

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION

Call to Order: By **CHAIRMAN JOE BARNETT**, on March 9, 1995, at
3:12 P.M.

ROLL CALL

Members Present:

Rep. Joe Barnett, Chairman (R)
Rep. John "Sam" Rose, Vice Chairman (Majority) (R)
Rep. Don Larson, Vice Chairman (Minority) (D)
Rep. Jon Ellingson (D)
Rep. Dick Green (R)
Rep. Harriet Hayne (R)
Rep. Rick Jore (R)
Rep. Gay Ann Masolo (R)
Rep. Judy Murdock (R)
Rep. Karl Ohs (R)
Rep. George Heavy Runner (D)
Rep. William M. "Bill" Ryan (D)
Rep. Dore Schwinden (D)
Rep. Robert R. Story, Jr. (R)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Cliff Trexler (R)
Rep. Kenneth Wennemar (D)

Members Excused: None

Members Absent: None

Staff Present: Connie Erickson, Legislative Council
Jaelene Racicot, Committee Secretary

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

Committee Business Summary:

Hearing: SB 394, SB 365
Executive Action: SB 364 BE CONCURRED IN
SB 207 BE CONCURRED IN AS AMENDED
SB 144 BE CONCURRED IN AS AMENDED
SB 365 BE CONCURRED IN
SB 394 BE CONCURRED IN

HEARING ON SB 394Opening Statement by Sponsor:

SEN. GERRY DEVLIN, SB 2, said the bill before the committee would put the gray wolf back on the predator list in the state of Montana, when and if it is removed from the List of Threatened and Endangered Animals by the federal government. **SEN. DEVLIN** referred to two articles which he read to the committee.

EXHIBITS 1 and 2

SEN. DEVLIN gave the committee a list of Montana's animal and plant taxa the U.S. Fish and Wildlife Service considers candidates for listing as threatened or endangered under the Endangered Species Act. **EXHIBIT 3**

Proponents' Testimony:

REP. LARRY GRINDE, HD 94, said he felt SB 394 should be passed to classify the gray wolf. He read the definition of a predator from the dictionary stating "one that preys, destroys, or devours an animal that lives by predation." He urged the committee to pass SB 394.

John Baucus, Montana Wool Growers Association, said he was not there to debate the reintroduction of wolves, just the placing of the gray wolf on the predator list. He said the wolf is protected by the Endangered Species Act, costing a lot of money. **Mr. Baucus** read to the committee a piece of literature on the U.S. Department of Agriculture wolf depredation control work in Minnesota, 1994. **EXHIBIT 4** He said, "We are not afraid of the wolves, its the bureaucratic regulations that come along behind the wolves that's the main concern." **Mr. Baucus** said if one wolf was caught in Montana by the means of a trap that was okay, but if a second wolf was caught accidentally, Fish, Wildlife and Parks has the right to negotiate with Animal Damage Control (ADC) to change the practices.

Joe Helle, Rancher from Beaverhead County, stated he was concerned with the reintroduction of wolves in Montana. He said originally the Endangered Species Act had a different connotation. He said the ESA was developed and supported by "practically everyone" to save "true" endangered species. He believed that concern has passed and now seems replaced by one that "completely disregards economic, human rights, ecological, and biological common sense." Therefore, he urged the committee to pass SB 394.

John Youngberg, Montana Farm Bureau, said it wouldn't be right if they had wolves to contend with and the Farm Bureau wasn't there to support this bill. He said even 100 years ago, as indicated by **SEN. DEVLIN**, the wolf was considered a predator and today it is considered a predator.

Jennifer Hill, Montana Stockgrowers Association, also testified on behalf of **Women Involved In Farm Economics** and the **Agriculture Preservation Association**, urged the committee's support of SB 394.

Cork Mortensen, Executive Secretary of the Board of Livestock, wanted to go on record as in support of SB 394.

Opponents' Testimony:

Janet Ellis, Montana Audubon Legislative Fund, stated this bill had a "catch-22" in it. She said if the state put the wolves on the predator list, the U.S. Fish and Wildlife Service would never take them off the threatened and endangered list. She said this was not going to do what the committee was told it was going to do. She looked at ways to correct the bill and researched what had to be done to delist an animal off the Endangered Species list. She told the committee that ongoing surveys would need to be done to document the numbers of animals involved such as how grizzly bears are managed, and the predator control program does not have the ability to do that. **Ms. Ellis** said the statute stating how grizzly bears are handled is under 87-5-302. It directs the Fish, Wildlife, and Parks Commission to provide open and closed seasons, means of takings, shooting hours, tagging requirements, etc. **Ms. Ellis** explained that was how they regulated the "take" and in the predator law that could not be done.

Questions From Committee Members and Responses:

REP. SAM ROSE asked **Janet Ellis** to comment on how the grizzly bear could be delisted. **Ms. Ellis** said she was not an expert on the grizzly bear delisting.

REP. ROSE asked **Ms. Ellis** if he was correct that there are no means to regulate the take of grizzlies and now it is impossible to get them delisted. **Ms. Ellis** said the issue was the listing the animal as a predator when there is no control over the taking.

REP. ROSE asked **Bob Gilbert, Montana Wool Growers Association** to describe the process of delisting. **Mr. Gilbert** replied that they would not be seeing the level of delisting as they've seen with the grizzly bear, and the wolf will not be delisted. They wouldn't delist wolves unless there were a population of 100 which would be ten breeding pairs for five consecutive years in Idaho, and five consecutive years in Wyoming. He said it could fall below that number one year and they would start the program over. The Endangered Species Act is going through the process of being amended by the U.S. Congress which would change the delisting process.

REP. DORE SCHWINDEN asked **SEN. DEVLIN**, given the testimony that had been presented, what was his recommendation to pass SB 394

with the existing statutes they had now to ensure it would not be delisted. **SEN. DEVLIN** replied it was better to have it on the books as a predator. He said he believed that eventually the wolves that are being planted in Montana and Idaho are going to come out of Yellowstone National Park; some are already heading back to Canada. They don't know the boundary of the park. He said as the wolves wander farther from the park, Congress would consider them delisted. He wanted wolves to be "on the books" so the wolf would be treated as a predator. **SEN. DEVLIN** stated wolves are hunted in Alaska because they keep killing the caribou.

Closing by Sponsor:

SEN. DEVLIN stated Wyoming and Colorado have passed legislation marking the wolf as a predator. He asked the committee to review the memo pertaining to wolf depredation control work in Minnesota (see Exhibit 3) to help in making their decision on the passage of the bill. **SEN. DEVLIN** stated **REP. GRINDE** would carry the bill on the House floor.

{Tape: 1; Side: B; Approx. Counter: 000}

HEARING ON SB 365

Opening Statement by Sponsor:

SEN. MACK COLE, SD 4, said this bill would deal with the Department of State Lands releasing bonds on the mines in the Southern part of Montana. He said prior to 1978, the state of Montana allowed introduced grasses to be planted on reclamation lands. Then after 1978, over 51% of the grasses introduced had to be native grasses. The bonds, therefore, cannot be released for some of the older seeding projects, because they were not native plant species. **SEN. COLE** said, "A pretty good chunk of money is locked up because of this." He wanted to allow the coal companies in eastern Montana to have the bonds refunded.

Proponents' Testimony:

Bud Clinch, Montana Department of State Lands, said their 2,500 reclaimed lands in Southeast Montana had "plagued" the Department for nearly a decade. He said ten years after the sites were reclaimed, the Department learned that the introduced species authorized to be in the seed mix were more dominant than they realized. The introduced species dominated the native species. **Mr. Clinch** said they no longer authorize seed mixtures that include introduced plant species.

Jim Mockler, Montana Coal Council, said "it would be a crime" to go in and plow the reclaimed lands and start over simply because of the Endangered Species Act. He urged to committee to pass the bill.

Ken Williams, MPC/Entech, stated it would be unnecessary to have to plow up the lands and replant native seed. He hoped the committee would pass SB 365.

Jeff Barber, Northern Plains Resource Council, stated that they had no problems with the bill. He urged the committee to pass SB 365.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses:

REP. LILA TAYLOR asked **Bud Clinch** if the native grasses would take over the introduced grasses. **Mr. Clinch** did not know for sure, but assumed the native grasses would take over.

REP. KARL OHS asked **Mr. Clinch** what varieties they were seeing now in comparison with two years ago. **Mr. Clinch** said the seed mixture changed back in the 1980s and that was when they went to 100% native species. He said prior to that time there was a mixture of 50/50.

REP. TAYLOR asked **Mr. Clinch** if they still introduced sage brush. **Mr. Clinch** stated that they did and it would depend if sage brush was native to the area.

REP. TAYLOR asked **Mr. Clinch** why that was the case. **Mr. Clinch** said they have to determine if the species is native to the area before re-introducing it because the directive and federal mandates in Montana's statutes say the land should be returned to the highest and best use which is determined by the native composition that was there before the land disturbance took place.

CHAIRMAN BARNETT asked **SEN. COLE** if he would be agreeable to an amendment to take care of **REP. TAYLOR'S** concern and to include sweet clover. **SEN. COLE** said he was debating who would carry the bill and he said it was obvious who would be doing that. **REP. TAYLOR** was asked to carry the bill.

Closing by Sponsor:

SEN. COLE stated native grasses would naturally take over only if there was drought or heavy grazing.

EXECUTIVE ACTION ON SB 364

Motion: **REP. ROSE** MOVED SB 364 BE CONCURRED IN.

