



LC 0492/01

- 1 (5) management plans; and
- 2 (6) other matters pertinent to this study.

-End-

STATE OF MONTANA

REQUEST NO. 364-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 4, 19 77, there is hereby submitted a Fiscal Note for Senate Joint Resolution 3 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

S.J.R. 3 directs that the Committee on Priorities assign an interim committee to consider problems concerning hunting and fishing areas.

FISCAL IMPACT:

If the study is assigned a high priority and all members of the committee are legislators, then the cost would be assumed within the existing Legislative Council budget.

TECHNICAL NOTE:

The legislature should clarify the status of the "members representing ranchers, farmers, sportsmen, and the Fish and Game Department.....". Are they to be regular committee members or just work with the committee? How many such members should there be? How shall they be selected? Are they to be paid for their participation and if so, under what authority?

*Richard A. Drayton*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-7-77

Approved by Comm.  
on Fish and Game

SENATE JOINT RESOLUTION NO. 3

INTRODUCED BY LOWE, HAZELBAKER, P. SMITH, ROBERTS, LOCKREM

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE COMMITTEE ON PRIORITIES TO ASSIGN AN INTERIM COMMITTEE TO CONSIDER PROBLEMS CONCERNING THE USE OF PUBLIC AND PRIVATELY OWNED LANDS FOR HUNTING AND FISHING AND FOR ACCESS TO OTHER HUNTING AND FISHING AREAS, ALL FOR THE PURPOSE OF DEVELOPING BETTER UNDERSTANDING AND RELATIONSHIPS BETWEEN LANDOWNERS AND SPORTSMEN FOR THEIR MUTUAL BENEFIT.

WHEREAS, the members of the 45th Legislature recognize that hunting and fishing are an inherent and important way of life to the people of Montana; and

WHEREAS, much of this activity has historically been pursued on and through private lands at the pleasure and permission of those individual landowners; and

WHEREAS, the use and misuse of these lands by an increasing number of hunters and fishermen from both in and out of state have encouraged the closing of such private lands to the public, creating a crisis situation in available recreation areas; and

WHEREAS, recognizing that the landowner provides food and habitat for game, together with the access to and use of

his land by hunters and fishermen at some expense, inconvenience, and exposure to damage and liability; and  
WHEREAS, we believe there is a drastic need for a ~~state-managed--system~~ USE PROGRAM covering this entire situation for the benefit of both the landowner and the sportsman.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Committee on Priorities is directed to assign an interim committee, including members representing ranchers, farmers, sportsmen, and the Fish and Game Department to conduct a study of the above matters for the purpose of advising the Fish and Game Department and presenting legislation to the 46th Legislature to improve the entire hunting, fishing, and access situation. This study shall include the following:

(1) federal, state and private incentives for the landowner to provide game habitat and sustenance for wildlife;

(2) insurance for the landowner against damage or liability from hunting and fishing use;

(3) measures to provide the proper regulated use of public and private lands for outdoor pleasure pursuits;

(4) suggestions and outlines for voluntary access

SECOND READING

SJR 0003/02

- 1 agreements between the state and the landowner;
- 2 (5) management plans; and
- 3 (6) other matters pertinent to this study.

-End-

SENATE JOINT RESOLUTION NO. 3

INTRODUCED BY LOWE, HAZELBAKER, R. SMITH, ROBERTS, LOCKREM

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE COMMITTEE ON PRIORITIES TO ASSIGN AN INTERIM COMMITTEE TO CONSIDER PROBLEMS CONCERNING THE USE OF PUBLIC AND PRIVATELY OWNED LANDS FOR HUNTING AND FISHING AND FOR ACCESS TO OTHER HUNTING AND FISHING AREAS, ALL FOR THE PURPOSE OF DEVELOPING BETTER UNDERSTANDING AND RELATIONSHIPS BETWEEN LANDOWNERS AND SPORTSMEN FOR THEIR MUTUAL BENEFIT.

