

MINUTES

**MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FISH & GAME

Call to Order: By Bob Williams, on January 17, 1991, at 1:00 P.M.

ROLL CALL

Members Present:

Bob Williams, Chairman (D)
Don Bianchi, Vice Chairman (D)
John Jr. Anderson (R)
Eve Franklin (D)
Lorents Grosfield (R)
Greg Jergeson (D)
Dick Pinsoneault (D)
David Rye (R)
Paul Svrcek (D)
Bernie Swift (R)

Members Excused: None

Staff Present: Andrea Merrill (Legislative Council).

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

Announcements/Discussion: Chairman Williams called the meeting to order. He introduced the Senate Fish and Game Committee to the audience.

Because of the crisis in the Persian Gulf, Chairman Williams called for a moment of silent prayer.

Chairman Williams introduced K. L. Cool, Director of Fish, Wildlife and Parks to give a presentation in reference to Senate Bill 13. See Exhibit 1.

Chairman Williams instructed the sponsor, Senator Bianchi, that upon presentation of his bill, 30 minutes would be allowed for the proponents, 30 minutes for the opponents, balance of time for questions from the Committee and Senator Bianchi would be allowed 10 minutes for closing.

HEARING ON SENATE BILL 13

Presentation and Opening Statement by Sponsor: Senator Bianchi explained to the Committee and the audience the contents of

Senate Bill 13. SB 13 is specifically to amend the sunset of HB 526 in March 1, 1994. Purposely, this is a very narrow bill because it was in the interest of sports people. They did not want HB 526 to sunset in 1994. I feel that habitat is the single most important factor in the proper management of wildlife resources in Montana. Habitat acquisition is, in my opinion, the most successful and important piece of wildlife legislation passed in Montana, at least in my lifetime. I'm disappointed that the comments from Director Cool were not more positive toward the Bill. Therefore, I consider the Department to be more of an opponent. In four short years, this voluntarily supported sports-persons' program has protected over 83,000 acres of critical wildlife habitat. The Wildlife Habitat Acquisition Act is clearly one of the most widely supported pieces of wildlife legislation that this body has ever passed and among the people that are paying the bill.

The Department has advised that this particular bill furnishes \$2,900,000 on an annual basis specifically earmarked for acquiring leases, conservation easements and obtaining fee title of land to protect the critical wildlife habitat. It also allows \$600,000 to be put into a wildlife habitat trust fund so the interest can be used for maintenance of the property that is bought by HB 526 funding. HB 526 was introduced by hunters. It is a voluntary tax that continues to be strongly supported by hunters, paid by hunters and used to benefit all of Montanans by protecting their precious wildlife heritage.

In 1987 when the sports people of Montana introduced this bill, it was strongly supported by the Montana Department (Department) of Fish, Wildlife and Parks as it is written today. The Department bought the first wildlife management area which was Sun River fifty years ago. In the 29 years I served with that Department, wildlife habitat acquisition and maintenance of habitat in this State was the most important thing that we thought we could do at that time. I personally feel that the Department still feels that way. This bill was introduced and supported by the hunters without a sunset. The sunset date was insisted upon by members of the Legislature and these groups decided to go along with the clause in order to get the bill passed. After four years it is clear to me that this program has been hugely successful and now is time to make it a part of our permanent long-range program to conserve and protect our wildlife resources as it was originally intended and supported by the Montana Fish, Wildlife and Parks. In the four years, this program has shown that this is the most effective tool to protect critical wildlife. The design of the program in regards to the percentage of license fees allocated through acquisition and management monies provides the maximum habitat protection powered by alignment of the Department to adequately manage these properties that they obtain. It does allow the Department to be good neighbors to adjacent ranchers by being good land stewards by controlling weeds, repairing fences, and posting property lines. Mr. Cool stated that the Weed Board actually gave the

Department commendation for the work they have done on controlling weeds on Department property. It is strange that the Department feels they don't have enough monies for weed control but they receive a letter from the Weed Board saying they have done a good job. It also provides a positive impact on the local economies where these properties have been purchased.

I realize that there may be opposition to this bill in the organized agricultural lobbyists as there was in the original there was when it was originally passed. There has been opposition to the Department buying land not just since 1987 when HB 526 was passed. First, the common belief could not be that the State should not be buying land. Maybe it is alright for wealthy, out-of-state landowners and even some from outside this country to buy up ranches and turn them into private hunting reserves or huge corporate operations. This has caused the hunters to band together to protect wildlife habitat through the Department of Fish, Wildlife and Parks. Second, there is always comments that the Department through the land purchase program erodes the local tax base. The Department does pay in lieu of taxes and there is no eroding of tax base as proven by economic studies. I have given you a handout identifying the management activities on the particular properties purchased under HB 526 funding. See Exhibit No. 2. See Exhibit No. 3 which will substantiate the economic benefits of buying these properties to local economies and to the State. The Economist who has done the studies was unable to be here to testify and has mailed a letter of testimony in favor of the bill. See Exhibit 4.

Proponents' Testimony:

Senator Towe, representing Dist. 46, stated that he was on the original committee for the group that recommended that the people who purchase licenses would set aside funds that would then be used to acquire wildlife habitat. Thereby, increase the number of wildlife available for hunters and sportsmen throughout the State. He submitted the original bill draft request which eventually became HB 526. Even though he wasn't re-elected, it was carried and passed. This program has become one of the most important programs in the State. As Senator Bianchi stated this program is well received within the State. This program is very important. It is paid for by the people that it will benefit. The reason for not waiting for the Bill to sunset is the fact that all available monies after the sunset date may possibly go to strictly maintenance which is not what the funds were designed for. The matter of more funds for maintenance by the Department may be correct. Discussion is needed further on this matter. By my calculations, there should be \$3,000,000 in the trust fund by the end of this biennium and this should allow \$2-300,000 a year for maintenance for the properties acquired at this time by the Department. We are afraid that this issue will arise when HB 526 when the issue of sunseting comes in. The maintenance question should not be intermingled with the sunseting of HB

526. We do not want to compromise on maintenance when HB 526 comes due for sunset when we are told "You accept this amount for maintenance or we will allow HB 526 to sunset and you won't have anything." Everyone supports the acquisition of wildlife habitat that this bill has provided for. It is one of the most popular programs that we have. The maintenance matter should be discussed next time.

Joe Egan, Helena, a retired wildlife biologist, presented his testimony. See Exhibit 5.

Kathleen Hadley, Deer Lodge, represented the Montana Wildlife Federation. The organization is the largest in the State with approximately 7,000 members. The most important point she wanted to make was the fact that the wildlife habitat program developed in 1987 came from the people. It was not a Department program. The sports men and women thought it was important that they should take some of the responsibility with dealing with wildlife problems. Approached the Legislature, worked with them and got the program through. It is a user fee program, not subsidized by tax dollars--this comes from the sportsman. The Montana Standard has been running a series of articles on access in Southwestern Montana. They keep telling us that out-of-state companies and individuals coming into Montana and purchasing lands. These individuals, including people from other countries, did not have to go through a public hearing process for those lands. They do not have to go through social economic statements which the Department does for HB 526. These individuals can purchase the land and what the Federation is asking the Legislature to do is allow us, the people of Montana, that same privilege. The people would like you to continue this program. We ask that you vote in favor of Senate Bill 13 so that we can have the ability to purchase or enter leases or easements of wildlife habitat. This land is for the people of the State and for our future generations. It is a gift to Montana and we hope it is seen that way. Many of us who are involved in the wildlife conservation as citizens feel that we have a top-notch, first-rate wildlife management within the Department. We believe the Department is the best within the United States. When Mr. Cool refers to manila folder management under wildlife areas, there are some of us who would disagree. We believe we already have it. Our elk population in the State, they are up high. We need this wildlife habitat bill to stay in effect so that we can deal with those things. Mr. Cool talked of state-of-the-art computer technology to assist with the management of those lands. Many of us are pretty simple people. We do not like a lot of bells and whistles. We like to see land purchased not developed. We like to see the weeds taken care of, the fences mended and we are interested in acquiring that habitat for the future.