Motion: **REP. ROSE** MOVED AN AMENDMENT. EXHIBIT 5

Discussion:

CHAIRMAN BARNETT said there was a clerical error and it should read "by 1997" instead of "1977."

REP. ROSE explained the amendment. He felt the milk issue should be placed in a study, because he felt the issue had not been thoroughly examined. He said this bill will have an impact on jobbers, the elderly and rural areas. Therefore, he recommended acceptance of the amendments.

Connie Erickson stated there was one technical problem. She read from joint rules 40-65 that would affect the amendment: "A bill including a request for interim study may not be transmitted to the Governor unless the bill contains an appropriation to conduct the study. A fiscal note may be requested for a bill requesting an interim study if an appropriation does not appear to be sufficient." She explained that if the committee was requesting a study, they would have to include an appropriation.

REP. ROBERT STORY stated he was in opposition to the amendment. He said it was a nice idea, but didn't think a fiscal analyst study would tell them anything they didn't already know. He thought all the fiscal analyst could do was guess.

REP. CLIFF TREXLER asked **REP. ROSE** if he had discussed the amendment with Mr. Ross of the Board of Milk Control. **REP. ROSE** stated he had not.

REP. GAY ANN MASOLO stated she was in opposition to the amendment. She said she had done a lot of research on the milk control problem. She felt it was time for the people who were elected to do something about it.

REP. DICK GREEN stated he was in opposition to the amendment. He felt if they put it into a referendum, the producers would lose control and the producers have to have control.

REP. JAY STOVALL said he was not in favor of the amendment. He felt the bill protected the producer and if they put it into a study they may lose the whole bill.

REP. BILL RYAN was in favor of the amendment. He wanted to know how the bill would affect the different individuals involved.

{Tape: 2; Side: A; Approx. Counter: 000; Comments: None.}

REP. RYAN said jobbers in his district called him and told him they're not being fair. "You're deregulating us, but you're not deregulating the wholesalers." He felt the price would go down in the urban areas and the price would increase in the rural areas. He believed having a neutral party study the issue would be beneficial to everyone.

REP. DON LARSON said if the committee passed the bill with the amendment, they could jeopardize the bill by sending it to appropriations.

REP. RICK JORE spoke against the amendment. He thought it was time to turn back to the principles of the free market and let the free market work for itself.

CHAIRMAN BARNETT said he resisted the amendment and that the committee would have to come up with the appropriations for the bill and "the mood of the Legislature would not appropriate some money for something like this."

REP. ROSE urged the committee to pass the amendment and that it may answer some of the concerns all parties had.

Vote: A roll call vote was called. The motion failed 6 - 12 with **REPS. ROSE, ELLINGSON, HEAVY RUNNER, RYAN, SCHWINDEN, and WENNEMAR** voting yes.

Discussion:

REP. STORY stated if this bill passed the producer price would be regulated by the Milk Control Board. He said if the bill failed, the present system would stay in place.

REP. SCHWINDEN wanted to thank **REP. ROSE** for trying to make SB 364 better for those representatives that had to represent rural districts. He said, "I wish this bill never would have come to us." He said he understood Governor Racicot's desire to tackle a tough issue, but wanted to go on record stating this was the Governor's proposal. He said however this works out, the Governor is going to have to live with the outcome of this bill. He said he may support the bill because it would protect producers.

REP. LILA TAYLOR said she was in favor of the bill and that there would be a legislature assembly in two years. She said at some point they have to go ahead and do something.

REP. GEORGE HEAVY RUNNER said it would be hard to say what the bill's impact would be on everyone involved. He thought he would have supported the bill if they deregulated the whole industry.

REP. LARSON said his concern was possibly losing the producers. He felt it was not right to take a risk and lose a "mom and pop" operation.

REP. TREXLER said, "No matter how we vote, a good share of our constituents are not going to be happy." He said, "It was time we go ahead and bite the bullet and do something and that is why we are here." He indicated he would support the bill.

REP. RYAN said never once during the last six years, did a consumer tell him to do something about the price of milk. He did not know why everyone was afraid of a referendum. He said he would like to protect the jobbers as well as the producers.

REP. ROSE said if they were going to deregulate, deregulate the whole industry. He said if they lose the one in Great Falls, it is just as close to Idaho Falls to Bozeman it is to Great Falls.

REP. JAY STOVALL said he was in favor of the bill because it would protect the producers. He said they were there to protect the consumers as well.

REP. RICK JORE said he had dairies in his district and they were in support of it. He felt government involvement creating over-regulation was harmful to a free society.

Motion: REP. STORY MOVED SB 364 BE CONCURRED IN.

Vote: A roll call vote was called. The motion carried 12 - 6 with REPS. ROSE, LARSON, HAYNE, HEAVY RUNNER, RYAN, SCHWINDEN voting no. (An oral proxy vote of yes was given by REP. SCHWINDEN for REP. ELLINGSON.)

EXECUTIVE ACTION ON SB 207

Motion: REP. STORY MOVED SB 207 BE CONCURRED IN.

Motion: REP. RYAN MOVED THE AMENDMENTS. EXHIBIT 6

Discussion:

REP. RYAN indicated there was an amendment that he wanted to include with this set of amendments. On page 2, line 23 he wanted to included "breeding and feeding."

Connie Erickson stated the amendments REP. RYAN moved were the amendments SEN. MESAROS offered at the hearing. She said it also included the amendments REP. RYAN and REP. STORY worked on with the approval of SEN. MESAROS.

REP. RYAN said the amendments included "all agricultural activities."

Vote: The motion carried unanimously.

Motion: REP. STORY MOVED SB 207 BE CONCURRED IN AS AMENDED.

Discussion:

REP. STORY said the only objection he heard was from his county commissioners.

REP. SCHWINDEN said he was going to vote for the bill even though the bill would not affect his district. He said by passing the bill they would be imposing an unfunded mandate on local governments. He stated they would be prohibiting the local governments from zoning restrictions and other similar kinds of activities.

REP. RYAN spoke in favor of the bill.

REP. ROSE thought it was a good bill and the amendments made it a better bill.

REP. STOVALL said this bill was important to the Billings area and he felt they needed more bills like SB 207.

REP. TAYLOR told the committee she would support the bill.

Vote: A voice vote was taken. The motion carried 17-1. An oral vote by **REP. SCHWINDEN** noted **REP. ELLINGSON** proxy vote of no.

EXECUTIVE ACTION ON SB 144

Motion: **REP. OHS** MOVED SB 144 BE CONCURRED IN.

Motion: **REP. MURDOCK** MOVED AMENDMENT #1. EXHIBIT 7

Discussion:

Connie Erickson explained the amendment. She said within the Clark Fork Basin the attorney fees would be paid for just in the that basin. She believed there could be a constitutional question of equal protection. She said they would be providing something to a specific group of people that they're not providing to another group of people. She said if a person went to a hearing to apply for this permit, it would end up in district court, and that person could get his district fees. She said if someone outside of the basin did the exact same thing, they would not get their attorney fees paid. In addition to the amendment, she put in a severability clause into the bill. She said if it was challenged by putting a severability clause it would protect the rest of the bill.

REP. LARSON said he was in favor of the amendment but he did not agree with **Ms. Erickson**. He felt the severability clause was necessary.

REP. STORY said he not have a problem with the amendment. He said if **Ms. Erickson** was right, they should vote no on the amendment and make it statewide language.

REP. STOVALL asked if the severability clause would not take care of the bill, if there was a constitutional problem with the bill.

REP. STORY said if the law was challenged, what the severability clause would do is sever the part that is deemed unconstitutional and the rest of the law would stay in place.

Connie Erickson said the severability clause would protect the entire bill.

REP. OHS said he agreed with the severability clause. He said he did not want restrict the possibility of someone challenging a water right because of the fear it would not "hold up" and the person would be faced paying all the costs.

Vote: The motion carried unanimously. An oral vote from **REP. SCHWINDEN** indicated **REP. ELLINGSON's** proxy vote of yes.

Motion: **REP. LARSON** MOVED AN AMENDMENT #2.

Discussion:

REP. LARSON said the amendment he had was presented at the hearing for this bill. He said the amendment referred to the study of ground water and surface water at Flint Creek and this amendment would ask them to report to the legislature their findings.

REP. RYAN felt this was a good amendment and urged the committee to pass it.

REP. TREXLER asked if this amendment would affect all basins and not just Flint Creek. **REP. LARSON** said that was the intent. **REP. LARSON** asked **Jo Brunner** to comment. **Ms. Brunner, Clark Fork Steering Committee**, said the intent of the amendment was to have the subcommittee report to the overall committee and the overall committee would report back to the legislature.

REP. TREXLER asked about the ground water in each sub-basin. **Ms. Brunner** said when this was incorporated in the duties and responsibilities in the overall committee, it would be taken care of. **REP. TREXLER** was worried the committee would do one for Flint Creek and then two years from now find out they did not comply with what they thought they had.

REP. SCHWINDEN clarified the intention of the amendment. He said they would prepare and submit a report summarizing the impact of ground and surface water to the next legislature.

REP. TREXLER asked if the committee had a problem with the word "each" sub-basin and thought that "each" should be deleted.

Holly Franz, Montana Power Company and member of the **Upper Clark Fork Steering Committee**, said the reason it states "each sub-basin" while similar, they each have different demands on it. There may be different situations serving the ground water withdrawal.

REP. STORY asked Ms. Franz why a time deadline was not included. Ms. Franz said if the committee wanted to put a time deadline they would not have a problem with it.

