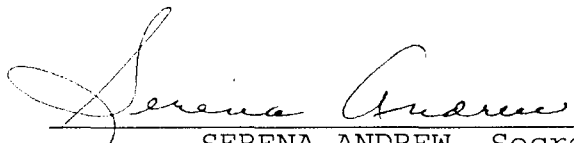
A ROLL CALL VOTE FOLLOWED WITH SIX VOTING NO AND FIVE VOTING YES AND THE MOTION FAILED.

ADJOURNMENT

Adjournment: The meeting adjourned at 5:30 p.m.

{This meeting is recorded on two 60-minute tapes.}


KEN MESAROS, Chairman


SERENA ANDREW, Secretary

KM/sa

MONTANA SENATE
1995 LEGISLATURE
FISH AND GAME COMMITTEE

ROLL CALL

DATE _____

2/16/95

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SENATE STANDING COMMITTEE REPORT

Page 1 of 4
February 17, 1995

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration SB 303 (first reading copy -- white), respectfully report that SB 303 be amended as follows and as so amended do pass.

Signed: 
Senator Ken Mesaros, Chair

That such amendments read:

1. Title, lines 4 and 5.

Strike: "PERSONAL WATERCRAFT"

Insert: "MOTORBOAT"

Strike: "150"

Insert: "100"

2. Title, lines 6 and 7.

Following: "BOAT," on line 6

Insert: "OR"

Following: "VESSEL" on line 6

Strike: remainder of line 6 through "SYMBOL" on line 7

Insert: ", WITH CERTAIN EXCEPTIONS"

3. Title, line 7.

Following: "SYMBOL;"

Insert: "CLARIFYING THE AGE REQUIREMENTS FOR OPERATION OF A
MOTORBOAT OR PERSONAL WATERCRAFT;"

Following: "SECTIONS"

Insert: "23-2-523,"

Following: "23-2-525"

Insert: ", "

4. Page 1, line 12.


Following: line 11

Insert: "Section 1. Section 23-2-523, MCA, is amended to read:

"23-2-523. Prohibited operation and mooring -- enforcement.

(1) A person may not operate or knowingly permit a person to operate a motorboat or vessel or manipulate ~~any~~ water skis, a surfboard, or a similar device or other contrivance in a reckless or negligent manner so as to endanger the life, limb, or property of ~~any a~~ person by:

(a) engaging in maneuvers that unreasonably or unnecessarily endanger life, limb, or property, including but not limited to weaving through congested vessel traffic or jumping the wake of another vessel unreasonably or unnecessarily close to

 Amd. Coord.
Sec. of Senate

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the other vessel or when visibility around the other vessel is obstructed and including swerving at the last possible moment to avoid collision, following directly behind a waterskier, speeding in confined or restricted areas, and buzzing or wetting down others, which constitute reckless operation of a vessel;

(b) crossing or jumping the wake of another vessel when within 100 yards of the vessel or within 100 yards of a waterskier being towed by the vessel, except when directly entering or leaving a public or private marina, waterski facility, or other watercraft docking or loading area.

(2) A person may not operate ~~any~~ a motorboat, including a sailboat propelled by a motor of any kind, or manipulate ~~any~~ water skis, a surfboard, or a similar device attached to a motorboat while under the influence of alcohol, drugs, or a combination of the two.

(3) It is unlawful for the owner of a motorboat or vessel or a person having the motorboat or vessel in charge or in control to authorize or knowingly permit the same to be operated by a person who by reason of physical or mental disability is incapable of operating the watercraft under the prevailing circumstances.

(4) A person may not operate or knowingly permit a person to operate a motorboat or vessel at a rate of speed greater than will permit the person, in the exercise of reasonable care, to bring the vessel to a stop within the assured clear distance ahead. However, nothing in this part is intended to prevent the operator of a vessel actually competing in a regatta that is sanctioned by an appropriate governmental unit from attempting to attain high speeds on a marked racing course.

(5) A person may not make a reckless approach to, departure from, or passage by a dock, ramp, diving board, or float.