Brad Molner, a member of various sportsman organizations, and speaks for himself only. To his knowledge, there has been no apparent problems with the present acquisitions. He sells grain bins and steel buildings around the State of Montana, many within

sight of the recent purchases. He has never heard of any neighbor complain. Instead, many are pleased with the way the Department controls the weeds. A few short years ago, there were elk dying in West Yellowstone due to a lack of wildlife forage and winter range. This created tons of bad publicity around the nation. The good neighbor policy of the State of Montana would mandate that we provide areas for State owned wildlife. Why should we approve this bill two years early? Many of the purchases have been a partnership, not all State money. It has been a partnership of State, Federal and private money donated from the Elk Foundation. Due to the fact that a lot of land is owned by S&Ls and they are in trouble, it will come up for sale cheap. We cannot wait to buy this land.

Dick Solum, Butte, official representative of Montana Bowhunters Association. The loss of public land is critical. We all agree that more funds are needed by the Department and more money is needed for block management. Allow me to quote K. Cool, "We need a long-term habitat acquisition bill." My opinion and that of the 1,400 members of the Montana Bowhunters Assn. is this is the bill that we need. See Exhibit 6.

Jim McDermid, Great Falls, is representing the Medicine River Canoe Club. We support Senate Bill 13. Many of the members hunt, therefore, benefit directly from this program. As paddlers, we enjoy viewing both big game and non-game species along the rivers. Some of the rivers are bordered by game ranges which enhances the wildlife values along these streams. If the wildlife habitat acquisition program had been in place 10 years ago, when the Borff Ranch went up for sale, there might have been a wildlife game range along the upper Yellowstone River instead of the Royal Teton Ranch and it's leaking fuel tanks. Please keep open future opportunities to acquire such lands by supporting SB 13. See Exhibit No. 7.

Jack Puckett, Missoula, President of the Big Sky Upland Bird Assn. See Exhibit No. 8.

Bob Lucas, Missoula, Associate Director for the Montana Wildlife Federation. See Exhibit No. 9.

John Gibson, Billings, representing the Billings Rod and Gun Club, and the Southeastern Montana Sportsmen. See Exhibit No. 10.

Bob Carlson, Butte, representing Sky Line Sportsmen Assn. See Exhibit No. 11.

John Roylance, Whitehall, at the last meeting where we discussed HB 526 and making it permanent, it was unanimous in support of keeping this a permanent program.

Ira Holt, Hamilton, President of the Ravalli County Fish and Wildlife Assn. and we strongly support SB 13. See Exhibit No. 12.

Phil Ermatinger, Missoula, representing himself. Acquisition and fee is where it all starts. Everything can be done from that point. I strongly support SB 13. See Exhibit No. 13.

Janet Ellis, with the Montana Audubon Legislative Fund. See Exhibit No. 14.

Bill Holdorf, Butte, representative of Skyline Sportsmen Assn. I favor the adoption of SB 13. See Exhibit 15.

Tony Schoenen, Chairman of the Public Lands Committee for the Montana Wildlife Federation. See Exhibit No. 16.

Gary Sturm, Helena, representative of the Prickly Pear Sportsmen's Association. See Exhibit 17.

Joe Gutkoski, Bozeman, representing the Gallatin Wildlife Assn. See Exhibit No. 18.

Bill Patrick, Butte, Member of Skyline Sportsmen, and support Bill 13.

Noel Rosetta, Helena. See Exhibit 19.

Jack Shoenen, representing himself, and supports SB 13.

Lorry Thomas, Anaconda, and Bob Bugni, East Helena, support SB 13. See Exhibits 20-21.

Opponents' Testimony:

Robert VanDerVere opposes SB 13. He feels that this bill would allow the Department to spend any amount of sportsmen's money on land with no restrictions.

Errol Galt, Chairman of Fish and Game Commission, speaks for himself, Vice-Chairman Greg Barkus and Commissioner Bill Straton. We concur with Director Cool's testimony. I would like to stress that we are not opposing the land conservation easement purchase program. One flaw of this program is the inability of the Department of purchase conservation easements. This Commission also feels uncomfortable purchasing land that we do not have the adequate monetary backing to manage. I would like to call your attention to the last sentence in the Fiscal Note for SB 13. "Administrative revenue of 2% is inadequate for long-term maintenance of wildlife habitat and development of acquired lands." We urge you to vote against SB 13 and to look at the long-term proposal presented by Director Cool.

Senator Tom Beck, representing Dist. 24, rises in opposition only to removing the sunset. The operating costs are not available to manage the acquired land at this time and adjustments must be made. This is the first time, I've seen the sunset removed from a bill prior to the Session when it should be properly handled.

Sam Hoffman, Manhattan. The Legislative Chairman of the Agricultural Preservation Assn. of Gallatin County and some members from Jefferson Co. We are opposed to the acquisition of more land by the State of Montana. The Department is now underfunded and is not adequately staffed to maintain and service the parks, campgrounds, fishing access and wildlife habitat that they are now responsible for. Also Chairman of the Gallatin County Weed Board and we are very concerned about the lack of weed control by the Department. We urge you to defeat SB 13.

Don Jones, Wise River. See Exhibit 22.

Jim Peterson, Central Montana. See Exhibit 23.

Marvin Barber, lobbyist for the Agricultural Preservation Assn. The APA is a small segment of the largest income producing industry of the State of Montana. We oppose SB 13 at this time.

Lorna Frank, representing the Montana Farm Bureau. See Exhibit No. 24.

Knute Hereim, Martinsdale. See Exhibit No. 25.

Ken Mesaros, Cascade. See Exhibit No. 26.

David Kasten, Terry, as a rancher he furnishes 20,000 acres of habitat to hunters with no fee. Look carefully at SB 13.

Walt Steingruber, Chairman of the Agricultural Preservation Assn. See Exhibit No. 27.

Kay Norman, representing Women Involved in Farm Economics. Wish to go on record as opposing SB 13.

Michael Lane, member of Agricultural Preservation Assn. Oppose SB 13. Believes this bill will erode the tax base. The Department pays a fee in lieu of taxes only on the real estate not on any of the other personal property. Believes government agencies make poor stewards of the land. If preservation is important, there are other options than with the Department acquiring land. Allow the landowners to own this game--there would be more wildlife in the State than ever before.

David Hale, Hamilton, oppose SB 13 in its entirety.

William A. Stender, Sheridan. See Exhibit No. 28.