REP. MURDOCK asked Ms. Franz who was paying for this study. Ms. Franz said the Clark Fork Study was privately funded. She said they went to the Long Range Subcommittee and asked for an RIT for the next two years.

Vote: The motion carried. An oral proxy vote of no for REP. ELLINGSON given by REP. SCHWINDEN.

Motion/Vote: REP. STORY MOVED SB 144 BE CONCURRED IN AS AMENDED. The motion carried.

EXECUTIVE ACTION ON SB 365

Motion/Vote: REP. ROSE MOVED SB 365 BE CONCURRED IN. The motion carried.

EXECUTIVE ACTION ON SB 394

Motion/Vote: REP. STOVALL MOVED SB 394 BE CONCURRED IN. The motion carried. An oral proxy of no was given by REP. SCHWINDEN for REP. ELLINGSON. A written proxy for REP. HEAVY RUNNER noted his yes vote.

ADJOURNMENT

Adjournment: 5:05 P.M.



JOE BARNETT, Chairman



JAELENE RACICOT, Secretary

JB/jr

HOUSE OF REPRESENTATIVES

Agriculture

ROLL CALL

DATE 3/9/95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Sam Rose Vice Chairman, Majority	✓		
Rep. Don Larson, Vice Chairman, Minority	✓		
Rep. Jon Ellingson	✓		
Rep. Dick Green	✓		
Rep. Harriet Hayne	✓		
Rep. George Heavy Runner	✓		
Rep. Rick Jore	✓		
Rep. Gay Ann Masolo	✓		
Rep. Judy Rice Murdock	✓		
Rep. Karl Ohs	✓		
Rep. Jay Stovall	✓		
Rep. Bill Ryan	✓		
Rep. Dore Schwinden	✓		
Rep. Robert Story	✓		
Rep. Lila Taylor	✓		
Rep. Cliff Trexler	✓		
Rep. Ken Wennemar	✓		
Rep. Joe Barnett, Chairman	✓		



HOUSE STANDING COMMITTEE REPORT

March 10, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that Senate Bill 364 (third reading copy -- blue) be concurred in.

Signed: Joe Barnett
Joe Barnett, Chair

Carried by: Rep. Story

Committee Vote:
Yes 12, No 6.

561309SC.Hbk

SB 144 -

voted on, but
no standing com
report was
generated because
chairman postponed
action /



HOUSE STANDING COMMITTEE REPORT

March 10, 1995

Page 1 of 2

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that Senate Bill 207 (third reading copy -- blue) be concurred in as amended.

Signed: Joe Barnett
Joe Barnett, Chair

Carried by: Rep. Rose

And, that such amendments read:

1. Page 1, line 21.

Following: second "activity"

Insert: "that provides an annual gross income of not less than \$1,500 or"

2. Page 1, line 22.

Following: "AGRICULTURAL"

Insert: "or forest"

Strike: "AND THAT OCCURS"

Insert: ". The condition or activity must occur"

3. Page 2, line 16.

Following: "THE"

Insert: "growing, raising, or"

4. Page 2, line 18.

Following: "\$1,500"

Insert: "or that occurs on land that is classified as agricultural or forest land for taxation purposes"

Committee Vote:

Yes 7, No 1.

561400SC.Hbk

5. Page 2, line 23.
Following: "breeding"
Insert: ", feeding,"

6. Page 3, line 7.
Following: second "activities"
Insert: "outside the boundaries of an incorporated city or town"

-END-



HOUSE STANDING COMMITTEE REPORT

March 10, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that Senate Bill 365 (third reading copy -- blue) be concurred in.

Signed: Joe Barnett
Joe Barnett, Chair

Carried by: Rep. Taylor

Committee Vote:
Yes 18, No 0.

561314SC.Hbk



HOUSE STANDING COMMITTEE REPORT

March 10, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that Senate Bill 394 (third reading copy -- blue) be concurred in.

Signed: Joe Barnett
Joe Barnett, Chair

Carried by: Rep. Grinde

Committee Vote:
Yes 7, No 1.

561310SC.Hbk

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Agriculture Committee

DATE 3/9/94 BILL NO. _____ NUMBER _____

MOTION: Rose SB 364 Be Concur FN

NAME	AYE	NO
Rep. Sam Rose, Vice Chairman, Majority		✓
Rep. Don Larson, Vice Chairman, Minority		✓
Rep. Jon Ellingson	✓	
Rep. Dick Green	✓	
Rep. Harriet Hayne		✓
Rep. George Heavy Runner		✓
Rep. Rick Jore	✓	
Rep. Gay Ann Masolo	✓	
Rep. Judy Rice Murdock	✓	
Rep. Karl Ohs	✓	
Rep. Jay Stovall	✓	
Rep. Bill Ryan		✓
Rep. Dore Schwinden		✓
Rep. Robert Story	✓	
Rep. Lila Taylor	✓	
Rep. Cliff Trexler	✓	
Rep. Ken Wennemar	✓	
Rep. Joe Barnett, Chairman	✓	

12 6

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Agriculture Committee

Roll Call Vote

Milk Bill

DATE 3/9/95 BILL NO. _____ NUMBER _____

MOTION: (Amendment) pass B 364.
Case moved Ex 8

NAME	AYE	NO
Rep. Sam Rose, Vice Chairman, Majority	✓	
Rep. Don Larson, Vice Chairman, Minority		✓
Rep. Jon Ellingson	✓	
Rep. Dick Green		✓
Rep. Harriet Hayne		✓
Rep. George Heavy Runner	✓	
Rep. Rick Jore		✓
Rep. Gay Ann Masolo		✓
Rep. Judy Rice Murdock		✓
Rep. Karl Ohs		✓
Rep. Jay Stovall		✓
Rep. Bill Ryan	✓	
Rep. Dore Schwinden	✓	
Rep. Robert Story		✓
Rep. Lila Taylor		✓
Rep. Cliff Trexler		✓
Rep. Ken Wennemar	✓	
Rep. Joe Barnett, Chairman		✓

6 12

3/9/95
I do hereby give my proxy to vote on executive
action at the House Agriculture Committee to Rep.
Wennebat.

Rep. Henry Rumm

EXHIBIT 1
DATE 3/9/95
HB SB 394

Stardust *March 6 1915*

25 YEARS AGO (1970)

Bill Zumpf, Bill Mathers and Harvey Wolke flew to Minneapolis to confer with the president of Northern State Beef on the possibility of a meat packing plant in the Miles City area.

Dr. Frank R. Mohs has been appointed Chief of the medical services at the VA Hospital. Dr. Mohs, his wife Patricia and their ten children will reside in quarters on the hospital grounds.

Mr. and Mrs. Joseph L. Bagley returned from a month's trip to Mexico and the Southwest.

Pfc. Payton J. Shumaker III, 21 whose parents live in Terry, received the Army Commendation Medal in Vietnam, for heroism in action.

Bill Stegall, barber, is leaving Miles City for Mississippi where he and his brother will run a chain of convenience stores.

50 YEARS AGO (1945)

The Rev. Philo W. Haynes, 73, former resident of the Miles City area, died at Great Falls. He came to Montana over 50 years ago. He is survived by his widow, Hattie, and eight children.

Births included a girl to Mrs. Ted Schlepp, Crow Rock, and boys to Mrs. Robert Mees and Mrs. John Ross, Miles City.

Lt. Gordon Spear with the Naval Air Corps received his second air medal at a ceremony in Alameda, Calif., for

outstanding service in the South Pacific.

Earle G. Schweizer, prisoner of war for three years on Corrigedor Island, has been freed. He is the husband of Mrs. Tom Geonde's daughter, formerly Florence Sullivan.

100 YEARS AGO (1895)

News from Terry: Mr. Whitney, an old puncher, is in town. He is going to leave us. He will build a boat and start south for New Orleans. He is going to paddle along the river and says he will make quite a stake at the Indian agencies along the route. Just think of our old friend and a real cowboy selling striped neckties and spotted suspenders to the naked savages as he journeys south.

News from Otter Creek: We had about 15 inches of snow, but it commenced to chinook and the snow is almost gone. Stock is looking good. The wolves are doing considerable damage to stock. Some of the boys are poisoning a few but there is no certainty of getting any bounty, so it is not worked at with much energy. Charles Thex has killed 35 to 40 during the winter. The wolves have been worse than the winters for the past two years.

W.W. Terrett, manager of the Charlton-Montana, is in town.

A marriage license was issued to Henry Tusler and Clara F. Braley, both of Terry.

made from ...

*20 breeding pairs
1990 1991 + mt*

Wolf recovery act

Delimiting is separate

stem

*They don't stem in Alaska
Copper River*

1990 & 1991

Stardust

Miles City Star Feb 11, 1995

25 YEARS AGO (1970)

Mr. and Mrs. Russell (Bud) Sage will be leaving Miles City to take over the management of Kullman's Motel in Bismarck, N.D. The motel is owned by Hal Hilderman and Jake Hilderman of Miles City.
Paul Young returned from Bozeman where he attended the Montana Museum Association meeting.

50 YEARS AGO (1945)

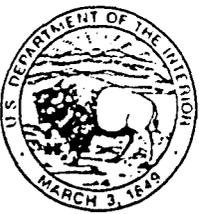
Montana alfalfa producers are urged by Ralph D. Mercer, MSC extension agronomist, to be sure the seed they buy was grown in Montana. Mercer says large importations of unadapted alfalfa seed are moving into the U.S. from Argentina and is not satisfactory as yields are lower and it does not remain in production more than one or two

years. Seed from Argentina is stained an orange-red color for identification.