(6) Skiers being pulled by motorboats must have on their person a United States coast guard approved personal flotation device in good and serviceable condition.

(7) A person may not moor a vessel to buoys or beacons placed in any waters of this state by the authority of the United States, an agency of the United States, or the department or in any manner hang on with a vessel to ~~such~~ a buoy or beacon, except in the act of maintenance work on the buoy or beacon, nor may any person deface, remove, or destroy a buoy, beacon, or other authorized navigational marker maintained in the waters of this state.

(8) If an officer whose duty it is to enforce the sections of this law observes a vessel being used without sufficient lifesaving or firefighting devices or in an overloaded or other unsafe condition and in ~~his~~ the officer's judgment ~~such~~ the use creates an especially hazardous condition, ~~he~~ the officer may direct the operator to take whatever immediate and reasonable

steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to a mooring or launching site and to remain there until the situation creating the hazard is corrected or ended.

(9) The population density and heavy recreational use of certain lakes require a noise standard more restrictive than the standard set in 23-2-526, in order to protect the public health and safety. Unless operated on a river or stream in compliance with a commission rule adopted under 23-2-521(9), a person may not operate a motorboat or personal watercraft on Flathead Lake, situated in Lake and Flathead Counties, Echo Lake, situated in Flathead County, or Swan Lake, situated in Lake County, in proximity to the shoreline if the noise emitted is greater than 75 dbA measured at the shoreline in accordance with the shoreline sound level measurement procedure (SAE J1970).

(10) Unless accompanied by a person 18 years of age or older, a person 12 years of age or younger may not operate a motorboat or a personal watercraft that is powered by a motor rated at more than 10 horsepower. ~~After December 31, 1993, a~~ A person under 15 years of age 13 or 14 years of age may not operate a vessel or personal watercraft powered by a motor rated at more than 10 horsepower without possessing a valid Montana motorboat operator's safety certificate or evidence of completion of a Montana-approved water safety course or unless accompanied by a person 18 years of age or older.

(11) A person who owns or has charge or control of a motorboat or personal watercraft powered by a motor rated at more than 10 horsepower may not authorize or knowingly permit the motorboat or personal watercraft to be operated:

(a) by a person 12 years of age or younger unless accompanied by a person 18 years of age or older; or

(b) ~~after December 31, 1993, by a person under 15 years of age 13 or 14 years of age~~ unless the person possesses a valid Montana motorboat operator's safety certificate or evidence of completion of a Montana-approved water safety course or is accompanied by a person 18 years of age or older.

(12) A person may not rent a motorboat or a personal watercraft powered by a motor rated at more than 10 horsepower to a person under 18 years of age."

Renumber: subsequent sections

5. Page 1, line 16.

Following: "(2)"

Insert: "(a) Except as provided in subsection (2)(b), a person may not operate a motorboat at a greater than no-wake speed within 100 feet of a dock, swimmer, swimming raft, nonmotorized boat, or anchored vessel. This distance is

inclusive of a towed extension, such as a water skier or person on a tube.

(b) A motorboat that is towing a water skier or person on a tube away from a dock or shore at a right angle to the shoreline may exceed the provisions of subsection (2)(a) but shall proceed away from the dock or shore at no less than a 45-degree angle to the dock or shoreline.

(3) "

Renumber: subsequent subsection

6. Page 1, line 16.

Strike: "20"

Insert: "100"

7. Page 1, line 22.

Insert: "50"

Insert: "100"

8. Page 1, line 23.

Strike: "Except as provided in 23-2-531(3), a"

Insert: "A"

9. Page 2, line 11.

Following: "(3)"

Insert: "(a) except as provided for standup personal watercraft in subsection (3)(b),"

Following: "within"

Strike: "150"

Insert: "100"

10. Page 2, lines 12 and 13.

Following: "boat,"

Insert: "or"

Following: "vessel"

Strike: remainder of line 12 through "flag" on line 13

11. Page 2, line 14.

Following: line 13

Insert: "(b) at greater than minimum maneuvering speed for a standup personal watercraft when leaving or returning directly from or to a dock or shore for the purpose of launching or docking; or"


-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration SB.267 (first reading copy -- white), respectfully report that SB 267 be amended as follows and as so amended do pass.

