

1 HOUSE BILL NO. 298

2 INTRODUCED BY WARBURTON, ANKNEY, ARNTZEN, G. BENNETT, BRENDEN, BRODEHL, BUTTREY,
3 CONNELL, DOANE, FITZPATRICK, FLYNN, GALT, GLIMM, GREEF, HAGAN, HANSEN, HARRIS, HERTZ,
4 JERGESON, D. JONES, KARY, KERNS, KNUDSEN, LANG, LENZ, LIESER, MCCHESENEY, RANDALL,
5 REDFIELD, ROSENDALE, SALOMON, SCHWADERER, SHAW, WASHBURN, WELBORN, WHITE,
6 ZOLNIKOV, D. HOWARD, R. OSMUNDSON, J. PRIEST

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8 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN INTERIM STUDY OF THE DEPARTMENT OF FISH,
9 WILDLIFE, AND PARKS' COMMUNICATION WITH LANDOWNERS AND RELATIONS BETWEEN THE
10 DEPARTMENT, LANDOWNERS, AND HUNTERS; PROVIDING AN APPROPRIATION; AND PROVIDING
11 EFFECTIVE DATES AND A TERMINATION DATE."

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13 WHEREAS, private landowners in Montana welcome the aesthetic, recreational, and nostalgic value that
14 wildlife brings to Montana; and

15 WHEREAS, two-thirds of the land in Montana is privately owned; and

16 WHEREAS, the Department of Fish, Wildlife, and Parks (DFWP) estimates that privately owned land
17 accounts for 77% of the habitat used by antelope, 67% used by white-tailed deer, 62% used by mule deer, and
18 41% used by elk; and

19 WHEREAS, 2008 survey data revealed that approximately 96% of private landowners in Montana provide
20 various kinds of hunting access for deer and elk, 97% for antelope, and 95% for upland game birds; and

21 WHEREAS, private landowners continue to play the most important role in protecting Montana's wildlife
22 resources; and

23 WHEREAS, restrictions on access to public land have placed more pressure on private landowners to
24 provide hunting access; and

25 WHEREAS, the Legislature recognizes that Montana's wildlife resources are becoming increasingly
26 dependent on tolerance by private landowners; and

27 WHEREAS, big game hunting is an important segment of Montana's tourism industry and brings jobs and
28 income to towns throughout the state; and

29 WHEREAS, private landowners bear the expense of the feed, forage, grazing resources, and water
30 consumed and property damage caused by wildlife on their land with little to no reimbursement from the state;

1 and

2 WHEREAS, private landowners are closing hunting access to hundreds of thousands of acres of land
3 in response to and protest of locally unpopular wildlife and land management decisions made by the DFWP,
4 including the translocation of bison from Yellowstone National Park and the purchase of private ranches in recent
5 years; and

6 WHEREAS, the Legislature believes that the DFWP should evolve its management practices to work
7 more closely with private landowners to ensure that private landowners have sufficient incentives to provide the
8 highest quality habitat and ample public hunting opportunities and will continue to tolerate wildlife.

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 NEW SECTION. **Section 1. Interim study.** (1) The environmental quality council, provided for in
13 5-16-101, shall conduct a study of:

14 (a) ways the department of fish, wildlife, and parks can improve its communication with landowners and
15 facilitate a better relationship with and between landowners and hunters; and

16 (b) the factors that are contributing to the deterioration of landowner tolerance of wildlife and hunting.

17 (2) As part of the study, the council shall actively invite and include the participation and input of
18 landowners from around the state, property right and agricultural organizations, HUNTERS, and the fish, wildlife,
19 and parks commission.

20 (3) The council shall prepare a report to submit to the 64th legislature that provides clear policy direction
21 and necessary legislation to improve communication and relations between the department of fish, wildlife, and
22 parks and landowners and hunters.

23

24 NEW SECTION. **Section 2. Appropriation.** There is appropriated ~~\$40,000~~ \$2,500 from the general
25 fund for the biennium beginning July 1, 2013, to the ~~environmental quality council for the purpose of completing~~
26 LEGISLATIVE BRANCH FOR USE BY THE ENVIRONMENTAL QUALITY COUNCIL TO COMPLETE the study required pursuant
27 to [section 1].

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29 NEW SECTION. **Section 3. Effective date.** (1) Except as provided in subsection (2), [this act] is
30 effective on passage and approval.

1 (2) [Section 2] is effective July 1, 2013.

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3 NEW SECTION. **Section 4. Termination.** [This act] terminates June 30, 2015.

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