

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: By Chairman Bob Ream, on March 7th, 1989, at 3:30 p.m.

ROLL CALL

Members Present: All members present with exception of:

Members Excused: Rep. Ralph Eudaily, Rep. Marian Hanson

Members Absent: none

Staff Present: Doug Sternberg, Legislative Council and Maureen Cleary, Committee Secretary

Announcements/Discussion: Rep. Ream: Requested that Mr. Marcoux address the Committee in regard to the Commissions meeting on the status of the elk herds. Mr. Marcoux: The Commission met last Friday. We discussed the current status of the elk population in Montana. We asked our personnel around the state to view various elk herds, look at their conditions, etc. There were two areas discussed. The herds within the state in general, and especially the Yellowstone area herds. The Yellowstone herds, are without question, the herds where we are seeing a considerable impact. With regard to the states herds, generally speaking, we are seeing that those herds are in reasonable shape. The Big Hole elk situation is one of the herds receiving the most attention and deserves additional review. In discussing, we show that there are particularly high numbers of elk in that area. Through the efforts of the local people in the Big Hole area, they are feeding that herd. The herd appeared to have a slightly higher than normal mortality rate. Because of the numbers that are in the herd and their general condition. We will continue to monitor that situation, our personnel will be going down again on Wednesday. It probably will be appropriate to begin feeding if conditions warrant. Obviously, with alleviation of some of the snow conditions the herds may find relief. We will be working with the group of citizens, and have met with others concerned. We feel that we need to look at the possibility of feeding them this year. But also a long-term solution. One need is to obtain adequate hunter access, get our hunters back on forest service land so we can bring that population back down. Secondly, to reduce elk populations by increasing our elk permits next year. And third, to work with the land owners in improving the winter range habitat. Short term feeding will probably continue, and we will assist if necessary. Long term, we will focus on those

areas I just reviewed. We are not looking at an atypical situation, as far as this winter is concerned. With regard to the Yellowstone situation, here are some recommendations that the Commission adopted. (See Exhibit #2) The Commission felt in dealing with the elk situation. We need to look long-term. We have populations that are at fairly high levels, 19,000 animals. We are anticipating winter mortality averaging in the 10% range. My estimate this year is that 20% of the herd will not survive. The Commission felt that feeding was not the answer, even short-term. Because of the negative implications associated with it. They did adopt the following: (read text of Exhibit #2). Today we had the opportunity to speak with the Governor. He agrees that the items listed here for long-term solutions are acceptable.

QUESTIONS FROM THE COMMITTEE:

REP. KELLER: Is it also the premise that if we get by this next year, there will be alot of grass with the past fires situation? MR. MARCOUX: The summer range is not expected to be a problem. We will continue to protect the winter range, and by doing so get good access for the harvest. Focusing our attention on taking those animals on a harvest standpoint. We can bring this segment of the population down, on the long-term at least we could reduce those high peak losses that we have seen recently.

HEARING ON SENATE BILL 33

Presentation and Opening Statement by Sponsor:

SEN. BISHOP: (See Exhibits #1 and #3) This bill was started last session as was named the Pheasant Enhancement Program. Providing for raising and stocking of pheasants. It was funded by an increase in license fees. The sportsmen paid for the entire idea. It turned out that the program generated quite a bit more money than was needed for stocking. The program itself has generated over \$400 thousand dollars. The opposition in the first place was that some claimed stocking pheasant was not the answer. Pheasants had to be stocked in the first place, because they are not a native bird. In order to realize the potential to do some tremendous good we have amended the bill. This bill would provide, now, for all upland game bird animals. At the end of the fiscal year any monies left from stocking will be used for the enhancement program. It is not contemplated that we are going to acquire any land with these monies.

Testifying Proponents and Who They Represent:

Mr. Robert VanDerVeer/ Helena

Ms. Janet Ellis/ MT. Audubon Legislative Fund, Helena  
Mr. Dave Majors/ MT. Wildlife Federation, Helena  
Ms. Peggy Haugland/ MT. Salinity Control Assoc, Conrad  
Mr. Jack Puckett/ Big Sky Bird Assoc., Missoula  
Mr. Bob Lucas/ Big Sky Upland Bird Assoc., Missoula  
Mr. Ron Marcoux/ Dept. of Fish, Wildlife and Parks, Helena  
Mr. Larry McNavitch/ Missoula Gun Dog Club, Missoula  
Mr. Bob Stevens/ MT. Graingrowers Assoc., Helena

Proponent Testimony:

Mr. VanDerVeer: This is a chance for an enhancement of a program with no additional expense.  
Ms. Janet Ellis: (See Exhibit #4)  
Mr. Dave Majors: (See Exhibit #5)  
Ms. Peggy Hauglund: (See Exhibit #6)  
Mr. Jack Puckett: (See Exhibit #7)  
Mr. Bob Lucas: (See Exhibit #8)  
Mr. Ron Marcoux: (See Exhibit #9)  
Mr. Larry McNavitch: It is a simple bill, and what needs to be said has been said in the testimony that has come before you. This bill will give us a tool to do here in Montana what has happened in South Dakota.  
Mr. Bob Stevens: We feel that it will help improve the landowner and sportsmen relationships.

Testifying Opponents and Who They Represent:

none

Opponent Testimony:

none

Questions From Committee Members:

REP. KASTEN: The combination of these licenses will add up to an income?  
MR. MARCOUX: Typically, we anticipate revenues in

the neighborhood of \$570,000.00 coming into the program. Currently the expenditures are in the neighborhood of \$50,000.00. That counts the amount that is being expended for paying for pheasant releases. In looking toward what is potentially available you will see in the next biennium approximately a 1.4 million dollar program for habitat development. REP. KASTEN: Previously, the money in here was only allowed for pheasants? MR. MARCOUX: That was all that we were allowed to spend the money on. REP. KASTEN: Do you think that there will be any opposition from those who favor pheasant, to include all the other birds? MR. MARCOUX: Based on the testimony that I heard today. There will be support. I do believe the interest in pheasants, by landowners, will begin to see more of a focus. SEN. BISHOP: I don't believe that there will be a significant amount of opposition. If there is any opposition, I haven't heard it.

REP. ELLISON: How many birds are raised and at what cost? MR. MARCOUX: About 3,000 hens and 1,000 roosters. With the cost of about \$8.00 per bird to raise. It is a complex process to raise these birds well. REP. ELLISON: Does the Dept. have oversight in raising and stocking these birds? SEN. BISHOP: The Dept. does have standards that must be met. MR. MARCOUX: We work with the landowner to insure that he has the proper habitat before the plan is approved.

REP. KELLER: In regard to the upland area of this bill. In our area what kinds of improvement could be made in our area with this program? MR. MARCOUX: As an overview, some of our options could be food plots, protection and development of nesting cover, preservation of wooded area, graze management, good winter cover, easements and leases to individuals that are willing to work with us, etc.