Signed: 
Senator Ken Mesaros, Chair

That such amendments read:

1. Title, line 4.

Strike: "THE BOUNDARIES OF"

Insert: "CUSTOMARY ACCESS POINTS TO"

2. Title, line 7.

Strike: "5"

Insert: "10"

3. Page 1, line 12.

Strike: "the boundary of"

Insert: "customary access points to"

4. Page 1, lines 15 and 16.

Following: "placed" on line 15

Strike: remainder of line 15 through "boundary of" on line 16



Insert: "at customary access points to"

Following: "within"

Strike: "5"

Insert: "10"

-END-

 Amd. Coord.
 Sec. of Senate


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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration SB 352 (first reading copy -- white), respectfully report that SB 352 be amended as follows and as so amended do pass.

Signed: 
Senator Ken Mesaros, Chair

That such amendments read:

1. Title, line 6.

Strike: "TRESPASSING"

Insert: "PRESENT"

2. Page 1, line 16.

Strike: "trespassing"

Insert: "public"

3. Page 1, line 17.

Following: "bison"

Insert: "that are present on private property"

4. Page 1, line 23.

Strike: "trespassing"

Insert: "present"

5. Page 1, line 26.

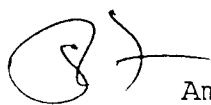
Strike: "trespassing"

6. Page 1, line 27.

Following: "bison"

Insert: "that is present on the landowner's property"

-END-



Amd. Coord.

Sec. of Senate

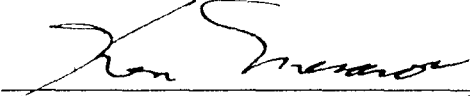
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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration SB 312 (first reading copy -- white), respectfully report that SB 312 be taken from the committee by motion.

Signed: 

Senator Ken Mesaros, Chair



Amd. Coord.
SA Sec. of Senate

411702SC.SPV

MONTANA SENATE
1995 LEGISLATURE
FISH AND GAME COMMITTEE
ROLL CALL VOTE

DATE 2/16/95 BILL NO. SB 352 NUMBER _____

MOTION: Pass as amended

NAME	AYE	NO
BRUCE CRIPPEN	X	
WILLIAM CRISMORE	X	
GARY FORRESTER	X	
JOHN HERTEL	X	
JUDY JACOBSON	X	
TERRY KLAMPE		X
KEN MILLER	X	
BOB PIPINICH		X
MIKE SPRAGUE		X
AL BISHOP, VICE CHAIRMAN		X
KEN MESAROS, CHAIRMAN	X	

MONTANA SENATE
1995 LEGISLATURE
FISH AND GAME COMMITTEE
ROLL CALL VOTE

DATE 2/16/95 BILL NO. SB 312 NUMBER 1

MOTION: *Sen Miller - Withdraw his original motion;
substitute A. Kerice wording "... hison from gup
maybe appropriate ..."*

NAME	AYE	NO
BRUCE CRIPPEN	X	
WILLIAM CRISMORE		X
GARY FORRESTER		X
JOHN HERTEL		X
JUDY JACOBSON	X	
TERRY KLAMPE		X
KEN MILLER	X	
BOB PIPINICH		X
MIKE SPRAGUE	X	
AL BISHOP, VICE CHAIRMAN	X	
KEN MESAROS, CHAIRMAN		X

SEN:1995
wp:rlclvote.man
CS-11

MONTANA SENATE
1995 LEGISLATURE
FISH AND GAME COMMITTEE
ROLL CALL VOTE

DATE 2/16/95 BILL NO. SB 312 NUMBER 2

MOTION: Mesaros: Motion SB 312 Do Pass

NAME	AYE	NO
BRUCE CRIPPEN	X	
WILLIAM CRISMORE	X	
GARY FORRESTER	X	
JOHN HERTEL	X	
JUDY JACOBSON		X
TERRY KLAMPE		X
KEN MILLER		X
BOB PIPINICH		X
MIKE SPRAGUE		X
AL BISHOP, VICE CHAIRMAN		X
KEN MESAROS, CHAIRMAN	X	

