

Senate Bill 92
January 20, 2011
Presented by Art Noonan
Senate Fish and Game Committee

Mr. Chairman and committee members, I am Art Noonan, Deputy Director of Montana Department of Fish, Wildlife & Parks (FWP). I am here to provide information on Senate Bill 92.

SB92 before you today would eliminate the current statute prohibiting nonresidents from capturing raptors in Montana for use in the sport of falconry. Montana is one of less than 10 states in the nation that do not allow falconers that are nonresidents to capture raptors in the state. Most states allow nonresident take only if the falconer's home state also allows nonresident take of raptors. Thus reciprocity would currently prevent Montana falconers from going to many states to capture a raptor. Montana has a healthy population of varying species of raptors allowing significant opportunity for Montana falconers. Montana residents do have a desire to travel to other states to avail themselves, for example, of the permitted take of first year passage peregrine falcons, which Montana does not allow.

Montana currently licenses 93 falconers in either the apprentice, general, or master class. General and master falconers are limited to the take of two raptors from the wild annually while apprentice falconers may only capture one raptor from the wild annually. Rather than capture a wild bird, more than half of the falconers obtain a captive reared bird purchased from a licensed raptor propagator for use in the sport of falconry. Montana falconers have captured approximately 60 birds from the wild over the last five years. While some of those birds are still in the care of Montana falconers, some have been transferred, which, if transferred out of state, requires authorization from FWP; some have died or have escaped, and some have been purposely released back to the wild. No raptor captured from the wild may be sold or bartered at any time.

It is not anticipated that the nonresident take of raptors in Montana, if controlled, would have an impact on Montana's raptor populations. To assure that controls are in place for nonresident take, and to help pay for a program to administer nonresident take, the Department would need to promulgate administrative rules delineating allowable quotas of various raptor species available for nonresident take, to set up an application process for nonresident take, to potentially set up a nonresident take season, and to charge a fee for a trapping permit for nonresidents. The fee would be such that it would offset any additional expenses in administration of the falconry program in Montana caused by nonresident take. The restrictions set by rule would be similar to those in other states that allow nonresident take of raptors.

Like waterfowl, raptors are a highly migratory national resource spending only a portion of their time in Montana or any state/country. Research has shown that limited take of raptors from the wild by falconers, with all of the falconry license controls in place, has no impact on raptor populations nationally. FWP is willing to serve both the falconry community as well as the will of this legislature regarding authorization for nonresident take of raptors.