REP. REAM: I have been getting quite a lot of mail regarding the saline seep program. Could you clarify that? MR. MARCOUX: That came in by the appropriations committee process. The proposal used \$125,000.00 to work with the Saline Seep Control Association. The bill basically provides that we would work with that group, and that they would provide projects that could be cost shared. If they have saline control projects that would also provide good upland bird habitat they would provide the Dept. with cost sharing to complete those projects. The wording indicates that the project would have to comply with the guidelines of the legislation, rules of the commission and any federal guidelines tied to those funding sources. It is a program that we would like to work with. There is protection to make sure the projects will benefit the upland bird enhancement program. (See Exhibit #10)

Closing by Sponsor:

SEN. BISHOP: This is a program that will benefit not only wildlife but everyone. That is why we live in this state. To enjoy the wildlife. And the nice thing is that this bill will benefit alot of people and funded by a special group.

DISPOSITION OF SENATE BILL 33

Motion: Rep. Daily motioned a "do pass"

Discussion: none

Amendments, Discussion, and Votes: none

Recommendation and Vote: THEREFORE, THE COMMITTEE RECOMMENDS A "TO BE CONCURRED IN" FOR THIS BILL.

HEARING ON SENATE BILL 219

Presentation and Opening Statement by Sponsor:

SEN. WALKER: This bill is a culmination of alot of peoples work and effort. To try to gather the landowner and sportsman a little closer together. (Read text of bill) We have had a tremendous amount of pressure on both sides of the issue. With the hunters and landowners, this bill will eliminate some of that pressure.

Testifying Proponents and Who They Represent:

Mr. Don Chance/ Mt. Wildlife Federation, Helena

Ms. Kim Enkerud/National Resource Coordinator, Mt. Stockgrowers Assoc., Helena

Mr. Ron Marcoux/ Dept. of Fish, Wildlife and Parks, Helena

Ms. Valeri Larson/ over 3,500 Farm Bureau members

Proponent Testimony:

Mr. Chance: This bill involves improving the relationship between landowners and hunters. It is unfair to the landowners, as they are the ones that need those dollars the most. And unfair to the sportsmen, to pay the tab for the game damage assistance program. And attempt to hunt in areas that have been prohibitive or severely restricted. There are a number of examples in the state where a major portion of property may be leased out to people involved in restrictive hunting regulations on their land. This bill will solve some of those types of problems. There is information within the bill to provide for game damage assistance in unique or special circumstances. This bill does not effect the fee for access to the hunter. As long

as it is deemed reasonable. This bill came out of the Senate without a single descending vote.

Ms. Enkerude: (See Exhibit #11)

Mr. Ron Marcoux: (See Exhibit #12)

Ms. Larson: We see the need to require that landowners allow hunters on his or her property in order to be entitled for compensation of game damage.

Testifying Opponents and Who They Represent:

none

Opponent Testimony:

none

Questions From Committee Members:

REP. KELLER: Under the present rules. If someone has not allowed hunting during the season, are you giving those persons fencing material? If they have some game damage? MR. MARCOUX: If they met the criteria we would buy the materials. REP. KELLER: I am wondering who interprets that word "restrictive"? MR. MARCOUX: That would be decided on a case by case basis, following the chain of command.

REP. DEMARS: If I don't let hunter's drive on your property is that restrictive? MR. MARCOUX: No, if you provided walking access, you would qualify.

REP. ELLISON: What about migratory herds? MR. MARCOUX: That would be a unique situation and would have to be addressed on a case by case basis.

REP. DEMARS: Who is the person that makes those special determinations? MR. MARCOUX: Initially, it would be the game warden. I would assume that if there are questions they would move up through the chain of command within the Dept. for clarification.

Closing by Sponsor:

SEN. WALKER: This is also a fairness issue in the eyes of the sportsmen. It is important to help close this gap.

DISPOSITION OF SENATE BILL 219

Motion: Rep. Daily motioned a "do pass"

Discussion: Rep. Keller: In regard to the rule-making authority in this legislation. In the event that you would ask for

assistance, you would go to your local game warden. Remember that some game wardens do not have good reputations in their areas, and that may effect the situation. Mr. Marcoux: I understand your concerns, and we would definitely have to have some sort of appeals process available.

Amendments, Discussion, and Votes: none

Recommendation and Vote: THEREFORE, THE COMMITTEE RECOMMENDS A "TO BE CONCURRED IN" FOR THIS BILL.

HEARING ON SENATE BILL 48

Presentation and Opening Statement by Sponsor:

SEN. PIPINICH: We labeled this bill a "Trophy Hunt Bill". This bill was worked over with the Fish and Game Dept. and we came up with a 7 year wait. We were concerned with alot of the paperwork that the Fish and Game had, so we revised this and came up with a fine. Taking the hunting license. If you are successful, you cannot hunt these particular species for a period of 7 years.

Testifying Proponents and Who They Represent:

Mr. Ron Marcoux/ Dept. of Fish, Wildlife and Parks, Helena

Mr. Don Chance/ Mt. Wildlife Federation, Helena

Proponent Testimony:

Mr. Marcoux: (See Exhibit #14)

Mr. Chance: We strongly support this legislation.

Testifying Opponents and Who They Represent:

Mr. Dan Seller/ hunter, Bozeman

Opponent Testimony:

Mr. Sellers: (See Exhibit #15)

Questions From Committee Members:

REP. DEMARS: What are the chances of drawing twice? MR. MARCOUX: This does happen occasionally.

REP. KELLER: What kind of statistics do you have on these draws. MR. MARCOUX: We don't have those figures, it is all probabilities. The chances are still low. You have such a high number of individuals drawing those special licenses,

you will find in some instances that some individuals do get them more than once. But highly unlikely.

REP. ELLIOTT: I would like to know the number of applications that you get for each class. MR. MARCOUX: I did not bring that kind of data, but I can certainly supply it. We have odds in the 20-1 category for sheep and moose, and sometimes higher. Depends on the districts. REP. ELLIOTT: What is the statistical influence of removing the numbers of those successful applicants from the applicant pool. To see how that would change the odds in the future. And if it would not, it would seem to me that it is nonsense to peruse this. MR. MARCOUX: I could give you that information.

REP. STRIZICH: Does this serve any practical purpose for your department? MR. MARCOUX: At the end, from an environmental standpoint, the issue is a social issue amongst the individuals. We had a survey about three years ago which indicated about 80% felt the current system was appropriate. When we started talking about the 7-year waiting period we had about a fifty-fifty split of opinion. REP. STRIZICH: In other words, from the standpoint of management practice, it doesn't do you any good. MR. MARCOUX: From the biological standpoint, it would be fine for numbers of permits. But would provide no management advantages.

REP. DAILY: You discontinued this program in 1983, is that correct? MR. MARCOUX: That is correct. REP. DAILY: The reason that you discontinued it was it became an administrative nightmare. Is that going to happen again? MR. MARCOUX: Before, we were trying to keep computer records, cross checking, etc. This program does not require that.

REP. GERVAIS: Doesn't this bill discriminate against the good hunter? MR. MARCOUX: I don't believe that it does.

Closing by Sponsor:

SEN. PIPINICH: Closed to the Committee briefly reiterating his opening arguments for the bill.

DISPOSITION OF SENATE BILL 48

Motion: Rep. Strizich motioned to "table". Rep. Daily provided a sub-motion of "do not pass"

Discussion: none

Amendments, Discussion, and Votes: none

Recommendation and Vote: THEREFORE, THE COMMITTEE RECOMMENDS A "NOT TO BE CONCURRED IN" FOR THIS BILL.



