

1 HOUSE BILL NO. 298

2 INTRODUCED BY W. WARBURTON

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

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

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

12 WHEREAS, the Department of Fish, Wildlife, and Parks (DFWP) estimates that privately owned land
13 accounts for 77% of the habitat used by antelope, 67% used by white-tailed deer, 62% used by mule deer, and
14 41% used by elk; and

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

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

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

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

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

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

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

1 years; and

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

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

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8 NEW SECTION. **Section 1. Interim study.** (1) The environmental quality council, provided for in
9 5-16-101, shall conduct a study of:

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

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

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

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

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20 NEW SECTION. **Section 2. Appropriation.** There is appropriated \$10,000 from the general fund for
21 the biennium beginning July 1, 2013, to the environmental quality council for the purpose of completing the study
22 required pursuant to [section 1].

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

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

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

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