Senator Devlin, Dist. 13. The reason he disagrees with this bill, is he wants to take a good hard look at what the Legislature did because of the amount of money and we had better keep track of it and make sure that the upkeep of the acquired land is adequate.

Susan Brooke, representing the Montana Stockgrowers Assn, the Montana Woolgrowers Assn. and the Montana Cattlewomen. See Exhibit No. 29.

Richard Wilson, Denton. See Exhibit No. 30. Made an additional comment that before the Department bought the Bear Tooth Ranch he used to hunt on it. He is unable to hunt it now because he runs hounds and they do not allow hounds on the property.

Senator Swift, Dist. 32. He does not oppose HB 526 but opposing a taking off a sunset of 1994. Needs two years that HB 526 provides before making any changes.

Dennis Roope, Helena; Mike Barthelmess, Lincoln; Vaughn Thurston, Great Falls; Russ Wafnem, Helena; Dr. S. J. Score, Helena; Douglas R. Roope, Helena. See Exhibits 31-36.

Questions From Committee Members:

Senator Swift wished to confirm the fact that the Department had a full analysis to determine what the long-range plan for management is at this time. Director Cool stated the Commission has requested that the Department provide them with a policy guidance statement and a prioritized list of threatened wildlife habitat areas.

Senator Swift questioned Director Cool as to the fact that the interest earned on the funds allocated for this program are not adequate of proper maintenance for acquired properties. Director Cool agreed that the Department does not feel this will be enough monies to properly maintain the properties on a long-term program. Director Cool stated that there is interest of \$150,000 available today. Five major pieces of land were purchased as of today with the trust monies, which include nearly 80,000 acres divided out that leaves approximately \$30,000 per unit for the development and management of property. He maintains that 2% is inadequate in the long-term program. It is on the fiscal statement, the Governor's office believes it, the fiscal officer who prepared the statement believes it.

Senator Swift questioned John Brendon, member of the Northwest Power Planning Council as to his experience in procurement and wildlife habitat preservation. Brendon stated that the Act created the second largest funded Fish and Wildlife agency in the United States in 1980. In the 10 years they have been in existence, \$1 Billion have been spent for fish and wildlife mitigation habitat. One of the rules they follow is to do

mitigation enhancement first, easements second and land acquisition third. Take into consideration when acquisitions are being considered the impact on the local communities.

Senator Svrcek questioned Brad Molner if he was aware of any problems with landowners whose ranches adjoined the Department's purchases. Molner has not heard any serious complaints that the Department was not taking care of weeds, but rather the Department was improving the land.

Senator Svrcek questioned Director Cool as to the amount of funds required for management of the five properties acquired under HB 526. Cool replied that in December 1989 he initiated discussions with sportsmen in the State to begin to determine a ratio of management dollars to acquisition dollars that would provide a solid long-term program that would avoid the controversy here today. This was rejected at the time to allow the bill to go forward. This question cannot be answered today because we simply do not know.

Senator Svrcek questioned Director Cool why a priority list has not been provided to the Commission which was requested two years ago. Director Cool stated that this assignment had been given to his Division and the assignment has not been completed. The only answer to the questions was that it is administratively embarrassing that the report has not been completed.

Senator Rye questioned Director Cool as to two quotes he had made that are contradictory. Senator Rye wished to know which quote was correct. One quote said "there should be no legislatively mandated long-term program" and another quote stating "We need a long-term habitat acquisition bill". Cool stated they are not a contradiction but were taken out of context.

Senator Rye directed a question to Senator Bianchi why the 1994 sunset must be changed now rather than waiting for the 1993 Legislature when there is more time to study it. Senator Bianchi replied that they would like to have it lifted now so that in 1993 it will not be an issue if there is a need for changes in the formula.

Senator Jergeson questioned Director Cool as to a study on the long-term plan and can this be accomplished in the two years or would it require more time. Director Cool stated that the Department has not started a study because there is at least two years left in the sunset date. However, he feels that it can not be done objectively by the Department from the discussions within the last few days. It has been his desire to reduce the controversy surrounding this Bill. The acquisition of the Brewer Property was very controversial and the Department had not done a good job in involving the public in the purchase. It is critical for this Department when major concerns and issues are faced, such as the funding of our general license account, that we have our support of both groups. Director Cool introduced Dr. John

Roush to the Committee stating that he would be meeting with the Commission on January 18, 1991 and would be able to solve the problems with SB 446 and a number of other controversial issues that he had inherited when he took the job as Director. The answer is "Yes" we will do it.

Senator Grosfield questioned the fact that SB 13 was jumping the gun and was it really necessary at this time. He offered the questions to anyone in the Department or Federation who wished to answer. Kathleen Hadley, of the Montana Wildlife Federation chose to respond and feels that the program has been successful and has already proven itself. They feel that SB 13 is important to pass at this time. Our critical wildlife habitat will not increase without intervention. We agree with Director Cool that we can always improve the program. It is also true that we may need to change the way the earmarked funds are distributed for operation and maintenance. The articles in the Montana Standard has stated that there are areas in Southwestern Montana along one of the rivers where there is only two or three Montana landowners left. Our questions is, "Isn't it O.K. for Montana people to purchase Montana land through our Department for the use of all of it's people?" We would like to see the program made permanent.

Senator Franklin questioned Director Cool as to his meaning of developments. He stated that when a property is acquired by the Department there are methods of bringing it up to wildlife standards for management which includes an infusion of capital necessary to provide a road management system, fencing and the dollars to hire consultants to develop long-term grass rotational grazing systems.

Senator Svrcek questioned Commissioner Galt if he was speaking for himself and the other two commissioners as being in support of SB 13. Commissioner Galt replied that neither of them indicated their intentions to him and would let them speak for themselves.

Senator Svrcek questioned that Director Cool, as spokesperson for the Department and Commission, indicated there is support for a long-term land acquisition program and was Commissioner Galt, for the record, willing to support this program. Commissioner Galt replied "Yes" provided Senator Svrcek included the words "and conservation easement purchase."

Closing by Sponsor:

Senator Bianchi was disappointed that the Department was not more supportive toward SB 13. In the trust fund there is \$440,000 in the next biennium which should be used for the management of the wildlife areas that have been acquired so far. That money is adequate by their own standards for what they have proposed and

what they have asked for the management and development of this land.

Someone has just handed me a statement which I feel points directly to the conflict we have here and it is a direct conflict between people in the field who are managing the wildlife, namely biologists and people who are doing the day to-day administration. It states, "Thank you for allowing me to present the Department's proposal regarding the Robb Creek Wildlife Management Area. While it is not the intent of the proposed grazing scheme to make money for the Department, the revenue gain from grazing fees will likely far exceed the expense of the maintenance and upkeep of the fences and the other improvements which will be a necessary part of the grazing system." This statement was given to me by a biologist who is working in the field raising trees in Bozeman. It is from an on-the-ground individual not an administrator. He is the fellow who is doing the day-to-day work in the field.

Wildlife surveys have been done in the State for the last 25-30 years. If these fellows do not know what is critical winter range by this point in time, they don't know their job. It is not necessary to continue to use sportsmen's dollars to determine critical winter range when this fact is known by the Department.

Chairman Williams thanked everyone for attending and testifying. Advised that SB 13 would be discussed in Executive Action on Tuesday, January 22, 1991.

ADJOURNMENT

Adjournment At: 2:53 P.M.



