

MINUTES
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

February 4, 1977

The tenth meeting of the Fish and Game Committee was called to order by Chairman Frank Dunkle at 8:00 A.M., in Room 405 of the State Capitol Building.

ROLL CALL: All members were present.

Chairman Dunkle announced the committee would act on all Senate bills before considering any House bills.

CONSIDERATION OF SJR 3, a joint resolution 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.

Senator Lowe said he would like to applaud the interim committee report prefacing this joint resolution. He stated there is misunderstanding between landowners and sportsmen and also the Fish and Game Department. He said the Fish and Game Department is gathering material to narrow this gap. Senator Lowe read parts of a letter from Mr. Neil Martin, in which Mr. Martin, Regional Game Manager for the Fish and Game Department, mentioned that the Department is currently conducting a door-to-door survey of landowners along the Yellowstone River to determine the amount and location of lands open, closed, and restricted to public access and why. (Attachment #1). Senator Lowe said work and study of this nature should be done with the cooperation of the landowners and that it is a joint effort. He said we must look into insurance to cover depredation, and talk to landowners about seasons and the length of seasons.

Mr. Al Jenkins, Secretary of the Billings Rod and Gun Club spoke in support of the joint resolution. He said the biggest problem is access; most of the land on which we hunt is private land; consequently, we must effect a better rancher-sportsman relationship through the years.

Mr. Jenkins said he supported Senator Lowe's recommendation. He mentioned increasing populations and pressures on landowners, and said we might think about shortening seasons.

Mr. Fred Carver, representing the Southeastern Sportsmen's Association, testified, verifying what Mr. Jenkins said. He stated there will have to be some control over the excess of hunters during the next few year. He said his affiliates have agreed to back the resolution one-hundred percent.

Mr. Wes Woodgerd of the Montana Fish and Game Department spoke concerning the problem of access. He said it has been identified particularly in the eastern part of the state.

Mr. Ralph Holman, Legislative Chairman of the Montana Outfitters and Guides Association, spoke in favor of SJR #3, saying that for too long, there has been little or no representation of landowners on the Fish and Game Commission. He said programs to improve landowner-sportsmen-Department relations, to open channels to reach the landowner and to determine what can be done and what is acceptable through negotiations, would appear desirable. (Attachment #2).

Mr. Smoke Elser, representing the Wilderness Guides Association and himself, as an individual, spoke in support of SJR #3, saying that the landowner needs protection because, as the present law stands, if a man enters your land to hunt and is hurt, he can sue the landowner for allowing him to hunt there.

Mr. Don Merritt spoke in support of SJR #3. He endorsed Mr. Elser's statement.

Mr. Andrew Koch spoke in support of the bill.

Senator Lowe suggested an amendment on line 4, page 2 of SJR #3, striking the words "state-managed system," and inserting the wording, "use program."

Senator Manley stated he felt it was a good idea to have this study, but to get to the problem of landowner-sportsman relations, it should be taken further than this resolution provides and include a study of the Fish and Game Department and its philosophy of operating the Department. He felt SJR #3 just scratches the surface.

Senator Dunkle called for closing remarks.

Senator Lowe said he agreed with Senator Manley, and said this study should come back with directives and proposals from the Fish and Game Department.

Senator Lowe mentioned that he was pleased with having people support the bill and thanked them for appearing before the committee.

Senator Dunkle opened the meeting to discussion. Senator Galt asked if any of the people who testified today presented any views about the last study or testified on it. They replied they were not contacted. Debbie Schmidt, Legislative Researcher, said notices of the study were sent to newspapers and to all interested parties who had testified at previous hearings or shown an interest in it.

Senator Galt asked whether the committee members would be legislators or if it would include lay people.

Senator Lowe replied that he would propose to have both.

Senator Lowe said this should be an on-going program and should be done possibly every second or third year. He said this is very important.

Senator Warden said most interim committee members are not decided upon until the end of the session, and that if we should decide to pass something like this, the membership number should be specified.

Senator Lowe said the number of meetings to be held by the committee should also be specified.

ACTION ON SJR 3: Senator Galt moved to accept the amendment proposed by Senator Lowe. Senator Lowe seconded the motion, and it carried unanimously.

Senator Lensink requested a fiscal note on this resolution and Senator Dunkle said he would take care of it before sending the bill out of committee. Senator Dunkle closed the hearing on SJR 3.

ANNOUNCEMENT: Senator Dunkle announced that he would contact the sponsor of SJR 25 to see when it can be scheduled for hearing.

ADJOURNMENT: Chairman Dunkle adjourned the meeting at 9:10 A.M.


SENATOR FRANK DUNKLE, CHAIRMAN