WHEREAS, the members of the 45th Legislature recognize that hunting and fishing are an inherent and important way of life to the people of Montana; and

WHEREAS, much of this activity has historically been pursued on and through private lands at the pleasure and permission of those individual landowners; and

WHEREAS, the use and misuse of these lands by an increasing number of hunters and fishermen from both in and out of state have encouraged the closing of such private lands to the public, creating a crisis situation in available recreation areas; and

WHEREAS, recognizing that the landowner provides food and habitat for game, together with the access to and use of

his land by hunters and fishermen at some expense, inconvenience, and exposure to damage and liability; and

WHEREAS, we believe there is a drastic need for a ~~state-managed--system~~ USE PROGRAM covering this entire situation for the benefit of both the landowner and the sportsman.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Committee on Priorities is directed to assign an interim LEGISLATIVE committee, including members representing ranchers, farmers, sportsmen, and REPRESENTATIVES OF the Fish and Game Department to conduct a study of the above matters for the purpose of advising the Fish and Game Department and presenting legislation to the 46th Legislature to improve the entire hunting, fishing, and access situation. This study shall include the following:

(1) federal, state and private incentives for the landowner to provide game habitat and sustenance for wildlife;

(2) insurance for the landowner against damage or liability from hunting and fishing use;

(3) measures to provide the proper regulated use of public and private lands for outdoor pleasure pursuits;

(4) suggestions and outlines for voluntary access

THIRD READING

SJR 0003/03

- 1 agreements between the state and the landowner;
- 2 (5) management plans; and
- 3 (6) other matters pertinent to this study.

-End-

March 8, 1977

HOUSE OF REPRESENTATIVES

COMMITTEE ON FISH AND GAME AMENDMENTS TO SENATE JOINT  
RESOLUTION NO. 3

Amend the third reading bill as follows:

1. Amend page 2, lines 11 and 12.

Following: line 10

Strike: "an interim LEGISLATIVE committee, including members  
representing"

Insert: "to a subcommittee of the fish and game committees  
composed of 8 members appointed so as to attain equal representation  
of"

Following: "ranchers"

Strike: ", "

Insert: "-"

Following: "farmers"

Strike: ", "

Insert: "and"

Following: "sportsmen"

Strike: ", and"

Insert: "."

2. Amend page 2, line 13.

Following: line 12

Insert: "Two"

Following: "Department"

Strike: "to"

Insert: "shall be appointed by the director, subject to approval  
of the senate and house of representatives fish and game committee  
chairmen, as nonvoting members. The committee shall"

AS AMENDED  
BE CONCURRED IN

## 1 SENATE JOINT RESOLUTION NO. 3

2 INTRODUCED BY LOWE, HAZELBAKER, R. SMITH, ROBERTS, LOCKREM

3  
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE  
6 COMMITTEE ON PRIORITIES TO ASSIGN AN INTERIM COMMITTEE TO  
7 CONSIDER PROBLEMS CONCERNING THE USE OF PUBLIC AND PRIVATELY  
8 OWNED LANDS FOR HUNTING AND FISHING AND FOR ACCESS TO OTHER  
9 HUNTING AND FISHING AREAS, ALL FOR THE PURPOSE OF DEVELOPING  
10 BETTER UNDERSTANDING AND RELATIONSHIPS BETWEEN LANDOWNERS  
11 AND SPORTSMEN FOR THEIR MUTUAL BENEFIT.

12  
13 WHEREAS, the members of the 45th Legislature recognize  
14 that hunting and fishing are an inherent and important way  
15 of life to the people of Montana; and

16 WHEREAS, much of this activity has historically been  
17 pursued on and through private lands at the pleasure and  
18 permission of those individual landowners; and

19 WHEREAS, the use and misuse of these lands by an  
20 increasing number of hunters and fishermen from both in and  
21 out of state have encouraged the closing of such private  
22 lands to the public, creating a crisis situation in  
23 available recreation areas; and

24 WHEREAS, recognizing that the landowner provides food  
25 and habitat for game, together with the access to and use of

1 his land by hunters and fishermen at some expense,  
2 inconvenience, and exposure to damage and liability; and

3 WHEREAS, we believe there is a drastic need for a  
4 ~~state-managed--system~~ USE PROGRAM covering this entire  
5 situation for the benefit of both the landowner and the  
6 sportsman.  
7

8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
9 OF REPRESENTATIVES OF THE STATE OF MONTANA:

10 That the Committee on Priorities is directed to assign  
11 ~~an interim~~ LEGISLATIVE committee--including--members  
12 representing TO A SUBCOMMITTEE OF THE FISH AND GAME  
13 COMMITTEES COMPOSED OF 8 MEMBERS APPOINTED SO AS TO ATTAIN  
14 EQUAL REPRESENTATION OF ranchers, farmers, AND sportsmen,  
15 and TWO REPRESENTATIVES OF the Fish and Game Department to  
16 SHALL BE APPOINTED BY THE DIRECTOR, SUBJECT TO APPROVAL OF  
17 THE SENATE AND HOUSE OF REPRESENTATIVES FISH AND GAME  
18 COMMITTEE CHAIRMEN, AS NONVOTING MEMEBERS, THE COMMITTEE  
19 SHALL conduct a study of the above matters for the purpose  
20 of advising the Fish and Game Department and presenting  
21 legislation to the 46th Legislature to improve the entire  
22 hunting, fishing, and access situation. This study shall  
23 include the following:

