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In support of the principles of HB- 510.

Mr. Chairman, distinguished members of the committee, for the record my name is Dave Broberg, owner /operator of a grain operation in Glacier county. I am also a conscientious sportsman.

I would like to go on record of supporting HB-510 for the following reasons:

From the sportsman's perspective:

It is very difficult to locate absentee landowners to get the necessary permission. It is particularly difficult in areas that are checker-boarded with state and federal lands.

My experience with obtaining permission has been quite good, however many times it is obvious that the land-owner is getting annoyed with the interruption of people asking permission. I have personally been told by a land-owner that he didn't mind people hunting but he was going to post his land to avoid the interruption.

After obtaining permission to hunt on private land the sportsman may unintentionally break the law by getting off from the permitted area due to vague directions and no marking on interior boundary fences.

The defacto closing of all private land by the state has moved the state of Montana one step closer to a Texas style all fee hunting scenario where only the elite can afford to hunt and has the unintended consequence of making private land more accessible to out-of-state hunters using guides than residents of Montana.

From the law enforcement perspective:

Defacto closing of all lands by the state and requiring permission creates a situation where all sportsman that are seen in the field are presumed guilty requiring a stop and a check by law enforcement personnel to verify lawful permission. This not a good use of law enforcement manpower. With the orange fence post rule, law enforcement is only required to check those hunting behind posted property.

From the land-owner perspective:

I allow hunting on my property because I want to support the access of responsible sportsman. But I do not want to be interrupted multiple times a day all season long, particularly during harvest.

I want to maintain management control over my property and I object strongly to giving management control to the state by allowing the state to close my land. The original status of land from time in memorium was open unless closed by the owner, his agent, or claimant of the property.

Posting land as open tends to over-concentrate use and brings far more potential conflict problems than posting closed.

Granted, posting land as closed takes a little time but this is a management decision that is the right and prerogative of the individual land-owner. Often times a land owner can close his property and it will stay closed for long periods of time. I still can see orange posts that were painted years ago.

Suggested changes to the bill.

Land owners should be able to post the cattle-guards on the cattle guard posts where the public right-of way goes through there land. Closure postings should be placed where it is convenient to the land-owner and not at some arbitrary designated distance or place specified by law. Points of egress should be obviously posted for closure.

If land is posted closed it is closed to the corner, there is no reason I can think of that require a sportsman to trespass across a corner. The wishes of the owner of the posted land should be respected to the foot.

There seems to be some vague wording in the bill that needs to be cleaned up for clarity but I am not qualified to comment on how to correct it.

Please support HB 510 as amended.

Respectfully,
David J Broberg

A handwritten signature in cursive script that reads "David J Broberg".