100 YEARS AGO (1895)

Judge Strevell took the train for New York where he will spend a few days and then join an excursion party which will sail for Egypt in a few days. There will be about 300 in the company and it is expected that about two months will be

consumed in the trip. The Muddy News says that "the gray wolves are numerous on Tongue River and doing much damage to stock." This is but a repetition of what comes from every nook and corner in Custer County and the legislature should do something at once to aid a lot of wolfers out upon the ranges to protect the spring crop of calves and colts.



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
100 N. PARK AVE. SUITE 320
HELENA, MT 59601

EXHIBIT ³

DATE 3/9/95

HB 510394

7408

February 27, 1995

Dear Cooperator:

Enclosed is a list of Montana's animal and plant taxa that the U.S. Fish and Wildlife Service (Service) currently considers candidates for listing as threatened or endangered under the Endangered Species Act. This list has been updated based on the revised animal Notice of Review that was published in the November 15, 1994, Federal Register. Copies of the Notices of Review, nation-wide lists of all animal or plant candidates, are available from this office. For some species, the Notice of Review is already outdated or there are errors; the enclosed Montana list is current and errors have been corrected to the best of our knowledge.

Through publication of the Notice of Review, the Service requests information on status and threats (or the lack thereof) that may be available for any of these species. This information will be used in future revisions and/or supplements to the Notice of Review and in preparing listing documents. It also will help the Service monitor changes in the status of candidates. The Service will receive comments until the publication of an update of this Notice, anticipated in 1996.

Additionally, I have enclosed a list of Montana's federally Threatened and Endangered species. The most recent published List of Endangered and Threatened Wildlife and Plants (50 CFR 17.11 & 17.12, August 20, 1994), containing all listed species, is available from this office.

Please distribute this material to all staff and others who may find this information useful. Questions, comments, or requests for additional copies should be directed to Lori Nordstrom, at the letterhead address or phone (406) 449-5225.

Sincerely,

Kemper M. McMaster
Field Supervisor
Montana Field Office

Enclosures

LHN/lhn

Identical letter sent to:

D. Genter, MNHP
B. Ruediger, USFS
R. Stowell, USFS
Forest Biologist, Beaverhead NF
Forest Biologist, Bitterroot NF
Forest Biologist, Custer NF
Forest Biologist, Deerlodge NF
Forest Biologist, Flathead NF
Forest Biologist, Gallatin NF
Forest Biologist, Helena NF
Forest Biologist, Kootenai NF
Forest Biologist, Lewis and Clark NF
Forest Biologist, Lolo NF
D. Hinckley, BLM
R. Blaskovich, BR
D. Paulsen, Fed. Highways
S. Potts, EPA
P. Graham, MDFWP
C. Hunter, MDFWP
A. Dood, MDFWP
J. Herbert, MDFWP
Supervisor, R 1, MDFWP
Supervisor, R 2, MDFWP
Supervisor, R 3, MDFWP
Supervisor, R 4, MDFWP
Supervisor, R 5, MDFWP
Supervisor, R 6, MDFWP
Supervisor, R 7, MDFWP
Supervisor, R 8, MDFWP
G. Marx, Governors Office
S. Consolo-Murphy, YNP
S. Gniadek, GNP
M. Pablo, Confederated Salish and Kootenai Tribes
E. Old Person, Blackfeet Tribe
C. Shields, Assiniboine and Sioux Tribes
C. Nomee, Crow Tribe
H. Mount, Fort Belknap Indian Community
L. Fisher, Northern Cheyenne Tribe
J. R. Sunchild, Rocky Boys Tribe
P. Husby, NRCS
C. Yde, DSL
T. Ring, DNRC
J. Ryan, DHES
D. Sullivan, Department of Agriculture
G. Stockstad, Department of Transportation
M. Roberts, OEA Research
P. Farmer, WESTECH
C. & P. Knowles, FaunaWest
P. Mulligan, Biosystems Analysis
B. Carroll, Morrison-Maierle
L. Brown, Chen Northern

M. Ivie, Montana State University
B. McInearny, Army Corps of Engineers
C. Phelps, Montana Land Reliance
J. Ellis, Montana Audubon Council
T. France, National Wildlife Federation
H. Fisher, Defenders of Wildlife
J. Lancey, Montana Stockgrowers Association
J. Jourdonnais, Montana Power Company
J. Darling, Montana Chapter AFS
Nancy Warren, Montana Chapter TWS
S. Diamond, IFIA
R. Cooper, Pacific Rivers Council
G. Watson, Plum Creek Timber Co.
Superintendent, Blackfeet Agency, BIA
Superintendent, Crow Agency, BIA
Superintendent, Fort Belknap Agency, BIA
Superintendent, N. Cheyenne Agency, BIA
Superintendent, Flathead Agency, BIA
Superintendent, Fort Peck Agency, BIA

MONTANA ANIMAL AND PLANT CANDIDATES FOR LISTING
UNDER THE ENDANGERED SPECIES ACT

Compiled from the 1994 Animal Notice of Review (59 FR 58982) and the 1993 Plant Notice of Review (58 FR 51144). For further information, contact the U.S. Fish and Wildlife Service's Montana Field Office, 100 N. Park Ave., Suite 320, Helena, MT 59601 (406-449-5225).

The taxa in categories 1 and 2 are considered by the U.S. Fish and Wildlife Service as candidates for possible addition to the List of Endangered and Threatened Wildlife and Plants. The Service encourages their consideration in environmental planning; however, none of the substantive or procedural provisions of the Act apply to candidate species.

Category Codes:

- 1 - Taxa for which the Service has on file sufficient information on biological vulnerability and threats to support proposals to list as threatened or endangered.
- 2 - Taxa for which the Service has information indicating that proposing to list is possibly appropriate but for which conclusive data on biological vulnerability and threat currently are not available to support a proposal to list.
- 3 - No longer considered candidates for listing:
 - 3A - Taxa for which the Service has persuasive evidence of extinction.
 - 3B - Names that, on the basis of current taxonomic understanding (usually as represented in published revisions and monographs), do not represent distinct taxa meeting the Act's definition of species.
 - 3C - Taxa that have proven to be more abundant or widespread than previously believed and/or those that are not subject to any identifiable threat.
- PT - Taxa already proposed to be listed as threatened.
- PE - Taxa already proposed to be listed as endangered.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Category</u>	<u>Expected Occurrence</u>
Pygmy rabbit	<u>Brachylagus</u> <u>idahoensis</u>	2	SW MT - sagebrush
Spotted bat	<u>Euderma maculatum</u>	2	S, central MT - shrub-steppe, conifer parkland
North American lynx	<u>Felis lynx canadensis</u>	2	W, central MT - montane forest

<u>Common Name</u>	<u>Scientific Name</u>	<u>Category</u>	<u>Expected Occurrence</u>
North American wolverine	<u>Gulo gulo luscus</u>	2	W, central MT - conifer forest
Small-footed myotis	<u>Myotis ciliolabrum</u>	2	Statewide - rocky areas in various habitats; caves
Long-eared myotis	<u>Myotis evotis</u>	2	Statewide - various habitats; caves, mines
Fringed myotis	<u>Myotis thysanodes</u>	2	SW MT - conifer forest
Long-legged myotis	<u>Myotis volans</u>	2	Statewide - riparian forest
Yuma myotis	<u>Myotis yumanensis</u>	2	W MT - forests
Pale Townsend's big-eared bat	<u>Plecotus townsendii pallescens</u>	2	Statewide - shrub-steppe, forest edge, caves
Woodland caribou	<u>Rangifer tarandus caribou</u>	2	NW MT - boreal forest
Preble's shrew	<u>Sorex preblei</u>	2	W MT - sagebrush, grasslands
Swift fox	<u>Vulpes velox</u>	2	E of divide - prairie, grasslands
Northern goshawk	<u>Accipiter gentilis</u>	2	Statewide - conifer forest
Baird's sparrow	<u>Ammodramus bairdii</u>	2	E of divide - shortgrass prairie
Western burrowing owl	<u>Athene cunicularia hypugea</u>	2	E of divide - prairie, grasslands
Ferruginous hawk	<u>Buteo regalis</u>	2	E MT - prairie, grasslands
Mountain plover	<u>Charadrius montanus</u>	1	E MT - shortgrass prairie
Black tern	<u>Chlidonias niger</u>	2	Statewide - lakes, marshes
Trumpeter swan	<u>Cygnus buccinator</u>	2	SW MT - Centennial Valley lakes
Harlequin duck	<u>Histrionicus histrionicus</u>	2	W MT - fast flowing streams
White-faced ibis	<u>Plegadis chihi</u>	2	E MT - marshes