24 (1) federal, state and private incentives for the  
25 landowner to provide game habitat and sustenance for

SJR 0003/04

- 1 wildlife;
- 2 (2) insurance for the landowner against damage or
- 3 liability from hunting and fishing use;
- 4 (3) measures to provide the proper regulated use of
- 5 public and private lands for outdoor pleasure pursuits;
- 6 (4) suggestions and outlines for voluntary access
- 7 agreements between the state and the landowner;
- 8 (5) management plans; and
- 9 (6) other matters pertinent to this study.

-End-

## 1 SENATE JOINT RESOLUTION NO. 3

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5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE  
6 COMMITTEE ON PRIORITIES TO ASSIGN AN INTERIM SELECT  
7 COMMITTEE TO CONSIDER PROBLEMS CONCERNING THE USE OF PUBLIC  
8 AND PRIVATELY OWNED LANDS FOR HUNTING AND FISHING AND FOR  
9 ACCESS TO OTHER HUNTING AND FISHING AREAS, ALL FOR THE  
10 PURPOSE OF DEVELOPING BETTER UNDERSTANDING AND RELATIONSHIPS  
11 BETWEEN LANDOWNERS AND SPORTSMEN FOR THEIR MUTUAL BENEFIT.

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8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
9 OF REPRESENTATIVES OF THE STATE OF MONTANA:

10 That the Committee on Priorities is directed to assign  
11 ~~an--interim LEGISLATIVE committee--including--members~~  
12 ~~representing AN--INTERIM--LEGISLATIVE--COMMITTEE--INCLUDING~~  
13 ~~MEMBERS--REPRESENTING TO A SUBCOMMITTEE OF THE FISH AND GAME~~  
14 ~~COMMITTEES--COMPOSED--OF--8--MEMBERS--APPOINTED--SO--AS--TO--ATTAIN~~  
15 ~~EQUAL--REPRESENTATION--BE~~ ranchers = farmers AND  
16 sportsmen--and--AND A STUDY OF THE PROBLEMS DESCRIBED ABOVE  
17 TO A SELECT COMMITTEE COMPOSED OF 8 MEMBERS APPOINTED AS  
18 FOLLOWS: TWO SENATORS WHO ARE RANCHER-FARMERS; TWO SENATORS  
19 WHO ARE SPORTSMEN; TWO MEMBERS OF THE HOUSE FISH AND GAME  
20 COMMITTEE WHO ARE RANCHER-FARMERS; AND TWO MEMBERS OF THE  
21 HOUSE FISH AND GAME COMMITTEE WHO ARE SPORTSMEN. SENATE  
22 MEMBERS SHALL BE APPOINTED BY THE SENATE COMMITTEE ON  
23 COMMITTEES; AND HOUSE MEMBERS SHALL BE APPOINTED BY THE  
24 CHAIRMAN OF THE HOUSE FISH AND GAME COMMITTEE, WITH NO MORE  
25 THAN TWO MEMBERS FROM EITHER HOUSE IN THE SAME POLITICAL

1 ~~PARTY. TWO TWO REPRESENTATIVES OF~~ the Fish and Game  
2 Department to ~~IS SHALL BE APPOINTED BY THE DIRECTOR, SUBJECT~~  
3 ~~TO APPROVAL OF THE SENATE AND HOUSE OF REPRESENTATIVES, FISH~~  
4 ~~AND GAME COMMITTEE CHAIRMEN, AS NONVOTING MEMBERS, THE~~  
5 ~~COMMITTEE SHALL~~ SHALL BE APPOINTED BY THE DIRECTOR, SUBJECT  
6 ~~TO APPROVAL OF THE LEGISLATIVE MEMBERS OF THE COMMITTEE, TO~~  
7 ~~SERVE AS NONVOTING MEMBERS. THE COMMITTEE SHALL~~ conduct a  
8 study of the above matters for the purpose of advising the  
9 Fish and Game Department and presenting legislation to the  
10 46th Legislature to improve the entire hunting, fishing, and  
11 access situation. This study shall include the following:  
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18 public and private lands for outdoor pleasure pursuits;  
19 (4) suggestions and outlines for voluntary access  
20 agreements between the state and the landowner;  
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-End-