## DISPOSITION OF HOUSE BILL 740

Motion: Rep. Daily motioned a "do pass"

Discussion: Rep. Kasten: I don't believe that we are going to help the situation now. Rep. Harper: I have had numerous calls from the public. They want some legislation on this matter. People are concerned, they feel that we are losing just too many elk. The public needs to see some action. Rep. Ream: Questioned implementing costs of the feeding program. Mr. Marcoux: The new fiscal year begins in March and we will begin accruing funds. Rep. Daily: We figured for the Fiscal Year 91' a total of \$152,000.00 and for Fiscal Year 92' a total of \$380,00.00 These monies would be raised through raising the conservation license fees. This money would provide the revenue to implement the program. Rep. Phillips: It seems to me that the critical time is now, by the time this bill passes through, it will be too late. Rep. Ellison: We are looking at over 90,000 head of elk out in the state to feed. It seems impossible. Rep. Daily: We could have this bill through by next week. We could make the appropriate amendments and become involved in this situation. I believe that it is that urgent. (See Exhibits #16 and #17) Remember that this winter is not over yet. Rep. Keller: I believe that it was the winter of 1886, when they overfed the animals and wound up losing a large number and also increased the disease rate. Rep. Harper: If you remove the increase in the fee, you have to find the money from somewhere. I say leave it in and any extra can be appropriated elsewhere within the department. Rep. Blotkamp: I have to be very careful that I am making the right decision with this. From what I have heard, we could increase the risk of a terrible disease, brucellosis. Can you assure me that by implementing this feeding program we would not jeopardize those animals? Rep. Daily: No, I cannot make that guarantee. You have to remember that the Dept. still would have the control. I would not advise the feeding if I thought that it would cause an increase in the disease. Rep. Phillips: If this bill hits the floor, it will be a rocky road. Why can't we introduce a simplified resolution? Rep. Harper: The Dept. probably has the money somewhere to implement this. We could use aerial feeding, professional hunters, something. Starvation is just not an appropriate management tool. Rep. Kasten: It appears that this bill has turned into a land acquisition bill. Rep. Ream: Why couldn't the hunting season be extended to deal with this for the future? Mr. Marcoux: We anticipate to double the harvest coming out of the Northern herds. We are generally dealing with much higher numbers of animals this season. Along with the drought, the extreme winter conditions and the fires. We have seen extraordinary conditions effecting this population. I don't feel that at this point we will jeopardize the herds population. We need

to focus on the long-range solutions. Rep. Cohen: I question the Park Service in all of this. Rep. Ream: I need to address this issue. We are presently in the middle of March, the elk are already close to starvation. Any feeding that we do now would only be a token to the public. The elk that are in the worst condition now are beyond recovery. Rep. Harper: The people see this suffering and they want us to act on this. Mr. Marcoux: Recently we toured the area, did an assessments on the herds. Not all of the herds are wintering outside of the park. There are still many viable animals that are not in that kind of condition further into the park. If we begin the feeding program, unless you feed more and more each year. You will simply perpetuate the situation. We always will have starving animals unless we address the issue of population control and long-range planning.

Amendments, Discussion, and Votes: Amendments were addressed and discussed and voted on. (See Attached Standing Committee Report for details.)

Recommendation and Vote: THEREFORE, A VOTE WAS TAKEN AND THE COMMITTEE RECOMMENDS A "DO NOT PASS AS AMENDED" FOR THIS BILL. (reverse vote noted)

## ADJOURNMENT

Adjournment At: 5:45 p.m.



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REP. BOB REAM, Chairman

BR/mc

5305.min

DAILY ROLL CALL

FISH AND GAME

COMMITTEE

51st Session - Legislative Council

Date March 7

NAME	PRESENT	ABSENT	EXCUSED
Bob Ream, Chairman	✓		
Jim Elliott, Vice-Chair	✓		
Robert Blotkamp	✓		
Ben Cohen	✓		
Fritz Daily	✓		
Gene DeMars	✓		
<del>Bob Pavlovich</del> Bob Gervais	✓		
Bob Raney	✓		
Bill Strizich	✓		
Roger DeBruycker	✓		
Orval Ellison	✓		
Ralph Eudaily			✓
Marian Hanson			✓
Betty Lou Kasten	✓		
Vernon Keller	✓		
John Phillips	✓		

ROLL CALL VOTE

FISH AND GAME

COMMITTEE

DATE 3/7 BILL NO. AB 740 NUMBER \_\_\_\_\_

NAME	AYE	NAY
Rep. Blotkamp	✓	
Rep. Cohen		✓
Rep. Daily	✓	
Rep. DeMars	✓	
Rep. DeBrucker	✓	
Rep. Ellison		✓
Rep. Eudaily	⊘	
Rep. Elliott		✓
Rep. Gervais	✓	
Rep. Hanson		✓
Rep. Kasten		✓
Rep. Keller		✓
Rep. Phillips		✓
Rep. Raney		✓
Rep. Ream		✓
Rep. Strizich	✓	✓

TALLY

(6) (9)

maureen Cleary

Secretary

Chairman

MOTION:

rep. daily "Do PASS"

[rep. daily, "move amendment." - Kasten Phillips Hanson Keller } 4 No's

[Pass unan. "amend term H. July 1 1991"

[rep. daily, move delete 6000 Sec 3 line 15

\* [rep sub motion ↓ to 100,000#]

[rep. phillips suspend rules for resolution

Reverse vote



ROLL CALL VOTE

FISH AND GAME

COMMITTEE

DATE \_\_\_\_\_ BILL NO. SB48 NUMBER 1

NAME	AYE	NAY
Rep. Blotkamp		✓
Rep. Cohen		✓
Rep. Daily		✓
Rep. DeMars	✓	
Rep. DeBrucker	✓	
Rep. Ellison		✓
Rep. Eudaily	<del>✓</del>	
Rep. Elliott		✓
Rep. Gervais	✓	
Rep. Hanson	<del>✓</del>	<del>✓</del>
Rep. Kasten		✓
Rep. Keller	✓	
Rep. Phillips		✓
Rep. Raney	✓	
Rep. Ream		✓
Rep. Strizich	✓	

TALLY

6 ~~11~~ 8

maureen Cleary

Secretary

Chairman

MOTION: rep. strizich "to table"

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ROLL CALL VOTE

FISH AND GAME

COMMITTEE

DATE 3/7 BILL NO. SB48 NUMBER 2

NAME	AYE	NAY
Rep. Biotkamp	✓	
Rep. Cohen		✓
Rep. Daily		✓
Rep. DeMars		✓
Rep. DeBrucker		✓
Rep. Ellison	✓	
Rep. Eudaily	✓	
Rep. Elliott		✓
Rep. Gervais		✓
Rep. Hanson	0	
Rep. Kasten	✓	
Rep. Keller		✓
Rep. Phillips		✓
Rep. Raney	✓	
Rep. Ream	✓	
Rep. Strizich		✓

TALLY

(6) (9)

maureen Cleary

Secretary

Chairman

MOTION:

rep. Daily "do pass"

DO NOT PASS





STANDING COMMITTEE REPORT

March 8, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Fish and Game report that HOUSE BILL 740 (first reading copy -- white) do NOT pass as amended.