<u>Common Name</u>	<u>Scientific Name</u>	<u>Category</u>	<u>Expected Occurrence</u>
Columbian sharp-tailed grouse	<u>Tympanuchus phasianellus columbianus</u>	2	NW MT - Tobacco Plains, Ovando Valley - grasslands
Eastern short-horned lizard	<u>Phrynosoma douglassii brevirostra</u>	2	E MT - sandy soils, dunes
Northern sagebrush lizard	<u>Sceloporus graciosus graciosus</u>	2	SE MT - rocky/brush
Tailed frog	<u>Ascaphus truei</u>	2	W MT - cold, fast mountain streams
Spotted frog	<u>Rana pretiosa</u>	2	W, central MT - streams, lakes, coniferous forest
Blue sucker	<u>Cycleptus elongatus</u>	2	Missouri River
Western silvery minnow	<u>Hybognathus argyritis</u>	2	Missouri, Yellowstone River drainages
Plains minnow	<u>Hybognathus placitus</u>	2	Missouri, Yellowstone River drainages
Sturgeon chub	<u>Macrhybopsis (=Hybopsis) gelida</u>	1	Lower Yellowstone, Powder Rivers
Sicklefin chub	<u>Macrhybopsis (=Hybopsis) meeki</u>	1	Missouri River
Westslope cutthroat trout	<u>Onchorhynchus clarki lewisi</u>	2	Clark Fork, upper Missouri River drainages
Interior redband trout	<u>Onchorhynchus mykiss gibbsi</u>	2	NW MT - Kootenai River drainage
Flathead chub	<u>Platygobio (=Hybopsis) gracilis</u>	2	Missouri, Yellowstone River drainages
Paddlefish	<u>Polyodon spathula</u>	2	E, central MT - Missouri, Yellowstone Rivers
Bull trout	<u>Salvelinus confluentus</u>	1	W MT, cold water streams, lakes
Arctic grayling (fluvial pop.)	<u>Thymallus arcticus</u>	1	SW MT- Big Hole, Madison? Rivers

<u>Common Name</u>	<u>Scientific Name</u>	<u>Category</u>	<u>Expected Occurrence</u>
Rocky Mountain capshell (snail)	<u>Acroloxus coloradensis</u>	3C	Glacier Natl. Park, small ponds
Cockerell's striate disc (snail)	<u>Discus shemeki cockerelli</u>	2	Sweet Grass County; riparian forest floor
Berry's mountainsnail	<u>Oreohelix strigosa berryi</u>	2	Big Snowy Mountains; conifer forest
Meltwater lednian stonefly	<u>Lednia tumana</u>	2	Glacier Natl. Park, glacial streams
Brown's microcyloopus riffle beetle	<u>Microcyloopus browni</u>	2	Gallatin County - warm springs
Warm Spring zaitzevian riffle beetle	<u>Zaitzevia therae</u>	1	Gallatin County - warm springs
Tawny crescent butterfly	<u>Phyciodes batesi</u>	2	E MT - moist meadows, riparian areas
Regal fritillary butterfly	<u>Speyeria idalia</u>	2	E MT - extirpated?
Alexander's rhyacophilan caddisfly	<u>Rhyacophila alexanderi</u>	2	SW MT, alpine streams
<u>PLANTS</u>			
Sapphire rockcress	<u>Arabis fecunda</u>	2	SW MT - rocky slopes
Barr's milkvetch	<u>Astragalus barrii</u>	3C	SE MT - buttes, hilltops
Leadville milkvetch	<u>Astragalus molybdenus</u>	2	Teton Co. - talus slopes; timberline
Bitterroot milkvetch	<u>Astragalus scaphoides</u>	3C	W MT - Beaverhead River drainage, sagebrush
Wavy moonwort	<u>Botrychium crenularum</u>	2	NW MT - Flathead River drainage; forested valleys
Peculiar moonwort	<u>Botrychium paradoxum</u>	2	W MT - alpine meadow
Cascade reedgrass	<u>Calamagrostis tweedyi</u>	3C	W MT - open timber

<u>Common Name</u>	<u>Scientific Name</u>	<u>Category</u>	<u>Expected Occurrence</u>
None	<u>Carex lenticularis</u> var. <u>dolia</u>	2	Glacier Natl. Park; alpine stream banks
None	<u>Carex microptera</u> var. <u>crassinervia</u>	3B	W Central MT - mountains
Alpine rabbitbrush	<u>Chrysothamnus parryi</u> ssp. <u>montanus</u>	2	SW MT-- Beaverhead Mtns, rocky slopes at timberline
Long-styled thistle	<u>Cirsium longistylum</u>	2	Central MT- meadows
Yellow springbeauty	<u>Claytonia lanceolata</u> var. <u>flava</u>	2	SW MT - wet meadow, high elevation
Clustered lady's-slipper	<u>Cypripedium fasciculatum</u>	2	Mission Mtns; montane forests
None	<u>Erigeron lackschewitzii</u>	2	NW MT- alpine tundra/talus
Rabbit wild buckwheat	<u>Eriogonum lagopus</u>	2	S central MT- Pryor Mtns, sagebrush
Howell's gumweed	<u>Grindellia howellii</u>	2	W MT - Missoula, Powell Counties; disturbed sites
Keeled bladderpod	<u>Lesquerella carinata</u>	2	SW MT - foothills; rocky grasslands
Few-seeded bladderpod	<u>Lesquerella humilis</u>	2	W MT - Bitterroot Mtns; open rocky areas
Pygmy poppy	<u>Papaver pygmaeum</u>	2	NW MT - stony slopes; alpine
Cary's beardtongue	<u>Penstemon caryi</u>	2	Pryor Mtns - open grasslands
Lemhi beardtongue	<u>Penstemon lemhiensis</u>	2	SW MT - open sagebrush, mid-high elevation
Primrose	<u>Primula alcalina</u>	2	? SW MT - uncertain if found in MT
Persistent sepal yellowcress	<u>Rorippa calycina</u>	2	E MT - riverbanks

<u>Common Name</u>	<u>Scientific Name</u>	<u>Category</u>	<u>Expected Occurrence</u>
Shoshonea	<u>Shoshonea pulvinata</u>	2	Pryor, Beartooth Mtns - ridgetops
Spalding's catchfly	<u>Silene spaldingii</u>	2	NW MT - Tobacco Plains grasslands
Wyoming sullivania	<u>Sullivantia hapemannii</u>	2	SE MT - wet, open banks, cliffs
Bitterroot trisetum	<u>Trisetum orthochaetum</u>	3B	W MT - Granite Creek drainage

EXHIBIT 3DATE 3-9-95SB 394

September 1994

THREATENED AND ENDANGERED SPECIES - MONTANA

ENDANGERED (E) - Any species that is in danger of extinction throughout all or a significant portion of its range.

THREATENED (T) - Any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Range-Montana</u>
Black-footed Ferret	<u>Mustela nigripes</u>	E	Prairie dog complexes; East. MT
Gray Wolf	<u>Canis lupus</u>	E	Forests; West. MT
Grizzly Bear	<u>Ursus arctos horribilis</u>	T	Alpine/subalpine coniferous forest; West. MT
Bald Eagle	<u>Haliaeetus leucocephalus</u>	E	Forested riparian; statewide
Peregrine Falcon	<u>Falco peregrinus</u>	E	Forests near cliffs; statewide
Whooping Crane	<u>Grus americana</u>	E	Wetlands; migrant statewide
Piping Plover	<u>Charadrius melodus</u>	T	Missouri River sandbars, alkaline beaches; NE MT
Least Tern	<u>Sterna antillarum</u>	E	Yellowstone, Missouri River sandbars, beaches; East. MT
Pallid Sturgeon	<u>Scaphirhynchus albus</u>	E	Bottom dwelling; Missouri, Yellowstone Rivers
White Sturgeon (Kootenai River pop.)	<u>Acipenser transmontanus</u>	E	Kootenai River, NW MT
Water Howellia	<u>Howellia aquatilis</u>	T	Wetlands; Swan Valley, NW MT

To: Agencies and individuals interested in wolf control work in Minnesota

From: William J. Paul, District Supervisor, USDA, 717 NE 4th Street, Grand Rapids, MN 55744

Re: U.S. Department of Agriculture wolf depredation control work in Minnesota, 1994

EXHIBIT 4
DATE 3/9/95
HB SB 394

PROGRAM SUMMARY (1994)

Wolf-livestock conflicts in Minnesota during 1994 were the highest on record. A total of 83 complaints of wolf depredations on livestock or poultry were verified at 74 farms and 175 wolves were captured (172 killed) in response to the depredations.

Eight instances of wolf attacks on domestic dogs were reported. The attacks resulted in 8 dogs being killed and 4 others wounded. Wolf attacks on dogs often lead to concern by the public over human safety, especially when the dogs are attacked in the complainant's yard.

Twenty-two instances of alleged wolf depredations during 1994 were determined by ADC personnel to be coyote damage. The number of livestock claimed lost for these complaints were 1 cow, 29 calves, and 85 sheep. Coyotes remain an important factor in alleged livestock losses in the wolf range.

A record number of wolves (175) were captured by Minnesota ADC personnel during wolf depredation control activities in 1994. The increased take is related to the large number of farms (74) with verified losses during 1994 and the continued expansion by wolves into more agricultural areas of the state. This trend is expected to continue as Minnesota's wolf population has now recovered to an all-time high of about 2,000 animals.

During November 1994, the state of Minnesota proposed removing the timber wolf from its protected status under Minnesota's Endangered Species Act. The change is one of 306 proposed under the latest revision of the state's act. Under the proposed change, the wolf would be reduced in status from a "threatened" species to one of "special concern." Minnesota Department of Natural Resources officials expect that the status of the wolf will likely be the most controversial of all the changes proposed.

The U.S. Fish & Wildlife Service has also indicated that it will propose delisting the wolf in Minnesota in the near future. Minnesota's current population of 2,000 wolves is well above the Eastern Timber Wolf Recovery Plan goal of 1,400 wolves by the year 2000. While the Minnesota population is considered recovered, delisting will not occur until a second population of

at least 100 wolves is established in Wisconsin-Michigan and that population level must be maintained for five consecutive years. The Wisconsin-Michigan population was estimated at 100 wolves in the spring of 1994. If the Wisconsin-Michigan population continues to grow, Minnesota's wolf population would be federally delisted and management could return to the state of Minnesota.