BOB WILLIAMS, Chairman



JULIA LEVENS, Secretary

BW/jl

SB 13
January 17, 1991

Testimony presented by K. L. Cool, Dept. of Fish, Wildlife & Parks
to Senate Fish and Game Committee

Mr. Chairman, Members of the Committee:

This testimony represents the position of the Montana Fish and Game Commission and the Department of Fish, Wildlife & Parks.

As you know, the acquisition of lands, the entering into of conservation easements or leases by our department is a commission authority. Therefore, our commission has both a policy and program interest in this legislation. Today our Commission Chairman Errol Galt and commission members Elaine Allestad and Jim Rector are present to answer questions or provide comments following my remarks as the spokesman for both the commission and the department.

Both our commission and I support the protection and acquisition of critical wildlife habitat as an important tool for the management of Montana's wildlife resources.

SB 13 proposes to make our current short-term wildlife habitat acquisition program permanent. However, both the commission and the department believe we are not yet in a position to provide this committee with a recommendation for the legislative design for a long-term wildlife habitat acquisition, development and land management program.

Today's six-year program is funded by earmarking a significant amount of license dollars for negotiation of conservation easements, leases and fee title acquisition. The department receives only the interest from the smaller investment in the trust fund to develop and then manage these specific areas.

While this arrangement may be satisfactory for the short-term program, we believe it lacks the balance necessary to sustain an effective long-term program.

The lessons we have learned from the state parks acquisition program of past years where money was provided to acquire, but not to develop or sustain long-term management must not be repeated.

The dollar amount currently allocated to our wildlife habitat acquisition program appears sufficient to provide for our immediate and long-term needs if proper program balance can be agreed upon.

It is imperative that a long-term program reduce the controversy surrounding acquisition. This, we feel, can be accomplished when assurances are provided that we will be good neighbors.

MANAGEMENT ACTIVITIES ON ~~WB~~ ~~NO~~ 526 PROPERTIES

ROBB/LEDFOUR WMA:

- Range consultant evaluation of livestock grazing program.
- Water pipeline consultant hired for needed livestock watering repairs.
- Three year grazing agreement with Robb Cr. Grazing Association has been fulfilled. Extension of one year will be offered as department develops a grazing system on a portion of the WMA with the Robb Cr. Grazing Association.
- The department is negotiating a land exchange with the neighboring Snowcrest Ranch which will mutually benefit both parties by blocking up ownership. A mutual grazing program is also to be established, incorporating WMA and private lands.

DREYER PROPERTY:

- Frank Vannoy lease: new agricultural lease to maintain alfalfa fields in productive condition.
- Ted Murphy lease: new grazing lease, 300 aums.
- Claud Reinoehl lease: new grazing lease, 300 aums. New fencing completed to operate this system.

BREWER PROPERTY:

- Range consultant hired to set up rest-rotation grazing system for the Brewer property.
- Ranch consultant hired to oversee development of area for wildlife and livestock.
- Land exchange/conservation easement prospectus developed along with criteria for selecting individuals who can participate in conservation easements with the department. Proposals due January, 1991.

NELSON PROPERTY (part of Dome Mtn. wma):

- Fence repair and maintenance
- Parking areas and cattle guards installed.

WILSON PROPERTY:

- New fence building
- Parking area built
- Weed control

Nelson Property

SENATE FISH AND GAME

EXHIBIT NO. 3

DATE 1/17/91 2

BILL NO. SB13

MAJOR FINDINGS

- Present value of net social benefits associated with DFWP plan are estimated at \$29.1 million compared to DFWP cost of \$1.5 million
- Annual expenditures resulting from DFWP plan estimated at \$246,600 compared to \$69,300 to \$103,300 for the no purchase alternative
- Net economic impact of DFWP plan is positive at the local level and probably neutral at the state level.
- No purchase alternative is either a) not physically viable (assume no wintering elk) or b) not sustainable in the long run (assume wintering elk and cattle).
- No unfavorable change in property tax revenue to local county government. Net change in head tax on cattle is difficult to predict, but no greater than \$400/year.
- Wildlife observation is number one reason for Yellowstone N.P. visitation.
- Proposed purchase by DFWP appears to be in the public interest

TESTIMONY ON SUNSET PROVISION FOR HB ~~526~~ ⁵²⁶

January 17, 1991

My name is John Duffield. I am an economist at the University of Montana, where I have taught since 1974. My educational background includes a Ph.D. in natural resource economics from Yale University. I was born and raised in Montana and have worked on a number of natural resource issues in this state over the last 15 years.

I favor removing the sunset provision on HB ~~526~~ ⁵²⁶ (1989 legislature). My basic view is that wildlife resources are an important component of the Montana economy. This view is based on a number of studies of fishing, hunting and wildlife viewing in Montana - all of which demonstrate that Montana's wildlife resources are worth many millions of dollars annually to the state economy.

526 ~~720~~ The main requirement for wildlife is adequate habitat. I see HB ~~720~~ as providing a mechanism for identifying and protecting critical wildlife habitat needs on a continuing basis. Wildlife populations and the associated human uses are not static. Wildlife management agencies need to have the flexibility to respond to the changing needs and opportunities that HB ~~720~~ ⁵²⁶ has provided.

⁵²⁶ HB ~~720~~ requires a social and economic impact assessment before any acquisition action. Montana Department of Fish, Wildlife and Parks asked me to conduct two of these assessments: for the Nelson property north of Yellowstone Park and for the Brewer property between Ekalaka and Broadus. This gave me a unique opportunity to observe the implementation of the bill in the past and my main purpose in being here today is to give you a summary of what I think we have learned.

For brevity, I will summarize my main points in an outline fashion. I also enclose copies of the Executive Summaries and key tables for both reports.

I would note that my approach to these assessments was in both cases to first go out and talk with the people concerned, including the affected ranchers, adjacent landowners, business people, biologists, and various interest groups. Many of these people are listed in the enclosed "ACKNOWLEDGEMENTS" sections.

Nelson Property

1. In this case a problem was caused by the increasing size of the Northern Yellowstone elk herd and the associated migration onto historic winter range in the Upper Paradise Valley.

EXHIBIT NO. 5

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of JAN, 1991.

Name: JOE EGAN

Address: 727 N. EWING
Helena Mont

Telephone Number: 442 3294

Representing whom?

Self

Appearing on which proposal?

SB 13

Do you: Support? Amend? Oppose?

Comments:

Will present comments

EXHIBIT NO. 6

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of January, 1991.

Name: Dick Solum (Solum)

Address: 1146 W. Diamond
Butte, Mt.

Telephone Number: 782 - ~~64~~ 5386

Representing whom?

Montana Bowhunters Association

Appearing on which proposal?

SB-13

Do you: Support? Amend? Oppose?

Comments:

The Montana Bowhunters Association
made up of 1400 members plus
families - supports SB-13

Medicine River Canoe Club

Great Falls, Montana
January 17, 1991

SENATE FISH AND GAME

EXHIBIT NO. 7

DATE 1/17/91

BILL NO. 3813

Senate Fish and Game Committee
State Capitol
Helena, Montana

Chairman Williams and Members of the Committee:

My name is Jim McDermid. I am speaking today for the Medicine River Canoe Club in Great Falls.