Signed: Bob Ream

Bob Ream, Chairman

And, that such amendments read:

1. Title, line 6.

Following: "PROGRAM;"

Insert: "PROVIDING THAT UNEXPENDED REVENUE BE USED TO FUND WILDLIFE HABITAT;"

2. Title, line 8.

Following: "MCA;"

Strike: "AND"

3. Title, line 9.

Following: "DATE"

Insert: "; AND PROVIDING A TERMINATION DATE"

4. Page 2, line 14.

Following: "program."

Insert: "Any funds that are not spent for the elk feeding program during a fiscal year must be used exclusively by the commission to secure, develop, and maintain wildlife habitat."

5. Page 2, line 17.

Strike: "\$600,000"

Insert: "\$100,000"

6. Page 2.

Following: line 25

Insert: "Section 6. Termination. [This act] terminates July 1, 1991."

STANDING COMMITTEE REPORT

March 8, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Fish and Game report that SENATE BILL 33 (third reading copy -- blue) be concurred in.

Signed: Bob Ream

Bob Ream, Chairman

[REP. REAM WILL CARRY THIS BILL ON THE HOUSE FLOOR]

STANDING COMMITTEE REPORT

March 8, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Fish and Game report that SENATE BILL 48 (third reading copy -- blue) be NOT concurred in.

Signed:   
Bob Ream, Chairman


[REP. REAM WILL PRESENT THIS REPORT TO THE HOUSE.]

STANDING COMMITTEE REPORT

March 8, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Fish and Game report that  
SENATE BILL 219 (third reading copy -- blue) be concurred in.

Signed: 

Bob Ream, Chairman

[REP. REAM WILL CARRY THIS BILL ON THE HOUSE FLOOR]

Al Bishop

EXHIBIT #1  
DATE 3/7/89  
HB SB33

OUR OPINION

# Bill is for the birds

## Upland gamebird habitat proposal good for wildlife

The most significant wildlife legislation winging through Helena this session could be Senate Bill 33, the upland gamebird habitat enhancement bill.

Bird watchers, nature lovers, hunters and landowners alike could benefit from the proposal, which could raise as much as \$450,000 a year to improve conditions for pheasants, grouse and partridge.

SB 33, introduced by Sen. Al Bishop, R-Billings, would revamp 1987's pheasant enhancement bill which raised the price of bird hunting licenses with the money earmarked for a pheasant stocking.

The '87 measure was a flop. Although it raised \$450,000 last year, four times as much was spent on administrative costs than on actually paying people to raise and release pheasants. Only \$10,500 was spent on pheasant stocking, while the Department of Fish, Wildlife and Parks spent \$45,000 on administrating the program.

The pheasant bill was controversial from the start. Critics charged that releasing pen-raised pheasants was a waste of time and money because they won't survive long in the wild. Improving and preserving habitat, they argued, was the key to building healthy populations of the gaudy gamebirds.

SB 33 builds on that sound wildlife management policy. While

retaining the pheasant stocking provisions, Bishop's bill would allow the FWP to use unspent revenue to enhance habitat for all gamebirds, not just ringnecked pheasants.

The bill differs significantly from past wildlife habitat bills such as House Bill 526, passed by the 1987 Legislature to acquire big-game winter range.

SB 33 would not purchase habitat, but rather would allow the FWP to enter into agreements with private landowners to establish nesting cover, winter cover and feeding areas critical for gamebird survival.

SB 33 would avoid the pitfall of the state buying up ranches and farms for wildlife ranges, a policy generally scorned by agricultural interests.

This is important because much gamebird hunting is on private land. Because ranchers and farmers could voluntarily participate in the program, SB 33 might actually foster goodwill between landowners and sportsmen through cooperative projects.

Taxpayers wouldn't pay a cent toward the program. All funding would come from the sale of upland gamebird hunting licenses, with \$2 from each resident license going into the program.

SB 33 sailed out of the Senate and now lands in the House, where it deserves passage into law.

In a state where elk and deer traditionally get all the attention and money, it's about time bird hunters get something for their license dollars, too.

EXHIBIT # 2  
DATE 3/2/89  
HB. ~~88~~ 740

POSITION STATEMENT  
MONTANA FISH AND GAME COMMISSION

ELK AND BISON MANAGEMENT  
YELLOWSTONE NATIONAL PARK VICINITY

March 3, 1989

INTRODUCTION

The present elk and bison management direction in Yellowstone National Park has followed a natural regulation philosophy since 1969. This term means that primary factors affecting these populations will be natural events, with a minimum of human intervention. It is recognized that the natural regulation philosophy is a complex concept when dealing with migratory herds that move beyond the boundary of Yellowstone Park.

The winter of 1988-89 represents a period when the effects of drought, previous mild winters, fire and winter stress are combining with high wildlife populations to produce a major loss of animals. Winter starvation is the most significant form of natural mortality capable of limiting park elk and bison herds. This mortality is predicted and expected as a fundamental part of a natural regulation policy.

IMMEDIATE ACTIONS

BISON

Hunters have taken over 500 bison the winter of 1988-89 that have entered Montana from Yellowstone National Park. Bison were taken to prevent the spread of brucellosis, not as a herd reduction measure.

Although brucellosis remains a concern, the state also recognizes the value of maintaining a core population for the northern herd. The Montana Fish and Game Commission requests the National Park Service to immediately identify a core herd number and take whatever actions are necessary to ensure preservation of this core herd. The department does not intend to reduce animal numbers below the core herd level and will take those animals that pose an immediate threat to the potential spread of brucellosis.

ELK

The late season elk hunts in the Gardiner and Gallatin areas have been concluded. Hunters took 2384 elk from the Gardiner area (twice the average kill) and 270 from the Gallatin drainage. These figures represent an intentional effort to increase the harvest of the expanding elk population. These seasons have been concluded as planned.

Elk are presently dying from malnutrition, and mortality will continue well into the spring. The process of natural regulation of park elk populations dictates what is occurring, and, in essence, the process requires that elk mortality continue without human interference.

Artificial feeding, if instituted at this time, will not prevent the massive loss of elk and would not contribute to the long-term solution of the wildlife management problems associated with the park. The Montana Fish and Game Commission will not propose artificial feeding of elk on or near the boundaries of Yellowstone National Park.

#### LONG-TERM SOLUTION

The Montana Fish and Game Commission believes the solution to elk and bison management in the Yellowstone ecosystem lies in a combination of the following actions:

- (1) The acquiring, through lease, easement or acquisition, of historic winter game ranges capable of supporting migratory elk in an ecologically sound configuration.
  - (2) Addressing the regulation of elk and bison populations within the park.
  - (3) Initiating a cooperative county, state, federal and private effort to address long-term solutions for the northern elk and bison herds, both within and outside Yellowstone Park.
- (1) The acquiring, through lease, easement or acquisition, of historic winter game ranges capable of supporting migratory elk in an ecologically sound configuration.

The State of Montana has been acquiring winter game ranges to accommodate elk leaving Yellowstone National Park since the Porcupine Wildlife Management Area was acquired in 1951. The Dailey Lake Game Range near Gardiner provides winter range for the northern herd. Both properties provide winter feed in a natural, ecologically compatible manner. These ranges are biologically preferable alternatives to feed lots or starvation. Fulfilling the basic need of historic winter range for migratory Yellowstone elk is possible in the upper Yellowstone Valley historic winter range area.