ADC personnel continue to recommend and utilize non-lethal methods of wolf control when appropriate. Several farmers inquired about livestock guarding dogs during the past year, and they were provided with information and a guard dog breeder's list. In spite of ongoing efforts by Minnesota ADC personnel to promote awareness about guard dogs, producer interest in utilizing the dogs remains low across the wolf range. Flashing light and siren devices are utilized in situations where individuals do not want the depredating wolves trapped, or in situations where wolves may be threatening or harassing livestock, but no damage has occurred. ADC personnel also continue to encourage livestock-producers to make changes in animal husbandry practices that could reduce the potential for wolf damage at their farms.

Further information on ADC wolf control activities in Minnesota may be found in the Minnesota ADC Program Fiscal Year 1994 Annual Report.

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Animal Damage Control

WOLF DEPREDTION ON LIVESTOCK IN MINNESOTA
ANNUAL UPDATE OF STATISTICS - 1994

William J. Paul
USDA, APHIS, ADC
717 NE 4th Street
Grand Rapids, MN 55744

Depredation by wolves (Canis lupus) on livestock and poultry in Minnesota is a problem for some producers. A small percentage of the farms in the wolf range are affected annually and only a few of these farms suffer substantial monetary loss in a given year. From 1976 through 1994, the number of farms suffering verified wolf depredations ranged from 9 to 74 per year (\bar{x} = 58 during the past 5 years) out of about 7,200. From 1977 through 1994 the highest cattle losses claimed by farmers were 0.61 per 1,000 available in 1994; the highest sheep losses claimed were 13.87 per 1,000 available in 1990. A state program which compensates farmers for livestock destroyed by wolves has paid an average of \$32,170 per year during the past 5 years. Compensation payments from 1978 through 1994 have ranged from \$14,444 to \$43,664. Claims of losses (especially of calves) sometimes include missing animals. Livestock depredations caused by coyotes (Canis latrans) are often misidentified as wolf damage by farmers in the wolf range. As a result, the view of wolves as livestock predators has been magnified. Most losses occur in summer when livestock are released to graze in open and wooded pastures. Some animal husbandry practices, such as calving in forested or brushy pastures and disposal of livestock carcasses in or near pastures, are believed to contribute to instances of wolf depredation. The number of wolves captured on U.S. Fish and Wildlife Service depredation-control programs from 1976 through 1985 and the U.S. Department of Agriculture depredation-control program from 1986 through 1994 has ranged from 15 to 175 per year (\bar{x} = 119 during the past 5 years). Trapping that is initiated against depredating wolves soon after losses have occurred, coupled with improvements in animal husbandry practices, has potential for reducing both livestock losses and the number of wolves that need to be taken. However, the interface of these predators and livestock in Minnesota will necessitate the continued removal of depredating wolves.

SUMMARY OF BASIC DATA FROM FWS LIVESTOCK DEPRECIATION CONTROL PROGRAM, 1979-85

	1979	1980	1981	1982	1983	1984	1985
Total complaints received	31	47	97	76	79	69	77
Complaints received involving livestock	29	40	86	65	69	59	70
Total complaints verified	16	28	60	34	40	35	39
No. complaints involving livestock that were verified	15	26	58	32	36	29	36
% of total complaints that were verified	51.6	59.6	61.8	44.7	50.6	50.7	50.6
No. complainants	23	31	67	60	63	53	58
No. farms where livestock (excluding dogs) were verified lost by FWS	12	17	38	27	28	19	27
Domestic animals claimed lost to wolves to FWS							
7 cows	10 cows	6 cows	4 cows	17 cows	1 bull, 4 cows	1 bull, 14 cows	
98 calves	45 calves	60 calves	54 calves	82 calves	4 yrl, 37 calves	1 yrl, 62 calves	
1 sheep	73 sheep	242 sheep	27 sheep	45 sheep	161 sheep	149 sheep	
3 chickens	56 turkeys	725 turkeys	434 turkeys	127 turkeys	296 turkeys	120 turkeys	
1 dog	1 foal	10 geese	1 goose	2 goats	1 goat	1 goat	
	2 dogs	8 goats	4 goats	284 pigs	several pigs	1 horse	
		1 pig	6-20 pigs	1 horse	1 horse	12 guineas	
		100 guineas	2 dogs	5 dogs	17 dogs	5 dogs	
		4 dogs					
5 cows	4 cows	6 cows	1 cow	3 cows	1 cow, 1 yrl	3 cows, 1 yrl	
12 calves	12 calves	24 calves	23 calves	32 calves	8 calves	19 calves	
1 sheep	56 sheep	110 sheep	12 sheep	29 sheep	92 sheep	75 sheep	
1 chicken	56 turkeys	571 turkeys	50 turkeys	127 turkeys	294 turkeys	1 goat	
1 dog	1 foal	6 geese	2 pigs	6 pigs	3 pigs	1 goat	
	1 dog	3 dogs	2 dogs	1 horse	1 horse	2 dogs	
				4 dogs	1 guinea		
Complaints trapped	15	28	54	37	39	25	41
Wolves captured	15	26	42	24	49	47	36
Wolves killed	6	21	29	20	42	36	31

1/ A verified complaint is one in which FWS determines that wolves have killed or maimed one or more domestic animals as evidenced by:
 (1) observing wounded animals or remains of animals killed and
 (2) finding evidence of wolf involvement.

Other useful facts

1. Total farms in Minnesota wolf range - 12,230 (1979)
2. Total cattle in Minnesota wolf range - 234,000 (1979)
3. Total sheep in Minnesota wolf range - 91,000 (1979)
4. Estimated no. wolves in Minnesota - 1,200; population increasing in some areas, decreasing in others, but general population about stable.

William J. Paul
 U.S. Fish & Wildlife Service
 North Central Experiment Station
 University of Minnesota
 1861 Hwy 169 East
 Grand Rapids, MN 55744

SUMMARY OF BASIC DATA FROM USDA WOLF-LIVESTOCK DEPREDAATION CONTROL PROGRAM IN MINNESOTA, 1986-89

	1986	1987	1988	1989
Total complaints received	59	65	86	100
Complaints received involving livestock	54	54	74	81
Total complaints verified ^{1/}	30	38	50	58
No. complaints involving livestock that were verified	29	33	45	49
% of total complaints that were verified	50.8	58.5	58.1	58.0
No. complainants	50	56	72	87
No. farms where livestock (excluding dogs) were verified lost by USDA	25	30	35	41
Domestic animals claimed lost to wolves to USDA	1 bull, 6 cows 4 yr1, 52 calves 36 sheep 481 turkeys 1 goat 1 horse 1 chicken 2 dogs	5 cows, 3 yr1, 40 calves, 24 sheep, 1903 turkeys 8 goats 1 horse 5 pigs, 7 geese 2 dogs	3 cows, 7 yr1, 60 calves 112 sheep 301 turkeys 3 geese, 1 duck 17 chickens 15-20 dogs, 1 cat	1 bull, 7 cows 5 yr1., 57 calves 73 sheep 2,031 turkeys 2 horses 1 goat 20 geese 14 dogs
Domestic animals verified by USDA as lost to wolves	4 cows, 3 yr1 19 calves 13 sheep 285 turkeys 1 goat 1 dog	4 cows, 1 yr1 19 calves, 9 sheep 1,753 turkeys 5 pigs, 1 goose 2 dogs	2 cows, 1 yr1 28 calves 68 sheep 251 turkeys 15 chickens, 1 duck 3 dogs	1 bull, 5 cows 3 yr1., 31 calves 47 sheep 1,636 turkeys 1 goat 10 dogs
Complaints trapped	31	34	52	51
Wolves captured	31	45	64	95
Wolves killed	31	43	59	81

^{1/} A verified complaint is one in which USDA determines that wolves have killed or maimed one or more domestic animals as evidenced by (1) observing wounded animals or remains of animals killed and (2) finding evidence of wolf involvement

Other useful facts

1. Total farms in Minnesota wolf range - 7,200 (1982)
2. Total cattle in Minnesota wolf range - 232,000 (1986)
3. Total sheep in Minnesota wolf range - 16,000 (1986)
4. Estimated no. wolves in Minnesota - 1,200; population increasing in some areas, decreasing in others, but general population about stable.