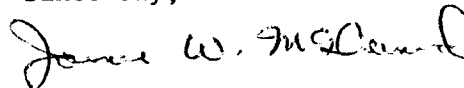
We support Senate Bill 13. This bill has provided Montana sportsmen with a unique opportunity to purchase critical wildlife habitat. It is important for this opportunity to last for decades and not sunset after a few short years.

The Wildlife Habitat Acquisition Program (HB 526) has been an impressive success. In just three years almost 80,000 acres have been acquired for wildlife. The Brewer Ranch is just one example of how innovative this program can be.

Many of our members hunt, therefore they directly support and benefit from this program. As paddlers we enjoy viewing both big game and non-game species along the rivers. Some of our rivers are bordered by game ranges, which enhance the wildlife values along these streams. If the Wildlife Habitat Acquisition Program had been in place about ten years ago, when the Forbes Ranch went up for sale, there might have been a wildlife game range along the upper Yellowstone River instead of the Royal Teton Ranch trailer village and its leaky fuel tanks.

Please keep open future opportunities to acquire such lands by supporting Senate Bill 13.

Sincerely,



James W. McDermid, Spokesman
Medicine River Canoe Club
3805 4th Ave. South
Great Falls, MT 59405

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of January, 1991.

Name: Jack Puckett

Address: 2307 Pauline Dr.
Missoula Mt. 59801

Telephone Number: 549-9928

Representing whom?

Big Sky Upland Bird Association

Appearing on which proposal?

Do you: Support? Amend? Oppose?

Comments:

See attached statement

EXHIBIT NO. 9
DATE 5 1/17/91
BILL NO. SB 13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of January, 1991.

Name: Robert C. Lucas

Address: 5050 Hackleberry Rd.
Missoula, MT 59803

Telephone Number: 543-8477

Representing whom?
Montana Wildlife Federation

Appearing on which proposal?
SB 13

Do you: Support? Amend? Oppose?

Comments:
My prepared statement accompanies this form.

SENATE FISH AND GAME

EXHIBIT NO. 10

DATE 1/17/91

BILL NO. SB13

The following testimony on Senate Bill NO 13, submitted by John Gibson, represents the position of the members of the Billings Rod and Gun Club, (600 members), and the Southeastern Montana Sportsmen, (9 Affiliated Clubs).

Much of the emphasis and direction embodied in the Wildlife Habitat Acquisition Program resulted from the efforts of sportsmen from the Billings/ Red Lodge area.

Since it's inception we have been greatly impressed by the obvious benefits of this program. Not only has it provided protection for several parcels of key wildlife habitat but economic analyses show a corresponding boost in local economies as a result of these actions.

We are concerned, however, that at first opportunity opponents of this program began attempting to chip away at it's magnitude and intent. Proposals emerged to direct the program away from habitat protection and toward different objectives. Behind these proposed changes lurked the thinly veiled threat of termination when the program's sunset date occurred.

This is a sportsman's program, paid for entirely by sportsmen and we believe that if allowed to continue it will go a long way toward ensuring Montana's future wildlife resource.

The program, however, cannot function properly under the recurring threat of termination or misdirection.

Therefore, we favor legislation to make this program permanent in it's present highly successful form.

We favor Senate Bill NO. 13 and it's companion legislation in the House of Representatives.

John Gibson

Fish + Game Committee

1/17/91

EXHIBIT NO. 11

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan, 1991.

Name: Bob Carlson

Address: 411 1/2 E Park
Butte

Telephone Number: 723-3144

Representing whom?
Self

Appearing on which proposal?
SB - 13

Do you: Support? Amend? Oppose?

Comments:
will testify

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of JANUARY, 1991.

Name: IRAT HOLT

Address: 548 CIELO VISTA
HAMILTON MT 51840

Telephone Number: 961 3302

Representing whom?

RAVALLI COUNTY FISH & WILDLIFE ASSOCIATION

Appearing on which proposal?

SB 13

Do you: Support? Amend? Oppose?

Comments:

OUR CLUB SUPPORTED HB 526 WHEN IT
WAS PROPOSED, FEEL IT HAS DONE
A GOOD JOB AND WOULD LIKE TO SEE
IT CONTINUED, WE SEE NO NEED
TO CHANGE IT AT THIS TIME,
OTHER THAN TO MAKE IT PERMANENT.

SENATE FISH AND GAME

EXHIBIT NO. 13

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of July, 1991.

Name: Bill FERMATINO JR

Address: 622 PLYMOUTH
MISSOURI 64504

Telephone Number: 543 6958

Representing whom? SELF

Appearing on which proposal? SB 13

Do you: Support? Amend? Oppose?

Comments:

Montana Audubon Legislative Fund

SENATE FISH AND GAME

EXHIBIT NO.

13-14

DATE

1/17/91

BILL NO.

SB 13

Testimony on SB 13
Senate Fish & Game Committee
January 17, 1991

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I'm here today representing the Montana Audubon Legislative Fund. The Audubon Fund is composed of nine Chapters of the National Audubon Society and represents 2,500 members throughout the state.

The Audubon Fund supports SB 13.

Many of our members hunt and fish and all of our members are closely tied to Montana's wildlife resources. SB 13 continues the critical wildlife habitat program established by the 1987 Legislature. This program has a strong track record. It allows user fees to be used in a way that will enhance public wildlife values. All wildlife benefits from this program - and this program will allow us to keep the best of what we have as Montana continues to grow.

EXHIBIT NO. 15

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person whose testimony entered into the record.

Dated this 17 day of JAN, 1991.

Name: BILL HOLDORF

Address: 26 10 STATE ST
BUTTE

Telephone Number: 494 6023

Representing whom? SKYLINE SPORTSMEN

Appearing on which proposal?

SB 13

Do you: Support? Amend? Oppose?

Comments:

WILL PRESENT COMMENTS

Sen. Williams - members

My Name is Tony Schoonen and I'm chairman of the public lands Committee for the Mont Wildlife Federation. and I rise to support S.B. 13 with no amendments.

It is just as important for the sportsmen of Montana to require land right along with Chicago millionaire Leon Hirsch who makes \$1 million per day who will own 15 ranches in Southwestern Montana. He is just one of many wealthy out-of-staters buying land with no end in sight and no safeguards or stipulations.

Why should sportsmen be discriminated against by being shackled with a sunset clause when the program is very successful and workable.

Look at the articles in the Montana Standard to see what is happening to our public lands, our wildlife and our public access.

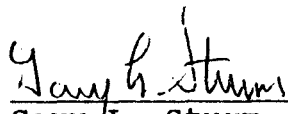
Removing the sunset from H.B. 526 will allow long term requisitions from willing sellers and willing buyers. The free enterprise system should be allowed to work - if a rancher wants to sell his land to the department it is his choice.

The stockgrowers and game bureau talk out of both sides of their mouths they don't want sportsmen to control land

SENATE FISH AND GAME
EXHIBIT NO. 1617
DATE 1/17/91
BILL NO. SB13

TESTIMONY IN SUPPORT OF SENATE BILL 13
January 17, 1991

My name is Gary Sturm. I live at 146 Briarwood, Helena, Montana. I am here today as a representative of the Prickly Pear Sportsmen's Association. The Prickly Pear Sportsmen's Association is a group of over 400 Helena-East Helena sportsmen who are concerned with the wise use of our wildlife resource. The Prickly Pear Sportsmen support Senate Bill 13, which will make permanent the wildlife habitat acquisition program and eliminate the 199⁴ sunset provisions of HB526, 198⁷. It is the opinion of our membership that this sportsmen funded program has done much to provide additional high quality wildlife habitat throughout the State of Montana at little cost to the Montana taxpayer. In addition we believe this program, if made permanent, will also continue to decrease problems with wildlife damages on private land, and to provide more opportunities for Montana sportsmen.