In addition, migrations beyond the park give hunters the opportunity to harvest elk, which achieves a degree of herd reduction.

A cooperative county, state, federal and private effort should also be initiated to ensure land development is compatible with wintering elk needs. The commission believes a cooperative state, federal and private effort is needed to achieve the above needs.

**(2) Address the regulation of elk and bison populations within the park.**

Consequences of the natural regulation policy now being experienced along the northern border of Yellowstone National Park are no longer acceptable. The Montana Fish and Game Commission therefore believes a fundamental assessment of the management of these migratory herds is required.

Management needs of elk and bison populations in this ecosystem must be addressed. To prevent the consequences of overpopulation, managers must address options to limit these populations within the park when necessary.

**(3) Initiate a cooperative county, state, federal and private effort to address long-term solutions for the northern elk and bison herds, both within and outside Yellowstone Park.**

The commission supports the National Park Service taking the lead to form an advisory group to address the migratory herds issues. The commission and department stand ready to assist in this effort.





EXHIBIT # 3  
 DATE 3/7/89  
 HB SB33

## PHEASANTS

*forever.*

Room 312-3  
 3:00 P.M.

REGIONAL OFFICE  
 David R. Lockwood  
 5525 Randolph Drive  
 Boise, Idaho 83705  
 (208) 378-4371

March 7, 1989

### TESTIMONY FOR SENATE BILL 33

The Montana legislature is to be applauded for being insightful and adopting legislation which focuses on the problems of Upland wildlife through Senate Bill 33. Pheasants Forever, Inc. still supports the original intent of the Bill, which (as we understand it) was proposed for the development of Montana's pheasant habitat.

Pheasants Forever, Inc. remains disappointed in the fact that the focus for some of the revenue generated by SB 33 will be used for a cost-ineffective pheasant stocking program. Professional biologists in Montana and across the nation have repeatedly documented the cost-ineffectiveness of stocking pen raised birds. In a review of a Synopsis of Activities SB-331, Pheasant Enhancement Program (1988), less than 1 percent (0.3%) of the game farm birds stocked, were returned to the hunters bag. Based on a average rearing cost of twelve dollars per rooster this translates to \$480 per bird, returned to the hunter. Furthermore, this does not address the more important issue of suppling brood stock which are capable of replacing themselves.

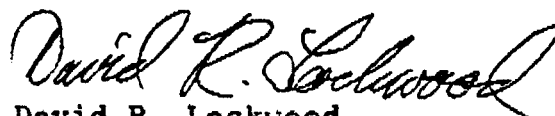
Pheasants Forever is extremely concerned about a recent amendment to SB 33 which earmarks \$100,000 for use by the Montana Salinity Control Association (MSCA) for Upland Gamebird habitat. While the intent of this amendment may be noble, the necessity for this amendment remains ambiguous. Our understanding is that the money generated by SB 33 would be available to any applicant, provided they have worthwhile project. This did not preclude the MSCA from applying for the money on a case by case basis.

Of greater concern, is the precedent this sets for the use of SB 33 revenues in the future. Last year, the bill was introduced as a simple Habitat Bill. At the final hour, the stocking clause was inserted. This year, the bill was introduced as a Stocking and Habitat Bill. At the final hour, the MSCA amendment has been added. One can only speculate as to how the Bill might be diluted next year.

We would remind the Montana legislature that funds derived from SB 33 are user group generated revenues. It is our belief that if the interests of the user groups were polled, the over-riding opinion would be that funds should be used for sagacious habitat projects. We would hope that

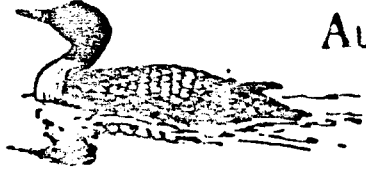
you will consider these thoughts and amend the language of this bill to dedicate the money toward habitat enhancement. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "David R. Lockwood". The signature is fluid and somewhat stylized, with the first name being the most prominent.

David R. Lockwood  
Region 3 Field Representative  
Pheasants Forever, Inc.

Montana  
Audubon Legislative Fund



Testimony on SB 33  
House Fish & Game Committee  
March 7, 1989

EXHIBIT   #4    
DATE   3/7    
HB   8033  

Mr. Chairman and Members of the Committee,

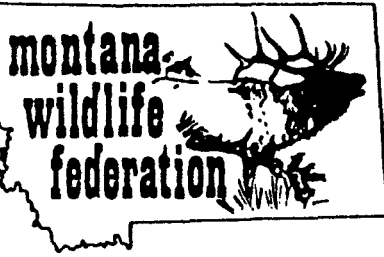
My name is Janet Ellis and I'm here today representing the Montana Audubon Legislative Fund. The Audubon Fund is composed of 9 Chapter of the National Audubon Society and represents over 2500 members statewide.

The Audubon Fund supports SB 33. During the 1987 legislative session, when the Pheasant Enhancement Program was established, we worked to try to get habitat improvement language as an integral part of the Pheasant program. One reason that habitat was not included in the 1987 Legislation, was that compromise language could not be worked out. We feel that if we had thought of a compromise along the lines of SB 33, habitat would have been included in the original Pheasant Enhancement Program.

Research shows that extreme weather conditions and habitat loss or deterioration have been detrimental to upland game bird populations. Habitat enhancement efforts, directed at improving food, cover and shelter for birds, will do much to improve local upland game bird populations. Habitat improvement, in addition to the release of pheasants, should provide a balanced program that will help recover bird populations - particularly after a severe winter.

The program that SB 33 sets up, is a program that will give incentives to Montana landowners interested in helping wildlife. Retired acres could easily be seeded with grasses that would benefit birds - rather than seeded with a less expensive seed with no wildlife values. This program could also compliment federal programs such as the Conservation Reserve Program, Water Bank, and Agricultural Conservation Program. Local projects could also be designed to involve local organizations in the community: we feel that local projects would also provide an excellent education opportunity for the participants and community members on the values of wildlife and wildlife habitat. This is a wonderful opportunity that will allow wildlife species to benefit through increased participation in habitat management on the local level.

The Audubon Fund supports HB 33 because we believe that habitat maintenance and improvement is important for all wildlife. Improving habitat for upland game birds will also benefit other wildlife species, including nongame wildlife:



# Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION

 EXHIBIT # 5  
 DATE 3/7/89  
 HB 8B33

 P.O. Box 3526  
 Bozeman, MT 59715  
 (406) 587-1713

TESTIMONY BEFORE THE HOUSE FISH & GAME COMMITTEE  
 March 7, 1989

This bill addresses the desires of the sportsmen and recreationists in Montana to be able to enjoy more upland game birds. This program is very attractive in that, it utilizes NO GENERAL FUND MONIES for its implementation or administration. All funds for the program are derived from an earmarked license fund. This fund is generated from game license revenues that are collected from sportsmen when they purchase an upland game bird license.

Another attractive feature of this program is that it works with current landowners interested in increasing upland game bird populations in their areas, through offering financial support for both bird rearing and bird habitat improvement. With improvements in bird habitat, reared birds have a much better chance for survival. Without such improvements released birds have a limited chance for success in establishing self-sustaining populations. In addition, this program DOES NOT INCLUDE ANY NEW LAND ACQUISITION BY FISH, WILDLIFE, AND PARKS.