MONTANA SENATE
1995 LEGISLATURE
FISH AND GAME COMMITTEE
ROLL CALL VOTE

DATE 2/16/95 BILL NO. SB 312 NUMBER 3

MOTION: Meseros: On reconsideration of SB 312
I move the bill do pass as amended

NAME	AYE	NO
BRUCE CRIPPEN	X	
WILLIAM CRISMORE	X	
GARY FORRESTER	X	
JOHN HERTEL	X	
JUDY JACOBSON		X
TERRY KLAMPE		X
KEN MILLER		X
BOB PIPINICH		X
MIKE SPRAGUE		X
AL BISHOP, VICE CHAIRMAN		X
KEN MESAROS, CHAIRMAN	X	

MONTANA SENATE
1995 LEGISLATURE
FISH AND GAME COMMITTEE
ROLL CALL VOTE

DATE 2/16/95 BILL NO. HJR 8 NUMBER _____

MOTION: Remove HJR from table

NAME	AYE	NO
BRUCE CRIPPEN		X
WILLIAM CRISMORE		X
GARY FORRESTER	X	
JOHN HERTEL		X
JUDY JACOBSON	X	
TERRY KLAMPE		X
KEN MILLER	X	
BOB PIPINICH		X
MIKE SPRAGUE		X
AL BISHOP, VICE CHAIRMAN	X	
KEN MESAROS, CHAIRMAN	X	

**TESTIMONY OF GEORGE HAMMOND
MONTANA STOCKGROWERS ASSOCIATION
S.B. 352 - GROSFIELD**

Mr. Chairman, and members of the committee, my name is George Hammond and I am the President of the Montana Stockgrowers Association. I am tesifying today on behalf of the Montana Stockgrowers Association in support of S.B. 352.

Because of the crisis faced by Montana cattle producers surrounding bison which emerge from Yellowstone National Park, landowners and cattle producers must be able to protect their property and livestock from bison known to be infected or exposed to brucellosis.

S.B. 352 allows a landowner and livestock owner to protect their property from bison suspected of carrying the disease. Under the bill, should bison emerge on a landowner's property in a manner which threatens their property interests, the landowner could take the bison. This action could be done without the threat of civil or criminal penalties.

Until a final solution and eradication program is established, the Montana Stockgrowers Association believes S.B. 352 and S.B. 312 provide rationale interim policy for the state of Montana to protect landowners and livestock owners property interest from the problems associated with Yellowstone National Park bison. We urge your support.

Proposed Amendments to Senate Bill No. 352
For the Senate Fish and Game Committee

Prepared by Fish, Wildlife & Parks
February 16, 1995

1. Title, line 6.

Following: "THAT IS"

Strike: "TRESPASSING"

Insert: "PRESENT"

2. Page 1, Line 16.

Following: "taking of"

Strike: "trespassing"

Insert: "public"

3. Page 1, Line 17.

Following: "bison"

Insert: "that is present on private property"

4. Page 1, Line 23.

Following: "that is"

Insert: "present"

5. Page 1, Line 26.

Following: "remove the"

Strike: "trespassing"

6. Page 1, Line 27.

Following: "bison"

Insert: "that is present on the landowner's property"

Amendments to Senate Bill No. 312
1st Reading Copy

Requested by Senator Mesaros
For the Committee on Fish and Game

Prepared by Andrea Merrill
February 14, 1995

1. Title, line 6.

Strike: "ASSIST"

Insert: "COOPERATE WITH"

2. Title, line 7.

Following: "MANAGING"

Insert: "CERTAIN"

3. Page 1, line 14.

Following: "livestock"

Insert: "or whenever the presence of wild buffalo or bison may
jeopardize Montana's compliance with federally administered
livestock disease control programs"

4. Page 1, line 15.

Strike: "take"