William J. Paul
U. S. Department of Agriculture
APHIS - Animal Damage Control
717 NE 4th Street
Grand Rapids, MN 55744

EXHIBIT 4
DATE 3-9-95
SB 394

Total complaints received involving livestock
 Complaints received involving livestock
 Total complaints verified*
 No. complaints involving livestock that were verified
 Percentage of total complaints that were verified
 No. complainants
 No. farms where livestock (excluding dogs) were verified lost by USDA

	1990	1991	1992
Total complaints received involving livestock	149	133	161
Complaints received involving livestock	125	117	140
Total complaints verified*	76	55	82
No. complaints involving livestock that were verified	65	49	71
Percentage of total complaints that were verified	51.0	41.4	50.9
No. complainants	124	117	133
No. farms where livestock (excluding dogs) were verified lost by USDA	55	42	62

Domestic animals claimed lost to wolves to USDA

	1990	1991	1992
13 cows	5 cows	15 cows	
3 yr1., 92 calves	5 yr1., 95 calves	6 yr1., 95 calves	
222 sheep	205 sheep	123 sheep	
1,186 turkeys	1,216 turkeys	132 turkeys	
4 horses	1 horse, 2 goats	3 horses, 3 pigs	
10 geese, 4 ducks	2 llamas, 12 geese	53 chickens	
28 chickens	10 ducks, 9 chickens	9 dogs	
16 dogs, 20 cats	11 dogs		

Domestic animals verified by USDA as lost to wolves

2 cows	3 cows	9 cows
35 calves	2 yr1., 30 calves	1 yr1., 45 calves
112 sheep	31 sheep	38 sheep
693 turkeys	977 turkeys	132 turkeys
1 goose, 3 chickens	1 goat, 5 geese	2 horses, 3 pigs
11 dogs, 2 cats	2 ducks, 9 dogs	

Complaints trapped
 Wolves captured
 Wolves killed

55	46	73
91	63	122
91	54	118

* A verified complaint is one in which USDA determines that wolves have killed or maimed one or more domestic animals as evidenced by (1) observing wounded animals or remains of animals killed and (2) finding evidence of wolf involvement

Other useful facts

1. Total farms in Minnesota wolf range - 7,200 (1982)
2. Total cattle in Minnesota wolf range - 232,000 (1986)
3. Total sheep in Minnesota wolf range - 16,000 (1986)
4. Estimated number of wolves in Minnesota - 1,750 (population increasing)

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SUMMARY OF BASIC DATA FROM USDA WOLF-LIVESTOCK DEPREDAATION CONTROL PROGRAM IN MINNESOTA, 1993-94

	1993	1994
Total complaints received	159	162
Complaints received involving livestock	141	140
Total complaints verified*	70	91
No. complaints involving livestock that were verified	65	83
Percentage of total complaints that were verified	44.0	56.2
No. complainants	133	135
No. farms where livestock (excluding dogs) were verified lost by USDA	57	74

Domestic animals claimed lost to wolves to USDA

17 cows	16 cows
4 yr1., 92 calves	8 yr1., 118 calves
81 sheep	99 sheep
1,011 turkeys	178 turkeys
1 horse, 4 goats	3 horses
20 ducks	30 chickens
6 dogs	10 dogs

Domestic animals verified by USDA as lost to wolves

12 cows	11 cows
4 yr1., 41 calves	3 yr1., 68 calves
23 sheep	14 sheep
682 turkeys	113 turkeys
1 goat	1 horse, 30 chickens
6 dogs	8 dogs

Complaints trapped
 Wolves captured
 Wolves killed

69
 145
 139

79
 175
 172

* A verified complaint is one in which USDA determines that wolves have killed or maimed one or more domestic animals as evidenced by (1) observing wounded animals or remains of animals killed and (2) finding evidence of wolf involvement

Other useful facts

1. Total farms in Minnesota wolf range - 7,200 (1982)
2. Total cattle in Minnesota wolf range - 232,000 (1986)
3. Total sheep in Minnesota wolf range - 16,000 (1986)
4. Estimated number of wolves in Minnesota - 2,000 (population increasing)

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EXHIBIT 4
 DATE 3-9-94
SB394

Compensation paid by Minnesota Department of Agriculture for livestock destroyed by wolves

Calendar Year	No. claims made	No. claims paid	No. farmers to which claims paid	Amount paid	Losses authorized for payment
1977 ^a	10	7	7	\$ 8,667.50	1 cow, 16 calves, 17 ewes, 76 lambs
1978	28	25	19	22,482.08	6 cows, 69 calves, 8 ewes, 29 lambs, 124 turkeys
1979	23	23	15	20,773.22	9 cows, 48 calves ^b , 15 ewes, 8 lambs, 2 goats, 5 ducks
1980	32	32	22	20,459.00	6 cows, 20 calves, 36 ewes, 72 lambs, 1 colt, 1 horse, 56 turkeys
1981	62	62	38	38,605.60	9 cows, 2 yrl., 24 calves, 57 ewes, 205 lambs, 2 pigs, 582 turkeys, 43 geese, 15 ducks, 100 chickens
1982	36	34	29	18,971.04	1 cow, 1 yrl., 30 calves, 7 ewes, 12 lambs, 640 turkeys
1983	37	34	27	24,868.66	2 cows, 8 yrl., 38 calves, 1 horse, 18 ewes, 11 lambs, 293 pigs, 127 turkeys

cont.

Compensation paid by Minnesota Department of Agriculture for livestock destroyed by wolves

Calendar Year	No. claims made	No. claims paid	No. farmers to which claims paid	Amount paid	Losses authorized for payment
1984	33	31	18	\$19,457.74	1 bull, 3 cows, 3 yrl., 24 calves, 1 horse, 2 bucks, 24 ewes, 82 lambs, 1 pig, 296 turkeys
1985	46	45	28	23,558.50	1 bull, 12 cows, 1 yrl., 30 calves, 1 buck, 42 ewes, 77 lambs
1986	33	32	25	14,444.19	4 cows, 4 yrl., 22 calves, 10 ewes, 14 lambs, 481 turkeys
1987	45	44	32	24,233.64	5 cows, 2 yrl., 25 calves, 10 ewes, 4 lambs, 1,817 turkeys, 5 pigs
1988	50	49	30	28,109.90	4 cows, 5 yrl., 41 calves, 32 ewes, 47 lambs, 292 turkeys, 15 chickens, 1 duck
1989	77	76	40	43,663.92	1 bull, 6 cows, 3 yrl., 52 calves, 13 ewes, 32 lambs, 1,866 turkeys
1990	84	82	51	42,739.04	8 cows, 3 yrl., 50 calves, 1 buck, 64 ewes, 63 lambs, 1,170 turkeys, 4 ducks
1991	52	50	32	32,205.67	4 cows, 1 yrl., 38 calves, 15 ewes, 41 lambs, 1 goat, 1,075 turkeys, 2 geese, 2 ducks

EXHIBIT 4
 DATE 3-9-95
SB 394

cont.

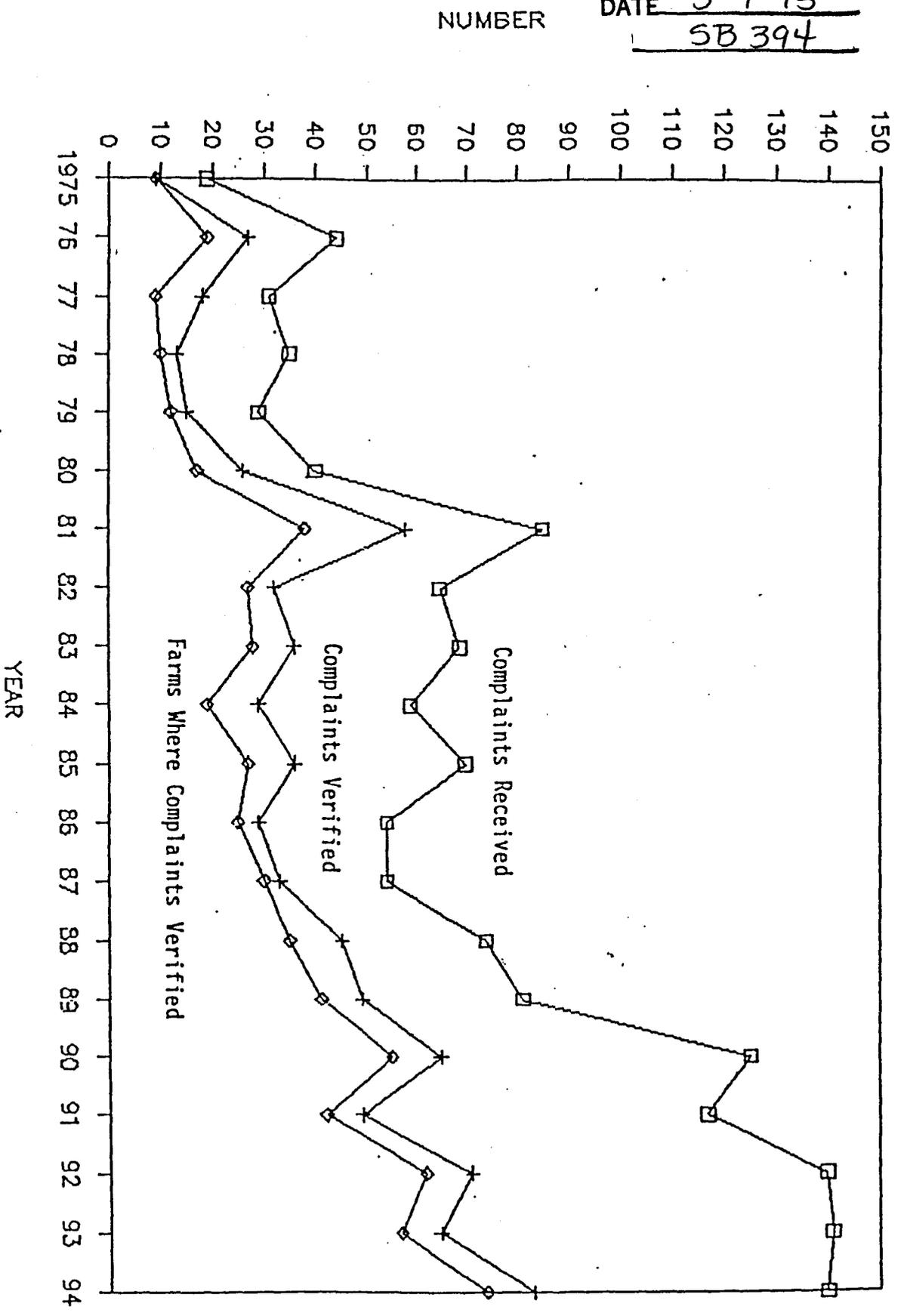
Compensation paid by Minnesota Department of Agriculture for livestock destroyed by wolves

Calendar Year	No. claims made	No. claims paid	No. farmers to which claims paid		Amount paid	Losses authorized for payment
			claims paid	claims pending		
1992	61	58	47		\$23,339.10	4 cows, 1 Yrl., 45 calves, 2 horses, 1 buck, 28 ewes, 18 lambs, 3 pigs, 131 turkeys
1993	61	58	46		31,182.38	13 cows, 3 Yrl., 37 calves, 17 ewes, 16 lambs, 610 turkeys
1994	72	63 paid 8 pending	54 paid 8 pending		26,833.84 paid 4,550.00 pending	8 cows, 4 Yrl., 58 calves, 1 horse, 5 ewes, 9 lambs, 114 turkeys, 24 chickens
						3 cows, 8 calves, 1 horse are pending

^aFigures for 1977 probably underrepresent losses because of the 1 July starting date and low public awareness of the program.