The unexpended monies remaining after the bird rearing funds are distributed will go to offering better habitat for upland game birds, which in turn means more birds for Montanan's. Birds combined with necessary bird habitat will make the program more effective and successful.

For these reasons the Montana Wildlife Federation strongly urges support of Senate Bill 33.

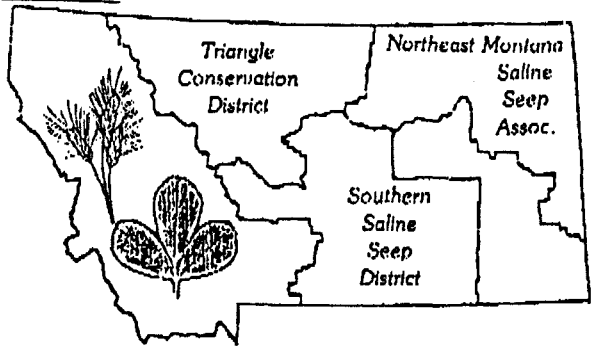
David L. Majors  
 Montana Wildlife Federation

EXHIBIT #6  
DATE 3/7/89  
HB SB33.

Saline Seep Reclamation Areas

# Montana Salinity Control Association

P. O. Box 1411  
Conrad, Montana 59425  
Phone (406)278-3071



SB33

March 7, 1989

Rep. Bob Ream, Chrm.  
House Fish and Game Committee  
Capitol Station  
Helena, MT. 59620

Mr. Chairman and Members of the Committee;

Montana Salinity Control Association would like to go on record in support of Senate Bill 33, to provide for Upland Game Bird Habitat Enhancement. A great opportunity exists for the establishment of suitable nesting and winter cover through the conversion of summer fallowed land to perennial vegetation and this will improve water use efficiency. These practices are consistent with Montana Salinity Control Association goals of improving and protecting the surface and ground water quality, as well as the soil resource. Management practices for upland game bird habitat enhancement and saline seep control are often one in the same.

Montana Salinity Control Association urges the Committee to endorse the amendments as listed in SB 33. We view this as an opportunity to improve landowner-sportsmen relationships in Montana.

Thank you for your consideration.

Sincerely,  
*Pete Purvis ayyp*  
Merton "Pete" Purvis  
Chairman, MSCA

MP/yp

EXHIBIT #7  
DATE 3/7/89  
HB 8033

My name is Jack Puckett and I am the president of the Big Sky Upland Bird Association, an affiliate of Montana Wildlife Federation. I reside in Missoula, Montana.

I appreciate this opportunity to enthusiastically support Senate Bill 33 the Upland Bird Enhancement Bill. We think this bill is an improvement to the Pheasant Enhancement Law by proposing the addition of habitat improvement and changing it to include all upland birds. We have supported the need for habitat improvement for pheasants and other upland birds since the introduction of the pheasant enhancement bill in the last legislature. We testified for the need for habitat, at that time, and are here today to reiterate that need. It has long been known by research personnel and game managers that good habitat is the key to upland bird management, and this bill will provide funds, through license increases, for habitat improvement measures. Stocking birds will not improve bird populations without good habitat for their survival. The unique thing about this bill is that the funds provided by sportsmen and women, through license fee increases, will enable game managers to work with willing landowners and compensate them for improving and using good habitat management processes. Use of lease agreements or easements or annual payments for leaving crops unharvested are ways landowners can be compensated. There is no provision for land purchase in the bill. An additional benefit for landowners will be provided this biennium by providing some funds for saline seep control on areas qualifying under the habitat provisions set forth in the bill operational guidelines. This change, to include all upland birds and use of some of the funds for habitat improvement, will complement the stocking portion of this bill and help provide viable populations of upland birds throughout the state. We hope you will see this bill as an opportunity for both sportsmen and women and landowners to help upland birds.

Thank you for the opportunity to speak in favor of Senate Bill 33.

EXHIBIT #B  
DATE 3/7/89  
HB SB33.

STATEMENT OF ROBERT C. LUCAS IN SUPPORT OF SB 33 BEFORE  
THE HOUSE FISH AND GAME COMMITTEE, MARCH 7, 1989

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Mr. Chairman and members of the Committee, my name is Bob Lucas. I live in Missoula and I am the Secretary of the Big Sky Upland Bird Association, an organization of people dedicated to game birds and bird hunting in a state where the elk is king!

I am here today to strongly support passage of SB 33, The Upland Game Bird Enhancement Act. It is our best, and almost our only hope for improved game bird management in Montana.

I testified before this Committee two years ago, and also before the Senate Fish and Game Committee, supporting the original Pheasant Enhancement Act, which, as introduced, provided both for stocking and habitat improvements. I was deeply disappointed that, as finally passed, all habitat provisions were deleted from the Act. Fortunately, SB 33 restores cooperative habitat projects to the legislation, which is essential for a strong, effective game bird program.

Habitat is the key to upland game bird populations. Research studies and experience in Montana, much of which is documented in the book, "Montana's Ring-necked Pheasant", and all across the country agrees on habitat's primary role. Weather is also important. It can't be controlled, but its destructive effects on game birds are reduced by good winter cover and food sources. Predators are also a significant factor, but, again, good habitat diminishes the effects of predation.

Adding habitat provisions to the legislation is our Association's top priority and is totally supported by our membership. A copy of our position statement, adopted last fall, is attached to my written testimony.

We also support the other change in SB 33, broadening its focus to include all upland game birds--particularly Hungarian partridge, and sage and sharptail grouse, most of which, like pheasants, are found on Montana farms and ranches.

With passage of this bill, those landowners who want to provide habitat for birds can do so and be paid for their efforts with hunters' dollars. This is a tangible way of rewarding landowners for their critical role and showing our appreciation. We are glad to pay more for bird hunting licenses to fund the program.

South Dakota has a similiar program for pheasants. Governor Stephens' excellent nomination of K.L. Cool from South Dakota to be Director of our Fish, Wildlife and Parks Department is particularly fortunate and timely. Mr. Cool can provide valuable knowledge and experience in game bird habitat improvement on agricultural land, working with interested landowners, that can help make this program a success story for the birds, landowners, and sportsmen and women in Montana.

I urge you to vote "do-pass" on SB 33.



Big Sky  
**UPLAND BIRD**  
Association



P.O. Box 9005 • Missoula, MT 59807-9005

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AMENDING THE PHEASANT ENHANCEMENT LAW

The 1987 legislature passed into law Senate Bill 331, The Pheasant Enhancement Act. This law provided for an increase in the Montana upland bird license to pay individuals or groups for stocking pheasants. The law did nothing to provide or enhance habitat for the birds. All funds collected were to be spent for stocking. While the law requires that birds be released in suitable habitat, pheasant research indicates that even when habitat is suitable few pen-reared and released birds will survive and reproduce. Research also indicates that where favorable habitat exists wild birds will not only survive but flourish and multiply.