Insert: "use any feasible method in taking "

Following: "one"

Insert: "or more"

5. Page 1, line 28.

Following: "to"

Insert: "a charity or to"

6. Page 2, line 3.

Strike: "requiring disease control"

Insert: "in need of management -- policy -- department duties"

7. Page 2, line 4.

Following: "hunting of"

Insert: "publically owned"

Following: "bison"

Insert: "originating from Yellowstone national park"

8. Page 2, line 6.

Following: "section"

Insert: ":"

(a)"

Following: "designate"

Insert: "publically owned"

9. Page 2, line 7.

Strike: ", which have not been reduced to captivity,"

Insert: "originating from Yellowstone national park"

Following: "control"

Insert: ";

(b) to designate other wild buffalo or bison as a species in need of management;"

10. Page 2, line 7.

Following: "and"

Insert: "(c)"

11. Page 2, line 12.

Following: "consult"

Insert: "and coordinate"

12. Page 2, line 14.

Strike: "assist"

Insert: "cooperate with"

Following: "managing"

Insert: "publically owned"

13. Page 2, line 16.

Following: "regulate"

Insert: "publically owned"

14. Page 2, line 19.

Following: line 18

Insert: "(3) The department and the department of livestock are strongly urged to enter into an agreement with the national park service for the long-term management of the Yellowstone national park wild buffalo or bison herd. If the national park service does not proceed in good faith in a timely manner to enter a long-term management agreement, that in the determination of the department and the department of livestock, responds adequately to the needs of Montana, the departments are strongly urged to take appropriate court action. The department and the department of livestock shall prepare a joint report to the 55th legislature regarding the present state of wild buffalo or bison management in Montana and any progress on an agreement for the long-term management of the Yellowstone national park herd."

SENATE FISH AND GAME
EXHIBIT NO. 4
DATE 2/16/95
BILL NO. SB 312

SENATE BILL 312
(Senator Ken Mesaros)

Mr. Chairman and members of the committee, for the record my name is Cork Mortensen and I am the Executive Secretary to the Board of Livestock. The Board and Department of Livestock supports this legislation and urges you to support Senate Bill 312.

This legislation will give the Department of Livestock primacy in bison management until such time as the danger of infectious disease has passed, at which time primacy for bison management for non-diseased bison will revert back to the Department of Fish, Wildlife & Parks.

Thank you for your time and consideration in this matter. Once again, the Board and Department of Livestock urge you to support this legislation. If you have any questions or need more information, I should be happy to respond.



E.E. "Cork" Mortensen, Executive Secretary
To the Board of Livestock

**TESTIMONY OF GEORGE HAMMOND
MONTANA STOCKGROWERS ASSOCIATION
S.B. 312 - SENATOR MESAROS**

Mr. Chairman and members of the committee, my name is George Hammond and I am the President of the Montana Stockgrowers Association. I am testifying today in support of S.B. 312 on behalf of the Montana Stockgrowers Association.

The problem with bison emerging from Yellowstone National Park has directly impacted the Montana cattle industry. Montana's brucellosis-free status was a hard fought battle which cost this state's cattle producers millions of dollars to achieve. Bison entering Montana from Yellowstone Park are known to carry, or be exposed to, brucellosis which causes a threat to this state's brucellosis-free status.

In the past few months five states have required the testing of breeding age female cattle leaving Montana. Also, the USDA-APHIS has threatened to pull Montana's brucellosis-free status. Should APHIS revoke our brucellosis-free status, the cattle industry would be seriously damaged.

The reason for this problem is very evident. The Yellowstone National Park bison herd is known to be infected with brucellosis. The National Park Service has refused to accept responsibility for managing the Park's bison herd which has expanded to numbers beyond the available forage available in the Park. The Park has also been very reluctant to implement management measures to eradicate and control brucellosis in the Park's bison herd.

The result of the Park's mismanagement of the bison herd has forced the State of Montana into litigation, and has exemplified the need to change the management philosophy in Yellowstone National Park. The MSGA appreciates the efforts of the Governor and the congressional delegation in recognizing the serious nature of the brucellosis issue for the State of Montana.