Gary L. Sturm
146 Briarwood
Helena, MT 59601
(406) 442-5484

EXHIBIT NO. 18

DATE 1/17/91

BILL NO. 3813

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of January, 1991.

Name: Joe Gutkoski

Address: 309 N. 18th Av.
Bozeman Mt. 59715

Telephone Number: 587-3242

Representing whom?

Gallatin Wildlife Association

Appearing on which proposal?

Senate Bill 13

Do you: Support? Amend? Oppose?

Comments:

The Wildlife Range Habitat Bill HB 526
should be made permanent. The sunset clause
should be deleted for the good of Mont. wildlife.
In the 4 yrs. that this bill has been in effect has
probably done more to enhance wildlife than anything
that the legislature has done to date.

1/17/91
SB 13

Mr. Chairman and Members of the Committee:

My name is Noel Rosetta. I strongly support SB13 to extend the life of 526, the Wildlife Habitat Protection Fund, which otherwise sunsets in 1993.

Purchase of these lands is essential to protect critical wildlife habitat lands which might otherwise pass out of the picture forever.

It has been used particularly to provide winter range for big game, but it also provides habitat for other wildlife. It provides fishing, camping, and other outdoor recreation to the extent it does not interfere with its primary purpose.

Some of the land is leased for grazing where it complements elk or wildlife use.

This law is paid for out of sportsmen's license fees. It has their overwhelming support. In a sense it is a gift to the public. But for some reason it is strongly opposed by some groups.

I see no such opposition when private ranch lands are purchased by out of state people, by church groups or by the Canadians, English, Japanese, or others. All we sportsmen ask is that we be given that same opportunity. We pay taxes on these lands as do other private owners. ~~Some land is leased for cattle grazing where this complements the use by elk.~~

The lands are public and the public can use these lands as they do other lands.

Noel Rosetta
1100 Missoula
Helena, Mt. 59601
Dated January 17, 1991.

SENATE FISH AND GAME
EXHIBIT NO. 18 19
DATE 1/17/91
BILL NO. 5813

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of J, 1991.

Name: LARRY THOMAS

Address: # 2 CHERRY ST
ANACONDA, MT 59711

Telephone Number: 563-7992

Representing whom?

ANACONDA SPORTSMEN

Appearing on which proposal?

Do you: Support? Amend? Oppose?

Comments:

EXHIBIT NO. 20 21

DATE 1/17/91

BILL NO. SB 13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17TH day of JAN, 1991.

Name: BOB BUGNI

Address: 2545 PRICKLY PEAR AVE
EAST HELENA

Telephone Number: 227-8749 (H)

Representing whom?

PRICKLY PEAR SPORTSMEN ASSOCIATION

Appearing on which proposal?

SB # 13

Do you: Support? Amend? Oppose?

Comments:

OUR CLUB HAS OVER 400 PAID
MEMBERS FROM HELENA / EAST HELENA
AREA. OUR MEMBERS STRONGLY SUPPORT
THIS LEGISLATION. SPORTSMEN ARE
WILING TO CONTINUE TO PAY FOR ACQUISITION
THROUGH LICENSE FEES. WITH MORE
HUNTING ~~DEMAND~~ DEMAND EVERY YEAR
ACQUIRING KEY HABITAT AREAS ESPECIALLY
FOR WINTER RANGE IS EVEN MORE
CRITICAL. WE ~~DO~~ MAKE PAYMENTS
IN- VUE OF TAXES & ALLOW GRAZING
WHERE IT ENHANCES THE RANGE

SENATE FISH AND GAME
EXHIBIT NO. 22
DATE 1/17/91
BILL NO. SB13

TESTIMONY ON S.B. 13
TO MAKE PERMANENT THE WILDLIFE HABITAT ACQUISITION PROGRAM

JANUARY 17, 1991
SENATE FISH & GAME COMMITTEE

BY
DON JONES

GOOD AFTERNOON CHAIRMAN WILLIAMS AND MEMBERS OF THE FISH AND GAME COMMITTEE. THANK YOU FOR THE OPPORTUNITY TO PRESENT TESTIMONY IN OPPOSITION OF S.B. 13, A BILL TO MAKE PERMANENT THE WILDLIFE HABITAT ACQUISITION PROGRAM. MY NAME IS DON JONES, I AM A RANCHER FROM WISE RIVER, A SCHOOL BOARD MEMBER OF WISE RIVER SCHOOL DISTRICT, A DIRECTOR OF VIGILANTE ELECTRIC HEADQUARTERED IN DILLON AND SERVE ON THE EXECUTIVE BOARD OF MONTANA ELECTRIC COOPERATIVE ASSOCIATIONS AND A MEMBER OF THE MONTANA STOCKGROWERS.

S.B. 13 WILL ERODE THE TAX BASE OF LOCAL SCHOOL DISTRICTS AS FURTHER ACQUISITION OF LANDS OCCUR. AS AN EXAMPLE IN OUR LOCAL SCHOOL DISTRICT WHICH I AM A BOARD MEMBER OF WE HAD TO CONSOLIDATE OUR DISTRICT WITH FISHTRAP SCHOOL DISTRICT AFTER THE ACQUISITION OF THE MT HAGGIN RANCH BY THE DEPT. OF FISH, WILDLIFE AND PARKS AS A GAME RANGE.

For the above reasons, I respectfully ask for a DO NOT PASS of Senate Bill 13.

TESTIMONY

SENATE BILL 13

MAKE PERMANENT THE WILDLIFE HABITAT ACQUISITION PROGRAM

JANUARY 17, 1991

SENATE FISH AND GAME COMMITTEE

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. MY NAME IS JIM PETERSON. I AM A RANCHER FROM CENTRAL MONTANA AND EXECUTIVE VICE PRESIDENT OF THE MONTANA STOCKGROWERS ASSOCIATION. TODAY I'M SPEAKING ON BEHALF OF THE MONTANA STOCKGROWERS ASSOCIATION AS WELL AS THE MONTANA WOOL GROWERS ASSOCIATION AND MONTANA CATTLEWOMEN.

I WILL BE VERY BRIEF. YOU HAVE ALREADY HEARD TESTIMONY EXPRESSING CONCERN THAT REMOVING THE TERMINATION PROVISION OF THIS PROGRAM BEING EXTREMELY PREMATURE. THERE IS PLENTY OF TIME TO ADDRESS THIS IN THE 1993 LEGISLATURE WHEN IT WAS INTENDED TO BE ADDRESSED.

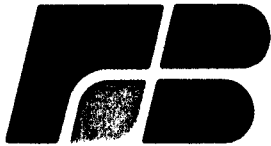
YOU HAVE HEARD TESTIMONY ABOUT THIS PROGRAM NOT HAVING HAD TIME TO BE PROVEN AND TESTED. THE INTENT OF THE PROGRAM WAS TO OBTAIN CONSERVATION EASEMENTS. ONLY 160 ACRES OF CONSERVATION EASEMENTS HAVE BEEN ACQUIRED TO DATE. THE PROGRAM HAS NOT PROVEN ITSELF ENOUGH TO BECOME A PERMANENT PROGRAM.