Accordingly, the Big Sky Upland Bird Association (a Montana sportsmen's organization affiliated with the Montana Wildlife Federation) is preparing an amendment to the law that would allow part of the "pheasant funds" to be used for habitat restoration and enhancement. (Such provisions were contained in the original bill--which we testified in favor of--and as it passed the Senate, but were deleted before final passage.) Those funds not used for the stocking of pheasants would be used for habitat. Habitat work would be done in cooperation with land owners, thus putting money on the land, where the birds are.

Several Legislators have agreed to sponsor this amendment in the next session of the legislature. We ask for your support of this change and would appreciate your endorsement or co-signing of the bill. We feel this amendment would improve the law as it now stands and truly enhance pheasant management in Montana.

For further information, please contact Jack Puckett, President, in Missoula at 549-9982 or Secretary Bob Lucas at 543-8497.



EXHIBIT #9  
DATE 3/7/89  
HB SB33

SB 33  
March 7, 1989

Testimony presented by Ron Marcoux, Department of Fish, Wildlife & Parks

SB 33 provides a unique opportunity to benefit wildlife game species that are increasing in popularity and in need of more attention, while providing a vehicle for this goal.

We support the inclusion of all upland game bird species in the habitat enhancement portions of this legislation. There are many single action programs that will provide multiple benefits to several upland bird species.

The current program of releasing pheasants is not adequate in and of itself to permanently reestablish pheasant populations where they have historically declined. There are too many factors that are beyond our control, such as environmental influences, natural game cycles and changing land uses. The department received strong support for a habitat program to be included in this legislation while conducting rule hearings on SB 331, the original pheasant enhancement bill. Those commenting felt that a habitat program centered around incentives for private landowners would provide long-term benefits to upland game birds and more long-term stability to population numbers.

The proposed funding components of SB 33 allow continuation of the original release program for those who qualify, while expanding the program utilizing remaining funds. The proposed habitat program will also complement the existing Conservation Reserve program under the Farm Bill as well as other related federal assistance programs.

We believe the bill will foster cooperation among landowners, sportsmen and the department, and will have long-term benefits to our upland bird populations. We urge your support of SB 33.

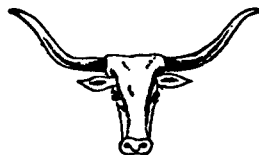


# MONTANA STOCKGROWERS ASSOCIATION, INC.

P.O. BOX 1679 — 420 NO. CALIFORNIA ST. — PHONE (406) 442-3420 — HELENA, MONTANA 59624

OFFICERS:

WM. J. BROWN, JR. .... SAND SPRINGS ..... PRESIDENT  
JAMES COURTNEY ..... ALZADA ..... FIRST VICE PRESIDENT  
EDWARD J. LORD ..... PHILIPSBURG ..... SECOND VICE PRESIDENT  
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KIM ENKERUD ..... HELENA ..... NATURAL RESOURCES COORDINATOR



EXECUTIVE COMMITTEE:

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LYNN CORNWELL ..... GLASGOW ..... JOLIET  
M.E. EDDLEMAN ..... WORDEN ..... AUGUSTA  
NANCY ESPY ..... BOYES ..... HARRISON

March 7, 1989

EXHIBIT #11  
DATE 3/7/89  
HB 8B219

TO: House Fish and Game Committee

FROM: Kim Enkerud, Natural Resources Coordinator,  
Montana Stockgrowers Association

SUBJECT: Senate Bill 219, Landowner Eligibility for Game  
Damage Assistance

Mr. Chairman, Members of the Committee:

My name is Kim Enkerud. I am the natural resources coordinator for the Montana Stockgrowers Association.

In January, Don Chance of the Montana Wildlife Federation, presented the original version of this bill to the Natural Resources Committee of the Montana Stockgrowers. After much discussion, the committee offered amendments to the bill before they would support it. These amendments were accepted by the Montana Wildlife Federation. The Senate Fish and Game Committee adopted the amendments and the result is the bill you have before you.

Game damage assistance will still be available to most landowners. If the bill passes, we will have to see if it works or not.

We urge the committee concur Senate Bill 219.

Thank you.

KE:ejr

EXHIBIT #12  
DATE 3/7/89  
HB SB219.

SB 219  
March 7, 1989

Testimony presented by Ron Marcoux, Department of Fish, Wildlife & Parks.

The department's responsibility for wildlife damage is found in 87-1-225 MCA. This statute requires the department to investigate all wildlife damage complaints within 48 hours and to assist in resolving the problems. The law does not require landowners to meet any criteria in order to qualify for assistance.

The department estimates approximately 30% of the complaints investigated involve situations where inadequate hunting has occurred. These situations occasionally cause problems to neighboring landowners. Many are a result of very restricted hunting due to lease or trespass fees or, in some cases, the landowner allowing no hunting at all.

The department supports passage of SB 219.



**MONTANA FARM BUREAU FEDERATION**

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

EXHIBIT #13  
DATE 3/7/89  
SB SB219

BILL # SB 219 ; TESTIMONY BY: Valerie Larson  
DATE 3/07/89 ; SUPPORT yes ; OPPOSE \_\_\_\_\_

Mr. Chairman, members of the Committee, for the record, my name is Valerie Larson, representing over 3500 Farm Bureau members from throughout Montana.

Mr. Chairman, Farm Bureau supports Senate Bill 219. We are on record as recommending that any landowner that incurs property damage due to wildlife be compensated by the Department of Fish, Wildlife, and Parks. We also see the need to require that the landowner allow reasonable hunting on his property to entitle him to such compensation.

Farm Bureau recommends passage of Senate Bill 219.

Thank you.

SIGNED: Valerie Larson

EXHIBIT #14  
DATE 3/7/89  
HB 8048

SB 48  
March 7, 1989

Testimony presented by Ron Marcoux, Department of Fish, Wildlife & Parks

The Department of Fish, Wildlife & Parks supports SB 48 as amended by the Senate. There is still one area of concern, however, to which I would call your attention.

As written, the bill includes ewe bighorn sheep. Most hunters do not recognize ewe sheep as trophy animals and most ewe seasons are established as management necessities for herd control, rather than for trophy hunting quality.

Some years, in some hunting districts, the number of applicants is less than the quota. We believe this will encourage applicants to continue to apply for ewe sheep permits.

We suggest amending the current language to exclude ewes by adding the word "ram" after "mountain sheep" on lines 3 of page 3.

AMENDMENT TO SB 48  
THIRD READING (BLUE) COPY

1. Page 3, line 3.  
Following: "sheep,"  
Insert: "ram,"

(This sheet to be used by those testifying on a bill.)

EXHIBIT #15

NAME: Dan Sellers

DATE: 3-7-89

DATE: 3-7-89

HB 51548

ADDRESS: 714 S. 8<sup>th</sup> AVE. Bozeman, MT. / 2704 7<sup>th</sup> AVE. N. Great Falls,

PHONE: 586-5081

454-2033

REPRESENTING WHOM? <sup>(average)</sup> The general hunter

APPEARING ON WHICH PROPOSAL: SB 48, Pipinick, 10 year waight.

DO YOU: SUPPORT?

AMEND?

OPPOSE?

COMMENT: I oppose this bill because:

① I + legislate someone ("personal hunting ethics") on all hunters.

② I + penalize a hunter for killing an animal.

③ No one has the right to tell other hunters how often or how many so-called "special permit animals" he or she can kill in a life time.

