

HOUSE JOINT RESOLUTION NO. 36

INTRODUCED BY GRADY, HART, PHILLIPS, REAM, ELLISON, HANSON,
EUDAILY, PAVLOVICH, MONTAYNE, RAPP-SVRCEK,
JENKINS, MCCORMICK, JANET MOORE

BY REQUEST OF THE HOUSE FISH AND GAME COMMITTEE

IN THE HOUSE

February 20, 1985	Introduced and referred to Committee on Fish and Game.
March 8, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
March 9, 1985	Second reading, do pass.
March 11, 1985	Considered correctly engrossed.
March 12, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 13, 1985	Introduced and referred to Committee on Fish and Game.
March 27, 1985	Committee recommend bill be concurred in. Report adopted.
March 29, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Ayes, 42; Noes, 5. Returned to House.

IN THE HOUSE

April 2, 1985	Received from Senate. Sent to enrolling. Reported correctly enrolled.
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HOUSE JOINT RESOLUTION NO. 36

INTRODUCED BY *Timothy M. Hart* *Phillip Beam*
Billson BY REQUEST OF THE HOUSE FISH AND GAME *John M. Lewis*
Ray S. Smith *M. Hansen* COMMITTEE *Mark*
Eidaily *Carl* *Joan Moore*

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF WAYS OF ALLEVIATING DAMAGE CAUSED BY WILD ANIMALS TO AGRICULTURAL CROPS, LAND, AND FIXTURES THEREON.

WHEREAS, the wild animals of the state are a public resource, held in trust by the state for the benefit and enjoyment of all its citizens; and

WHEREAS, good game management policy requires protecting the wildlife resource as well as mitigating damage caused by wildlife through appropriate and expeditious action of the Department of Fish, Wildlife, and Parks; and

WHEREAS, landowners possess their land with the recognition that wildlife may use the land and that they must tolerate a certain level of use by wildlife; and

WHEREAS, a combination of current game management techniques and policy and several recent mild winters has resulted in an overpopulation of big game animals in many parts of the state, with a consequent increase in damage to

agricultural crops and land; and

WHEREAS, several surrounding states and Canadian provinces have instituted programs to compensate landowners for damage caused by wild animals; and

WHEREAS, the wildlife resource provides a valuable source of revenue for both the State of Montana and local businesses through license sales and increased sales of goods and services to sportsmen; and

WHEREAS, the practice of certain landowners of closing their land to hunting directly affects the occurrence of game damage on adjoining lands.

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

That an appropriate interim committee be assigned to study and determine:

- (1) the types of damage caused by wildlife to agricultural crops, land, and fixtures thereon;
- (2) desirable population levels of wild animals to adequately preserve the wildlife resource while at the same time minimizing damage to private property;
- (3) needed changes in the wildlife management policies of the state that would alleviate damage to private property caused by overpopulation of wild animals;
- (4) whether current game management techniques and



1 capabilities of the Department of Fish, Wildlife, and Parks
2 are adequate to properly assess game populations and habitat
3 in determining hunting quotas and seasons;

4 (5) methods available to the Department for preventing
5 and mitigating damage, including but not limited to:

6 (a) methods of dealing with landowners who do not
7 permit hunting and whose neighbors suffer damage resulting
8 from the concentrations of wild animals on such land;

9 (b) cooperative agreements with neighboring states
10 concerning joint damage control measures;

11 (c) development of quick-response types of action by
12 the Department to individual complaints;

13 (d) preventive measures currently available or which
14 could be made available, such as new kinds of fencing or
15 repellants, herding, special hunting seasons, use of blood
16 meal, night hunting or herding, scare techniques, and
17 others;

18 (6) methods available to landowners of preventing and
19 mitigating damage to their land and information and
20 assistance that may be provided in implementing such
21 methods;

22 (7) the extent of damage that a landowner should be
23 reasonably required to bear, realizing that excessive and
24 unusual damage will be impossible to prevent in certain
25 individual circumstances;

1 (8) the feasibility of providing direct compensation
2 to landowners and circumstances when such compensation may
3 be payable;

4 (9) other, possibly alternative, compensation
5 programs, such as purchase of conservation or habitat
6 easements from landowners or providing tax or other
7 incentives for maintaining wildlife habitat on private land;
8 and

9 (10) the costs involved in any coordinated damage
10 control program and how such costs should be allocated
11 between landowners, sportsmen, and the general public.

12 BE IT FURTHER RESOLVED, that the committee report the
13 findings of the study to the 50th Legislature and, if
14 necessary, draft legislation to implement its
15 recommendations.

-End-

APPROVED BY COMM.
ON FISH AND GAME

House JOINT RESOLUTION NO. 36

INTRODUCED BY Bradley M. Hart Phillip A. Resum
Edison BY REQUEST OF THE HOUSE FISH AND GAME Committee
Committee
Frank J. Sirock M. Hansen Carlson Grant Moore
Embrey

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 BY REQUEST OF THE HOUSE FISH AND GAME *Jasper M. Lanning*
 COMMITTEE *M. Hanson Marking*
Royce Smith Evidally Pauline Gant Moore

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