AND FINALLY, IF YOU REMOVE THE 1994 TERMINATION DATE FROM THIS PROGRAM YOU REMOVE A WELL TESTED PRECEDENT OF THE CHECK AND BALANCE SYSTEM BETWEEN THE LEGISLATIVE AND EXECUTIVE BRANCH OF GOVERNMENT. THIS SUNSET PROVISION PROVIDES THE BALANCE OF POWER THE LEGISLATIVE BRANCH NEEDS TO ENSURE THIS PROGRAM OPERATES AS IT WAS INTENDED TO OPERATE.

NO ONE, INCLUDING THE FISH, WILDLIFE AND PARKS DEPARTMENT IS PREPARED FOR THIS PROGRAM TO BECOME A PERMANENT PROGRAM. THE TIME IS NOT RIGHT, IT HASN'T BEEN TESTED, I DON'T BELIEVE WE'RE READY TO MAKE THIS TOTALLY AN EXECUTIVE BRANCH CONTROLLED PROGRAM.

FOR THESE REASONS I STRONGLY RECOMMEND A "DO NOT PASS". THE TIME TO ADDRESS THIS ISSUE IS THE 1993 LEGISLATURE.

THANK YOU VERY MUCH.



MONTANA FARM BUREAU FEDERATION

502 South 19th • Bozeman, Montana 59715
Phone: (406) 587-3153

SECRETARY'S NAME
EXHIBIT NO. 24
DATE 1/17/91
BILL NO. SB13

BILL # SB-13 ; TESTIMONY BY: Lorna Frank

DATE Jan. 17, 1991 ; SUPPORT _____ ; OPPOSE Yes

Mr. Chairman, members of the committee, I am Lorna Frank, representing the Montana Farm Bureau. I am Director of Information for the organization and have been involved with the organization for the past 23 years.

Farm Bureau with over 4,000 members in the state opposes SB-13.

First, we feel this is not the time to consider changing the termination date of the original act. There is time for the 53rd. Legislature to address this in 1993.

Second, Farm Bureau members are opposed to the Department of Fish, Wildlife and Parks purchasing agricultural land. The land is taken out of production, counties loose approximately 50% of the tax base due to the loss of taxes on machinery, equipment and livestock.

Third, the fiscal note states the administrative revenue of 2% is not adequate for maintenance and development of the acquired lands. If the Department is allowed to purchase land on a permanent basis they must be able to maintain it by spraying for noxious weeds and maintaining fences.

And fourth, the Department should not be in the business of purchasing land, instead they should be looking at an Integrated Resources Management program with fish and game personal, Extension Service and the land owners to come up with grazing management tools.

Thank you for the opportunity to present our views on this issue, I urge this committee to do not pass SB-13.

SIGNED: Lorna Frank

TESTIMONY

SENATE BILL 13

AN ACT MAKING PERMANENT THE WILDLIFE HABITAT ACQUISITION PROGRAM

THURSDAY, JANUARY 17, 1991

SENATE FISH AND GAME COMMITTEE

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, MY NAME IS KNUTE HEREIM. I AM A RANCHER FROM MARTINSDALE AND HERE TODAY AS A CONCERNED CITIZEN AND A DIRECTOR ON BEHALF OF THE MONTANA STOCKGROWERS ASSOCIATION. MONTANA STOCKGROWERS REPRESENTS CATTLEMEN ALL ACROSS THE STATE OF MONTANA.

MONTANA STOCKGROWERS IS ADAMANTLY OPOSED TO THIS BILL BECAUSE OF THE TIMING IN QUESTION. THIS LEGISLATION IS SCHEDULED TO TERMINATE IN 1994 AND TO BE EVALUATED AT THE 1993 MONTANA LEGISLATURE.

THE PROGRAM HAS NOT BEEN IN PLACE LONG ENOUGH TO DETERMINE ITS EFFECTIVENESS NOR TO EVALUATE ITS MANAGEMENT GOALS AND OBJECTIVES. THE REPORT FILED BY THE DEPARTMENT OF FISH, WILDLIFE AND PARKS HAS NOTHING IN RESPECT TO NOXIOUS WEED CONTROL OR EVEN PREDATOR CONTROL. IN ADDITION NO ONE, INCLUDING THE FISH WILDLIFE AND PARKS DEPARTMENT OF THE STATE OF MONTANA IS PREPARED TO EVALUATE AND RECOMMEND THIS PROGRAM ON A PERMANENT BASIS. CATTLEMEN CERTAINLY ARE NOT, THE FISH AND GAME COMMISSION IS NOT AND WE DON'T FEEL IT IS APPROPRIATE TO ADDRESS THE MERITS OF SHORTFALLS OF THE PROGRAM WHEN THOSE HAVE NOT BEEN DETERMINED. FURTHER, TO REMOVE THE TERMINATION DATE WHEN THERE IS NO REAL DATA ON THE PROGRAM SETS A BAD PRECEDENT.

THEREFORE, WE RESPECTFULLY URGE A "DO NOT PASS" ON SENATE BILL 13.

THANK YOU VERY MUCH.

TESTIMONY

SENATE BILL 13

IN ACT TO MAKE PERMANENT THE WILDLIFE HABITAT ACQUISITION PROGRAM

THURSDAY, JANUARY 17, 1991

SENATE FISH AND GAME COMMITTEE

GOOD MORNING MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. MY NAME IS KEN MESAROS. I AM SPEAKING AS A RANCHER, AS WELL AS A DIRECTOR AND MEMBER OF THE MONTANA STOCKGROWERS ASSOCIATION.

SINCE THIS PARTICULAR PIECE OF LEGISLATION WAS ENACTED IN 1989, APPROXIMATELY 83,442 ACRES OF LAND HAVE BEEN ACQUIRED FOR FEE TITLE. HOWEVER, ONE PRINCIPLE OF THIS PARTICULAR PIECE OF LEGISLATION WAS TO ACQUIRE CONSERVATION EASEMENTS AND WAS THIS POINTED OUT BY MR. GALT, CHAIRMAN OF THE FISH AND GAME COMMISSION AND K. COOL, DIRECTOR OF THE FISH, WILDLIFE AND PARKS DEPARTMENT AT A COMMITTEE MEETING ON TUESDAY OF THIS WEEK. HOWEVER, LET ME NOTE THAT ONLY 160 ACRES OF CONSERVATION EASEMENTS HAVE BEEN ACQUIRED TO DATE. WITH THIS SMALL AMOUNT OF CONSERVATION EASEMENTS BEING ACQUIRED, IT IS NOT IN THE BEST INTEREST OF ANYONE TO REMOVE THIS TERMINATION PROVISION AND MAKE THIS PROGRAM PERMANENT. THERE ARE SO MANY UNKNOWNNS. WE DON'T KNOW IF THE PROGRAM WILL WORK AS IT WAS INTENDED TO WORK. THERE ARE STILL TWO YEARS REMAINING ON THE PROGRAM TO SEE HOW IT FUNCTIONS.