④ These types of bills clearly take away every-  
one's freedom to choose their own <sup>choice to hunt or not</sup> ~~choice~~ "Hunt!!"

⑤ If a hunter feels he shouldn't hunt a special permit animal after he kills one, fine, let him make that decision, but don't let him restrict my opportunities to continue to hunt or <sup>apply</sup> ~~apply~~ to hunt these animals year after year.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY. Year.

Thank You.

P.S. Sorry for the hurried testimony!

This is my first hearing.

Dan Sellers



# Weather, fires bring early deaths for Yellowstone elk

**YELLOWSTONE NATIONAL PARK (AP)** — Harsh winter weather and the impact of last summer's fires on winter range are resulting in earlier than usual elk deaths in Yellowstone National Park, a park spokeswoman said.

Joan Anzelmo said observations by federal and Montana wildlife experts support the theory that natural elk deaths are coming early this winter.

For the past seven winters, which were all mild, elk mortality averaged 10 percent, she said. The elk population on the park's northern range has steadily climbed to its current level of about 19,000. Research has shown that the long-term capacity of the range is about 15,000 elk.

Although no official elk death count is available, Anzelmo said, "certainly we're going to have higher mortality." She said the prediction is based on elk overpopulation and other factors.

\* Heavy elk mortality usually starts

in the spring, but Anzelmo said the deaths have already begun this year. About 140 elk carcasses have been counted in the park since Jan. 1. Park and Montana biologists have also reported that animals are weak this winter.

"(Experts) are surprised at the kind of (elk) cows they are seeing taken by hunters," Anzelmo said. "They're old, without teeth, very thin. ... These animals should not have been surviving each year, and they only did on borrowed time because of the mild winters."

She said the public has been more aware of high mortality this year because animal deaths are occurring in large numbers at the peak of winter tourism in the park.

\* This is our busiest (winter) month, and typically the mortality we see every winter — and there is mortality every winter — we don't begin to see it in a large way until March," she said. "This year everything is about a month early."

The accelerated timetable began

last August when animals moved from summer to winter range a month early, Anzelmo said. The animals have now depleted their winter range.

"This is not a zoo. It's a national park, where the death of one animal means life to another," said park superintendent Bob Barbee in a news release. "Elk that are weak or dying in the spring will help get the new crop of grizzly cubs off to a good start in life."

Researchers said the fires destroyed about 34 percent of northern winter ranges. Harsh winter conditions have combined with limited food sources to increase animal mortality this year.

Despite the high animal mortality, park officials said they concur with other state and federal agencies in opposing any supplemental feeding program for the park's elk herds. Officials said such programs work against maintaining natural ecosystems, are unlikely to be effective and are costly.

# Church willing to feed elk

**LIVINGSTON (AP)** — Officials of the Church Universal and Triumphant say they are willing to feed elk leaving Yellowstone National Park in search of food — if somebody else will pay for the hay.

"There are a lot of hungry animals out here," said church vice president Ed Francis. "If somebody would provide the feed we would feed the elk" with church personnel and equipment.

Francis says the Church Universal and Triumphant ranch has only enough hay to feed its own livestock through the winter. The church's 12,000-acre ranch adjoins Yellowstone's northern boundary.

Francis said he agrees with wildlife officials that supplementary feeding is not a good long-term pol-

icy, but feels this year is an exception because of last summer's fires and drought.

Thousands of elk and buffalo in the Gardiner area are finding very little forage. Many have left the park and grazed heavily as they moved north to winter range.

Don Bianchi of the Montana Department of Fish, Wildlife and Parks, said Wednesday that supplemental feeding is "a waste of time. All you buy yourself is a chance to do it again next year."

He said FWP policy is to rely instead on finding more winter range for the elk.

Bianchi also warned that feeding can turn into an expensive proposition. The department has estimated it would cost around \$250 a day to

feed 150 to 200 elk, and that there is a potential of feeding thousands of elk on Church Universal and Triumphant property, he said.

John Varley, chief of research in Yellowstone, feels the same way.

"The park tried it for decades and it was a failed policy," Varley said. He cited problems of increased brucellosis and damage to native vegetation as reasons not to feed.

But Francis had sharp criticism for both the park service and the FWP.

"It's the same old let it burn, let 'em starve plan for something that didn't have to happen," Francis said. "They burned up the park like a bonfire and danced around it like a bunch of wildmen. Now they view mass starvation as a natural mechanism."

# Rare swans die in Idaho

**BOZEMAN (AP)** — Several rare swans died last week at Yellowstone National Park in Idaho from

starvation, and hunters shot one as it swam in the river.

feeding areas. The swans were starved, but the river boatmen were not aware of the problem.

Snyder said a mature swan's winter weight ranges from 20 to 30 pounds.

No swan was seen in the river boatmen's feeding areas.

DATE 3/7/89  
HB AB740

YOU 10-0 \*\*\*\*\*  
SCHYE \*\*\*\*\*

# DEPENDENT RECORD



ary 20, 1989

From Montana's capital city

Vol. 45, No. 91

35

## Park's elk and bison dying at high rate

From the New York Times

**YELLOWSTONE NATIONAL PARK** — Native elk and bison from the two largest natural herds of their species in North America are dying at rates unheard of in recent times due to subzero cold and a shortage of winter feeding range.

The shortage of food is forcing the herds to migrate north, outside the boundaries of Yellowstone National Park, and record numbers of the animals are being shot by hunters.

**Biologists have never seen so many animals abandon their cautionary instincts.**

In the park border town of Gardiner, Mont., so many elk have died from starvation that their bodies lie in yards or along roadsides.

Sluggish, sickly elk are hit by cars "on a daily basis" on the road along the Yellowstone River leading out of the park, said Mark Petroni, assistant district ranger for the Gallatin National Forest.

"It's really sad to see this many elk die, especially when you consider how much worse it will get if the winter continues as it has," said Petroni. "But what these elk need

**Swans still in trouble. 2B**

instead of a handout is more winter range." Petroni's view reflects that of most wildlife experts, who frown on providing supplemental food, like hay, to wild animals.

The say that if natural feeding range is insufficient, the animals should be allowed to

(More on PARK, page 8A)

VISITORS' REGISTER

Fish and Game COMMITTEE

BILL NO. SB33

DATE March 7

SPONSOR \_\_\_\_\_

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Dave Majors.	MT Wildlife Fed	X	
Jack Puckett	Big Sky Upland Bird Assn	X	
Bob Lucas	" " " " "	X	
Gary Halgimann	Audubon	✓	
Larry Michmerich	Missouri Headwaters Birds Club	X	
Don Chance	Montana Wildlife Fed.	X	
Robert Van Dyke	Wildlife	X	
Peggy Haaglund	MACD <sup>MT Salinity</sup> Farcentral Assoc	X	
Bob Stephens	Int. Grain Growers	X	
Janet Ellis	Audubon	✓	
Dennis Karamog	SELF	✓	
Kathleen Halley	self	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.



VISITORS' REGISTER

Fish and Game COMMITTEE

BILL NO. SB219

DATE March 7

SPONSOR \_\_\_\_\_

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Don Chance	Montana Wildlife Fed.	X	
Kim Enkerud	Montana Stock-growers	X	
Valerie Larson	Farm Bureau Chapter	X	
Kathy Hadley	self	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.