

EXHIBIT 4
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HB 486

House Bill 486
February 15, 2005
Presented by Jeff Hagener
House Fish, Wildlife & Parks Committee

Mr. Chairman and committee members, for the record I am Jeff Hagener, Director of Montana Department of Fish, Wildlife & Parks (FWP).

As committee members know, FWP is on record as supporting the recommendations of the Private Land/Public Wildlife Council, the 15-member citizen's group appointed by the Governor to evaluate and make recommendations regarding the Block Management Program and related funding sources. While Council members discussed various options for making changes to the Block Management program, after 18 months of work and considerable input from people throughout the state, the Council concluded that the current program, including the current system of variable-priced outfitter-sponsored licenses, should remain intact and continue. As a result, Senator Ken Hansen worked with other Council members and FWP to draft SB 77, which will reauthorize the program and its current funding sources. SB77 recently received approval in the Senate and will be before this committee soon.

House Bill 486 will impact the variable-priced outfitter-sponsored license, which provides 75% of funding available for Block Management. FWP is also concerned that if this bill is implemented, it will destabilize the entire Hunting Access Enhancement Program, which was established in 1995 as a package designed to meet the different needs of landowners, hunters, and outfitters throughout Montana.

The Private Land/Public Wildlife Council originated in 1993, after a very contentious legislative session that saw landowners, hunters, and outfitters, all of whom cared about Montana's wildlife resources, submitting various bills to advance their own interests or limit other people's interests. Ultimately, all of those bills failed, leaving people frustrated. The legislature finally passed a resolution, House Joint Resolution 24, asking then Governor Marc Racicot to appoint a group of citizens to work through the issues and bring back to the next legislature recommendations for resolving the conflicts.

In December 1995, after many months of hard work and intense public discourse, the Council submitted their recommendations, many of which were incorporated into a bill, House Bill 195, which passed through the 54th legislature with near unanimous support. Every interest group got something out of that package. Hunters got an access program that now, ten years later, provides over 400,000 hunter days of recreation each fall. Landowners got a chance to participate in a voluntary program that provides over \$5 million worth of tangible benefits and incentives. And outfitters got assurance through creation of the variable-priced outfitter-sponsored licenses that clients who chose to use their services would receive a license, while revenue from those licenses would be used to help fund the hunter access program and provide incentives to landowners who allowed public access free of charge.

In 1995, the variable-priced outfitter-sponsored license was a new concept, designed to provide stability for the outfitting industry while generating revenue for an enhanced access program, which would benefit both landowners and hunters. After ten years, this package has proven amazingly successful at balancing the needs and interests of three different groups that are often at odds with each other. The current program has received high marks of approval and satisfaction from landowners, hunters, outfitters, and business owners throughout the state, and drawn interest from other states seeking to establish programs of their own.

FWP believes the impacts associated with HB 486 are considerable, but difficult to predict. Many private land outfitters currently sponsoring hunters for the outfitter-sponsored licenses may instead encourage their hunters to compete for licenses in the general drawing in order to avoid the restrictions HB 486 would place on the use of the outfitter-sponsored licenses. Other outfitters might continue to sponsor hunters for the variable-priced licenses, but either shift their operations onto public lands or lease more private land to offset the increased harvest and competition for game animals mandated by provisions in HB 486.

Due to the anticipated reduced demand for outfitter-sponsored licenses, FWP expects some licenses would become available for sale to non-outfitted hunters. Based upon FWP's experience in 2003, when over 250 outfitter-sponsored licenses were made available to the public at the lower price of the general license and took nearly eight weeks to sell, any outfitter-sponsored licenses left unsold due to implementation of HB 486 would be made available to non-outfitted hunters at the lower price of the general license in hopes of selling all of those left-over licenses. In subsequent years, the price of the variable-priced outfitter-sponsored license would need to be reduced and the target numbers increased to achieve the 5-year averages established in law, resulting in a continued downward spiral of revenue generated for Block Management.

With less revenue in the program, fewer landowners will be able to participate in Block Management, and hunting pressure on Block Management Areas will increase. Landowners outside the program will continue to decide how they want to manage access on lands under their control to meet their own needs. Some of those landowners may not allow any hunting access, while others may choose to lease their lands to outfitters or other individuals, or charge trespass fees. Outfitters will continue to serve hunters who wish to utilize their services, but will operate in a much less stable business environment. The current balance achieved through passage of House Bill 195 and the implementation of the Hunting Access Enhancement Program over the past ten years will be upset, with no way of knowing what may ultimately be the result.

FWP feels the best course of action is to continue the program based on the recommendations offered by the Private Land/Public Wildlife Council, and not risk the fiscal impacts and disruption of the current Hunting Access Enhancement Program as proposed in HB 486. For those reasons, FWP cannot support passage of HB 486.