AS HAS PREVIOUSLY BEEN MENTIONED. THE PROGRAM IS NOT SCHEDULED TO TERMINATE UNTIL 1994. IT IS SCHEDULED TO BE DEBATED IN THE 1993 LEGISLATURE WHEN EVERYONE WILL BE BETTER PREPARED TO EVALUATE THE PROGRAM AND DETERMINE 1) IF IT WILL WORK, 2) WHAT CHANGES MAY BE NECESSARY FOR IMPROVEMENT, AND 3) IF THE PROGRAM SHOULD BE MADE PERMANENT AT ALL.

EXHIBIT NO. 27DATE 1/17/91BILL NO. 3B13

Box 65

Willow Creek, MT 59760

January 17, 1991

Mr. ~~Griff~~ Chairman and
Members of the Committee:

I am Walt Steingruber, chairman of the Agricultural Preservation Association.

We have spent the last 300 or so years distributing our land into the hands of private enterprise by way of grants, homestead laws, squatter's rights, and outright sales. Now, laws are being introduced to reverse these trends and put more lands in the hands of government agencies. We believe this is not a good trend for private enterprise, agriculture or for our state economy.

We believe the authors of Section 12, Chapter 598, Laws of 1987, had a valid reason for providing for a termination date of March 1, 1994.

We believe that the Montana Fish, Wildlife and Parks has not always been good stewards of the lands they have acquired as evidenced by the uncontrolled noxious weeds on many of their lands.

We believe SB-13 is premature at this time.

We urge you to oppose SB-13.

Sincerely,



Walter A. Steingruber, President
Agricultural Preservation Association

EXHIBIT NO. 28

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan., 1991.

Name: Wm A Stender

Address: 183 Mill Creek Rd Sheridan Mont.

Telephone Number: 842-5336

Representing whom?

my self

Appearing on which proposal?

SB 13

Do you: Support? Amend? Oppose?

Comments:

EXHIBIT NO. 29
DATE 1/17/91
BILL NO. SB13

S.B. 13, AN ACT TO MAKE PERMANENT
THE HABITAT ACQUISITION PROGRAM
JANUARY 17, 1991

CHAIRMAN WILLIAMS AND MEMBERS OF THE COMMITTEE, THANK YOU FOR THE OPPORTUNITY TO TESTIFY ON SENATE BILL 13, AN ACT TO MAKE PERMANENT THE HABITAT ACQUISITION PROGRAM. MY NAME IS SUSAN BROOKE, I REPRESENT THE MONTANA STOCKGROWERS ASSOCIATION, THE MONTANA WOOL GROWERS ASSOCIATION AND THE MONTANA CATTLEWOMEN. I HAVE COME BEFORE THIS COMMITTEE TO TESTIFY IN OPPOSITION TO THIS BILL.

IN 1988 THE LEGISLATURE ENACTED H.B. 526 AND SET FORTH A SPECIFIC TERMINATION DATE FOR THE PROGRAM -- THERE WAS A LOGICAL EXPLANATION FOR THIS. THE PROGRAM WAS TO TERMINATE IN 1994 WITH INTENT THAT THE 1993 LEGISLATURE WOULD REVIEW THE PROGRAM AND MAKE INFORMED DECISIONS REGARDING THE OVERALL EFFECTIVENESS OF THE PROGRAM AFTER THERE HAD BEEN SUFFICIENT TIME TO DETERMINE THIS.

WE DO NOT BELIEVE INTENT WAS FOR THE PROGRAM TO BECOME AN ONGOING ACQUISITION OF PRIVATE LAND. THERE IS A PROGRAM IN EFFECT THAT ALREADY SETS ASIDE PRIVATE LAND FOR WILDLIFE HABITAT CALLED THE CONSERVATION RESERVE PROGRAM AND IT LIMITS THE AMOUNT OF LAND SET ASIDE TO 25% OF A COUNTY. THIRTEEN COUNTIES HAVE HAVE EITHER REACHED OR NEARLY REACHED THAT LEVEL AND NOW MAY BE CONSIDERED FOR ADDITIONAL HABITAT ACQUISITION UNDER THIS PROGRAM. STATEWIDE, OVER 2.7 MILLION ACRES ARE CURRENTLY INVOLVED IN THIS PROGRAM. WHAT IS THE EFFECT TO THESE RURAL COUNTIES? ARE WE ANGLING TOWARD MAKING ENTIRE COUNTIES INTO WILDLIFE HABITAT AREAS?

EXHIBIT NO. 30DATE 1/17/91BILL NO. SB13WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan, 1991.

Name: Richard C. Wilson

Address: Box 426
Denton Mt. 59430

Telephone Number: 567-2462

Representing whom?

Self

Appearing on which proposal?

S.B. 13

Do you: Support? Amend? Oppose?

Comments:

Govt owning land is the purest form of communism.

F.W.P. is already out of control.

They are bleeding the sportsman unmercifully

They should take the money from license fees that were already raised 4 yrs ago and pay for the terribly expensive buildings they built in Gt Falls Bozeman & Kalispel

No rancher deserves the Fish & Game for a neighbor

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan, 1991.

Name: Dennis Rooper

Address: 1040 Sun Valley Rd Helena MT

Telephone Number: 458-5587

Representing whom?

The interest of a lot of people

Appearing on which proposal?

SB 13

Do you: Support? Amend? Oppose?

Comments:

The State shouldn't own land because it always takes more (money) & usually more of everything thing to do things than if a private owner has to do the same thing

Waste & overdoing studies and that have been done & redone.

EXHIBIT NO. 32

DATE 1/17/91

BILL NO. SB 13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of JANUARY, 1991.

Name: Mike Barthelmess

Address: Box 282
Lincoln, MT 59639

Telephone Number: (406) 362-4664

Representing whom?
Pine Hills Outfitters

Appearing on which proposal?
H.B. 13

Do you: Support? Amend? Oppose?

Comments:
- Depletion of Tax Base
- Lack of Access to Homestead
- Closed to livestock grazing

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of December, 1991.

Name: Vaughn Thurston

Address: 1823 7th Ave S
Great Falls MT

Telephone Number: 454-1036

Representing whom?
Family

Appearing on which proposal?
HB 113

Do you: Support? Amend? Oppose?

Comments:
Some day I plan to farm, Ranch
Today I don't have the financing,
I'm afraid by the time I do
the FWP would own the State
If they didn't, they could offer twice
what I would be able to, to obtain
it.

EXHIBIT NO. 34

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan, 1991.

Name: Russ WATKINS

Address: 1722 Kelly Rd
Helen

Telephone Number: 449 8159

Representing whom?
Self

Appearing on which proposal?
SB 13

Do you: Support? Amend? Oppose?

Comments:
We do not need more land we
need to manage what we got

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan, 1991.

Name: DR. S. J. SCORE

Address: 1123 EUCLID
HELENA, MT, 59601

Telephone Number: 443-3112

Representing whom?
SELF

Appearing on which proposal?
SB 13

Do you: Support? Amend? Oppose?

Comments:

EXHIBIT NO. 36

DATE 1/17/91

BILL NO. SB13

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 17 day of Jan, 1991.

Name: Douglas R. Roop

Address: 1040 Sun Valley Rd Helena Mt. 59601

Telephone Number: 449-7682

Representing whom?
Self

Appearing on which proposal?
SB 13

Do you: Support? Amend? Oppose?

Comments:

