

Exhibit No. 2  
Date 2-9-17  
Bill No. SB 185

Senate Bill 185  
February 9, 2017  
Presented by Dave Loewen  
Senate Fish and Game Committee

Madam Chair and committee members, I am Dave Loewen, Chief of Enforcement for the Montana Department of Fish, Wildlife and Parks (FWP). I am here today on behalf of the administration in opposition to Senate Bill 185.

FWP is sympathetic to what Senator Kary is trying to accomplish with SB 185, and we reluctantly oppose this bill. We are hesitant to support a change that creates the potential for the biological information we collect on these harvested animals to be significantly diluted, inaccurate, or even unknown, depending on whom is checking in the animal. We also have concerns with not being able to verify that the person who possesses the tag for the animal was the actual person that harvested the animal, specifically with high profile species such as big horn sheep. In the last several years the value of the one sheep tag sold annually at auction has exceeded \$300,000 dollars, with a high of \$480,000 dollars in 2013. That kind of value, and the scarcity of these tags in general, can create the temptation for otherwise law-abiding hunters to make bad choices.

FWP has similar concerns with grizzly bears because of their current status on the endangered species list. If the grizzly bear is removed from the list—and we are hopeful that this federal decision is imminent—FWP needs the ability, in any future hunting scenario, to have direct contact with hunters following harvest to ensure that very specific information is collected. This information will have critical implications for quotas, season closures, and other regulations that will be necessary to keep grizzlies from being re-listed. Absent these tools, we are concerned that provisions in this bill will be used by litigants opposed to the delisting of grizzly bears as examples of inadequate regulatory authority, and a reason to not delist.

It appears the intent of this bill is largely for the sake of convenience for a paying client. We understand the concept of making it easier for clients here for just a weekend or making an outfitted hunting experience more efficient but in that light, it should be noted that currently wardens and biologists often make special arrangements, even after hours, with outfitters and

guides to accommodate their clients' travel plans. We will continue to accommodate these situations to the best of our ability.

FWP is also concerned with the exception in section 1 regarding "Checking station offenses." This exception may only create confusion for outfitters, hunters and game wardens. Current law states that hunters are only required to stop at a check station if the check station is on the hunter's route. Stopping at a check station takes very little time for an outfitter and hunter, and it is not required that they make any special effort to go out of their way to go to a check station. It would be difficult for game wardens to determine if the hunting vehicle driving past a check station is an outfitter with a client, or just another hunter failing to stop at the check station. Finally, the new section 1 speaks to "game animal," but does not reference the definition of game animal as it is defined in 87-6-101 (12)." This oversight should be corrected.

Madam Chair, I'd like to thank the committee for the opportunity to speak on this bill, and thank you very much for your time and attention.