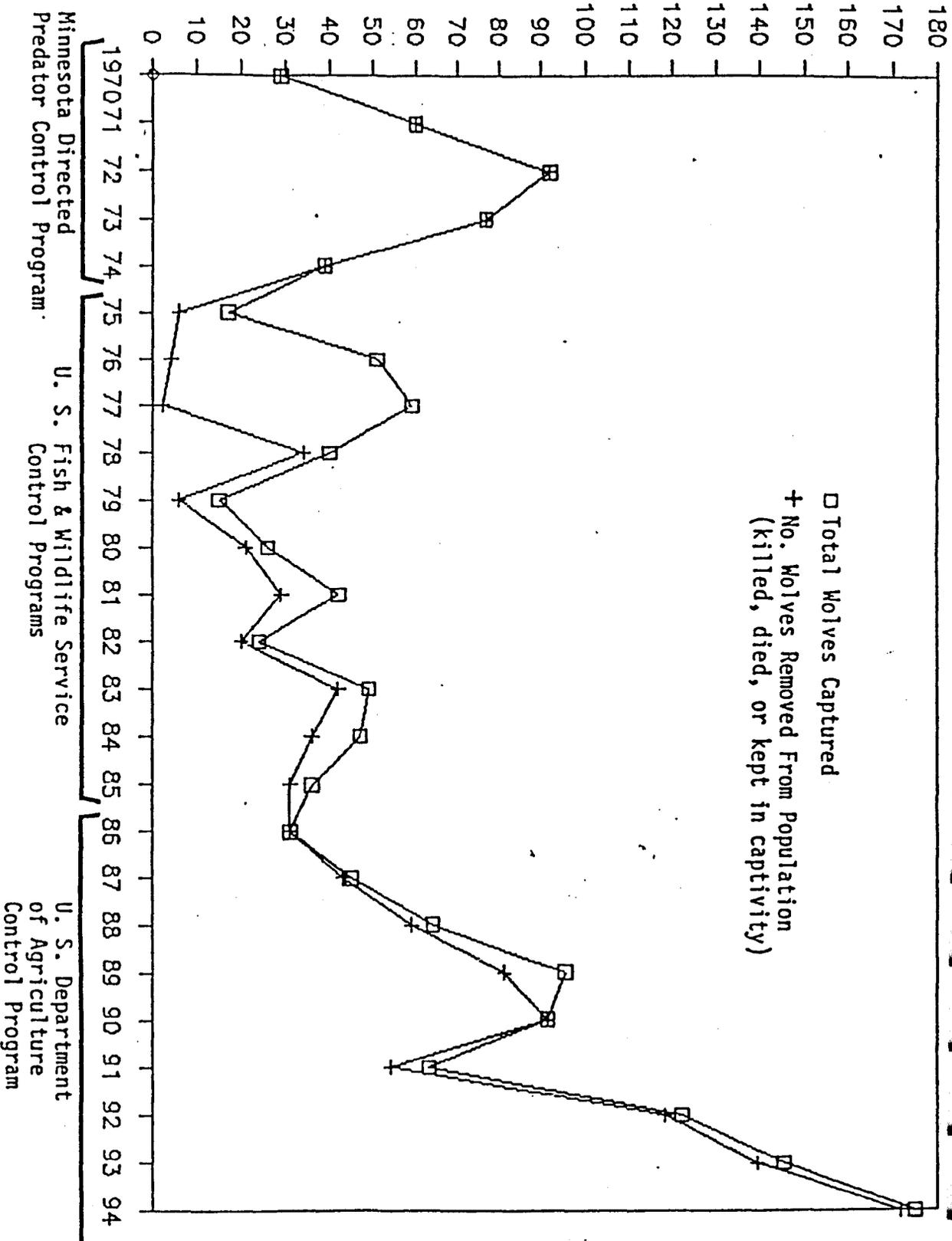
^bAbout 35 of these calves were only missing; no remains were found, nor was there evidence that they had been killed by wolves even though wolves may have been near the farm.

EXHIBIT 4
 DATE 3-9-95
SB 394



Indices to recent wolf depredations on livestock in Minnesota based on reports received by the U. S. Fish and Wildlife Service (FWS) from 1975 through 1985 and the U. S. Department of Agriculture (USDA) from 1986 through 1994. Minnesota Department of Agriculture data are not included. Total number of complaints received are all complaints received involving wolves and livestock, regardless of whether wolves killed a livestock individual. Number of complaints verified are the number of instances in which FWS or USDA investigation of a complaint produced evidence that wolves had killed or injured livestock. Each year after 1975 more than one complaint was verified at some farms. In 1975 the FWS had only a minor program (two trappers and no publicity), but enlarged its staff and publicity in 1976.

NUMBER OF WOLVES



Total number of wolves captured and number removed from the population by livestock-depredation control programs in Minnesota, 1970-1994. All wolves captured on the Minnesota directed control program were killed. Data for 1970-74 represent State fiscal years. Four wolves captured in late summer 1974 are included in fiscal year 1974. Data for 1975-94 represent calendar years.

AMENDMENTS TO SB 364
INTRODUCED BY SPRAGUE

Rose

EXHIBIT 5
DATE 3/9/95
HB 3B 364

Page 11 Line 26

Insert: NEW SECTION 6. The legislative auditor is instructed to complete an interim study and report to the 1997 legislature regarding the effects of the transition to a free market approach for processing, distributing and retailing Montana milk. The study must evaluate the impact of decontrolling wholesale and retail milk prices on Montana consumers, jobbers, processors and producers.

Page 11 Line 28

Strike: January 1, 1996
Insert: July 1, 1997.

Connie

EXHIBIT 6
DATE 3/9/95
HB SB207

Amendments to Senate Bill No. 207
Third Reading Copy

Requested by Sen. Mesaros
For the Committee on Agriculture

Prepared by Connie Erickson
February 28, 1995

1. Page 1, line 21.

Following: second "activity"

Insert: "that provides an annual gross income of not less than
\$1,500 or"

2. Page 1, line 22.

Following: "AGRICULTURAL"

Insert: "or forest"

Strike: "AND THAT OCCURS"

Insert: ". The condition or activity must occur"

3. Page 2, line 16.

Following: "THE"

Insert: "growing, raising, or"

4. Page 2, line 18.

Following: "\$1,500"

Insert: "or that occurs on land that is classified as
agricultural or forest land for taxation purposes"

5. Page 3, line 7.

Following: second "activities"

Insert: "outside the boundaries of an incorporated city or town"

Ex 2
duplicate Connie

EXHIBIT 7
DATE 3/9/95
HB 33144

Amendments to Senate Bill No. 144
Third Reading Copy

Requested by Representative Ohs
For the House Committee on Agriculture, Livestock, and Irrigation

Prepared by Connie Erickson
March 9, 1995

1. Page 8, line 18.

Following: "(1)"

Insert: "(a)"

Strike: "The"

Insert: "In the Upper Clark Fork River basin as defined in 85-2-335, the"

2. Page 8, line 21.

Strike: line 21 in its entirety

Insert: "(b) If a final decision of the department on an application for a change approval in the Upper Clark Fork basin is appealed to a district court, the district court shall award the prevailing party reasonable attorney fees."

3. Page 8, line 22.

Strike: "or change approval"

4. Page 21.

Following: line 10

Insert: "NEW SECTION. Section 11. {standard} Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Agriculture, Livestock COMMITTEE BILL NO. SB 365
 DATE 3/9/95 SPONSOR(S) Cole

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Ken Williams	MPC/Entech	SB365		X
Jim Mockler	Mt. Coal Council	SB365		←
Bud Clinch	DSL	SB-365		✓
Jeff Barber	NPRC	SB365		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Agiculture, Livestock COMMITTEE
 DATE 3/9/95 SPONSOR(S) Devlin

BILL NO. SB 394

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
John F. Baucus	MT Wool Growers Assoc	SB 394		X
Joe T. Helle	Rancher			X
Bob Gilchrist	MT Wool Growers Assn	SB 394		X
Leo Graham	Malam - mpa	394		X
Janet Ellis	MT Audubon	394	X	
Cork Mortensen	MT. Board of Livestock	394		X
Jennifer Hill	MSGA, AFA, MT Cattlemen	394		X

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