S.B. 312 represents a clear and concise procedure for the State of Montana to pursue until a long-term solution and brucellosis eradication program is established by the Park Service. S.B. 312 sets forth clear statutory authority for the Department of Livestock to take action regarding bison which enter this state from Yellowstone National Park bison herd. S.B. 312 also clearly sets forth the role of the Department of Fish, Wildlife, & Parks. Under the bill, and the amendments offered by Sen. Mesaros, DFWP will cooperate with the Department of Livestock to control those bison which enter Montana from Yellowstone National Park. The bill also states that if, and when, the brucellosis problem is addressed, DFWP will be responsible for the management of bison which are NOT exposed or infected with the disease.

The brucellosis threat surrounding Yellowstone National Park is real to Montana's cattle industry. S.B. 312 represents a positive step for Montana to take to protect the livestock industry from a problem created by the National Park Service. S.B. 312 is a rationale interim measure until final eradication of brucellosis is achieved by the Park Service. On behalf of the Montana Stockgrowers Association, I urge your support.

Sen. Mesaros - PG0097.95

Page 2

February 17, 1995

Once again, I appreciate your desire to build consensus by including us in review of SB 312 and your incorporation of our amendments. This allows us to support your efforts.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat Graham".

Patrick J. Graham
Director

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

SENATE FISH AND GAME

EXHIBIT NO. 6

DATE 2/16/95

BILL NO. 312



P. O. Box 200701
Helena, MT 59620-0701
(406) 444-3186
FAX: 406-444-4952
Ref: PG0097.95
February 17, 1995

Senator Kenneth Mesaros
Capitol Station
Helena, MT 59620

Dear Senator Mesaros:

I appreciate your interest in working with us on amendments to SB 312. I believe these amendments help clarify the intent of the bill and clarify the roles and responsibilities of each agency.

Since our role in protecting private property generally occurs simultaneously with disease control actions, we have worked cooperatively with Livestock and the National Park Service and will continue to do so under this bill. Clarification of roles should address some of the criticisms about our agency spending too much money or effort on disease control actions.

I understand the intent of SB 312 is to more clearly spell out DoL's responsibility for decisions to remove bison that migrate from Yellowstone National Park when they jeopardize Montana's brucellosis-free status. This bill is intended to provide the State Veterinarian more credibility to communicate to other states and APHIS his ability to protect Montana cattle.

Retaining language currently in law that directs the state's efforts toward a long-term plan and support for the lawsuit is important. Clearly we must continue to apply pressure on the two federal agencies while maintaining consistent policy and actions from the State of Montana.

We also support retaining the moratorium on hunting of diseased bison. We cannot control this problem from our side of the border. Anything that shifts attention away from the Federal agencies responsibilities to address these problems, such as a public hunt, will undermine the progress gained in the Governor's lawsuit. We discussed with the House Fish and Game Committee having FWP evaluate developing an experimental public bison herd in the state with animals certified by the State Vet. These would be bison captured from Yellowstone that would otherwise be hauled to slaughter.

DATE

2/16/95

SENATE COMMITTEE ON

Fish & Game

BILLS BEING HEARD TODAY:

Executive SB 267, 303
367 - Hearing 312 + 352

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PLEASE PRINT

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Check One

Name	Representing	Bill No.	Support	Oppose
Franklin J. Ripley	Rancher Hunter	312	X	
Franklin J. Ripley	" "	352	X	
Cork Mortenson	Brd. of Livestock	312	X	
Janet Ellis	MT Audubon	352	X	
Tony Schooner	Arizona Sports	SB 312		X
George Paul	Farmers Union	SB 312	X	
David Ripley	Rancher	SB 312 SB 352	X	
George Paul	Farmers Union	SB 352	X	
George Hammad	Pres. - MT Stockgrowers	SB 312 " 352	✓	
Steve Antoniali	Pres - Skyline Sports	SB 312		X
Tony Schooner	Myself	352	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY