PROCEEDINGS

Second Annual Conference

Association of Midwest Fish and Game Commissioners

St. Paul, Minnesota. June 29th and 30th, 1935

Headquarters - Hotel Lowry

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FEDERAL AID COORDINATOR
MINN. DIV. OF GAME & FISH

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Meeting was called to order by President John R. Foley at 10:30 A.M.

An invitation was issued by the Junior Association of Commerce to the members to make a tour of St. Paul late Sunday afternoon, but inasmuch as it was necessary for many of the members to leave early in order to reach their homes, the invitation was not accepted.

Mr. Foley: If you do not mind my doing so, for the information of all of us, it would not be a bad idea to read the preamble of the constitution of this organization. (Whereupon the preamble was read to the members) That should be the object of this organization. Now those of us who were down at Des Moines know that we had a meeting down there, and I think all of our member states received a copy of the minutes of that meeting. I think the first order of business will be the approval of the minutes of the last meeting in Des Moines. Unless there is an objection, I take it that the minutes of that meeting will stand approved as submitted to the member states.

A motion was made and seconded that the minutes of the last meeting be approved.

Mr. Foley: Mr. Willard has just called my attention to the fact that Mr. Bode, secretary of this organization, is not here and I presume the first order of business will be the election of a temporary secretary of the meeting.

A motion was made by Mr. Mundt, and seconded, that Miss Betty Hamilton, stenographer with the Minnesota Game and Fish Division, be made temporary secretary.

Mr. Foley: You will note the suggested agenda for this meeting. I don't want to suggest that one subject be discussed in preference to another but is there any preference anyone has in mind? I presume the first subject up for discussion then will be the migratory waterfowl question which has been assigned to South Dakota.

Margo K. Frankel: Will there be more members at the meeting tomorrow? I think the matter could be discussed and a decision could probably be reached tomorrow when more members are present.

Mr. O'Connell: It might be interesting if we could add to this a brief resume of legislative changes that might have been made in the states represented - most of them had a session. Quite a difference in our state altogether.

Mr. Foley: It has been suggested that we also give serious consideration to the problem of how far we are going to permit the federal government to come in and control the game and fish departments of our states. This is a subject which I think this organization may very properly give some considerable time to. We will now hear from the State of South Dakota on the migratory waterfowl situation.

Mr. Johnson: Ladies and gentlemen, before we start on a discussion of this question, the object of which dicussion I presume is to make recommendations to the federal authorities for their guidance, I would like to know how many members are authorized to speak for their Conservation Commissions, or how many states have a quorum of their Commissions present? It may be that each state would not have a majority of their members present.

Roll call was taken and it was shown that each state had either a quorum present or the members present were authorized to act for their Commissions or Departments.

It was also decided that there was a quorum present of the member states of the organization.

Mr. Johnson: Now there was a request sent out by Secretary Bode along in April asking the member states to submit to our office in Pierre their recommendations. We have a report from Minnesota and one from Wisconsin. We have also a report from Illinois and one from North Dakota, but they were mostly reports of conditions in general this spring. In view of this I am going to discuss the South Dakota situation from the standpoint of the probable conditions during the hunting season this fall. The Minnesota report, of which I have a copy and which I will turn over to the Secretary so that it can be made a part of the minutes of the meeting, I prefer, of course, that Mr. McFarlane or Mr. Willard present that themselves and discuss the various items. Speaking for South Dakota, we are going to start with the fall hunting of 1934 which was the lowest, from the standpoint of available birds and birds taken, in the history of waterfowl hunting in the state. There were no watering places. In spite of the condition, there were approximately 13,000 federal duck stamps sold in the state. That means that 13,000 fellows at least tried to get ducks. Some of them may have bought the stamps just as stamp collectors, being the first issue made. We are figuring that there were 13,000 who went into the field for waterfowl. Most of them went out on the opening date and discovered there were no ducks and went. The flyway I was on was perhaps as good a duck flyway as there was in South Dakota on the opening date and the thing that was outstanding, from my observations, was the surplus of females and the absolute dearth of males. Of the five ducks that I killed that opening day, three of them were female widgeon, one was a male baldpate and the other a male greenhead. Seventy-five per cent of the birds over that marsh were females, and

this was reported all over the state. I saw no explanation of it in any federal report but it was the case all over South Dakota. There was a surplus of females and the males were conspicuous by their absence. Whether this happened to be the condition of the flight or whether that is the actual numbers in which the birds exist in that sex ratio, I do not know.

Mr. Foley: My experience with blue bills was that it was just the opposite - more males than females.

Mr. Johnson: There was one lake in which blue bills stopped in South Dakota for two days, but I got no reports on it. I could have gotten them had I asked the wardens about it. It certainly was true of the pintail and widgeons - not quite so much with the mallards. The coots flew through South Dakota last fall - the Missouri River was quite a fly way but they did not remain because of a lack of food - no crops were raised in that territory and your mallards and coots have nothing to hang around South Dakota for. Starting with the spring migration, we had an above normal migration of pintails or sprig and that is the only variety of ducks that migrated through South Dakota that was above average for the last five years. It was very much above 1934. Mallards were very much below in the eastern half of the state and were slightly better in the western half. There the flight of mallards was better in 1934 and slightly better than for a five year period. The flight of coots was away above - in fact many old timers say they haven't seen such a large flight for more than thirty years. In Union County we perhaps show the largest concentration of coots that I have ever seen in South Dakota - literally tens of thousands. They were so thick on the fields it didn't seem as though there would be room for one more. Was there such concentration along the Mississippi flyway? They then moved slowly northward and on through to their Canadian breeding grounds. That is the flight condition of the migration. We asked our other wardens to check, and of course we can check the nesting of ducks in South Dakota more easily than any other state because of our few lakes, marshes and sloughs, and according to the wardens' reports on the 10th day of June we estimated about 50,000. We had many nesting ducks in sections of our state where last year there wasn't any more cover than on this table. There has been ideal cover this year. We have a growth of grass out there on our prairie areas which is about the ideal height about the time the average duck would be nesting. So far as cover and water is concerned and from the standpoint of production based on the number of ducks that annually nest there, we may reasonably expect an above normal production of ducks. There will be no loss of ducks due to bad water conditions or lack of water. I cannot say whether South Dakota would recommend a ten day season or twenty consecutive half days because that really has not been discussed by our Commission. However, I believe that a closed season in 1934 would have been much more advantageous than in 1935 for the reason that in 1934 all over the Northwest there was a very limited number of watering places and the concentration resulted in overshooting in most communities. This year it is going to be physically impossible to overshoot ducks in South Dakota for there are going to be two or three hundred areas. The possibility of overshooting this fall is extremely remote. We are presenting these facts to this group hoping that they might be of some value to them

in their deliberations. That is all I have to report for South Dakota.

There was some discussion on this matter by the entire group.

Mr. Foley: We will now hear from North Dakota.

Mr. Peterson: We were rather handicapped in North Dakota in making a survey of the migratory waterfowl in that we had no district wardens in the field. Our funds available for that were exhausted so I took it up with the sportsmen's clubs throughout the state and some of them sent in reports but the majority of the state did not report at all. Reports were good - we have a lot of ducks nesting in North Dakota but I did not bring that report along. It just gives certain sections but in the department some of us have been more or less over the state and we find that ducks are nesting throughout the whole state and the reports that come in from sportsmen would indicate that there are more ducks now in the state of North Dakota than for the past fifteen years. The northwest corner of the state at the upper end of White Earth Creek - we were looking over some dam projects out there - and in driving through that country and in the neighborhood of another of our creeks, there were hundreds of drakes, pintails and mallards, and of course the supposition is that the females were nesting. We organized a state set up of the clubs of the State of North Dakota in May and the problem of a closed season was taken up at that time, but they decided that they would not recommend a closed season at all. They felt as though it was perhaps a little bit too early, and the majority in attendance at that meeting were not in favor of a closed season. They were in favor of cutting down the limit and the days, and they felt as though it would perhaps be the proper thing to leave it to Darling. In our state we had a law passed at the last session of the Legislature where the limit was cut down to ten and the possession limit from 15 to 10. I am satisfied that I can report that there are more ducks in North Dakota than for the past fifteen years, without any doubt at all. The cover is the best for many years. I do not know personally whether I am so much in favor of a closed season, and that is the sentiment pretty well of the directors of the state set up that we organized. I have been unable to find any information or record in respect to the numbers of ducks there were in the state last year but we know that it follows closely the report of the Commission from South Dakota, and due to the lack of water and no feed we did not have so very many ducks in the state last year.

A discussion of this report followed.

Mr. Foley: Let's hear from Nebraska.

Mr. O'Connell: As you know, Nebraska last fall had a thirty day consecutive season and during that time we made a survey which showed that there were approximately two million birds, mostly mallards, concentrated on the three major reservations. They spent most of the time on those reservations. There was very little water and the hunting was exceedingly poor. We made another survey this spring. Our estimate at that

time was around one hundred thousand nesting throughout the Sandhill region. About three quarters of them were mallards. We did not notice any difference in the sex ratio.

There was a discussion of this report.

Mr. Foley: What is the report from Iowa?

Mr. Schwab of Iowa read the following report, "The Status of Waterfowl in Iowa in 1935" by Logan J. Bennet:

The following information on the waterfowl situation in Iowa was gathered during the spring and early summer by Logan J. Bennett, Game Technician, Philip A. DuMont, Game Technician, and the Conservation Officers staff.

SPRING FLIGHT

There are two main migratory waterfowl fly-ways through Iowa, the Mississippi and the Missouri River. In northwest Iowa in Clay, Palo Alto, Emmet and Dickinson Counties there are a number of lakes and marshes that culminate the tip end of the lake region in eastern South Dakota and western Minnesota. This area is perhaps the greatest concentration area in both the fall and spring flights as far as ducks are concerned. The Missouri River is the concentration area in Iowa for Blue, Snow and White-fronted geese.

Although hundreds of ducks and geese are observed throughout the interior of the State, the areas mentioned above are the main fly-ways.

In 1935 the Blue, Snow and White-fronted goose flight was conceded to be somewhat greater than in 1934. It is the opinion of most observers in Iowa that these geese have increased slowly but steadily for the past few years. As Iowa is not a rest area for very many Canada geese, we cannot rightfully judge their status.

The Pintail was our most abundant duck during the spring flight. The 1935 flight was equally as strong as that of 1934. The Mallard flight was about the same as in 1934. Prior to 1934 the Mallard was our most abundant spring migrant. The Gadwall and Baldpate flight was about the same as the previous year. The spring flight of the Redhead, Canvasback, Ruddy, Blue-wing Teal, Green-wing Teal, Shoveller, Lesser Scaup and Ringneck was at least fifteen per cent below that of 1934. Along the Mississippi River the Wood duck population was greater than that of a year ago. The Golden-eye and Bufflehead flight was comparable to that of 1934.

1935 SPRING FLIGHT COMPARED WITH 1934

	Decrease	The Same	Increase
Pintail		x	
Mallard		x	
Shoveller	x		
Lesser Scaup	x		
Redhead	x		
Canvasback	x		
Ruddy	x		
Blue-wing Teal	x		
Green-wing Teal	x		
Baldpate		x	
Gadwall		x	
Golden-eye		x	
Bufflehead		x	
Wood duck			x
Blue Goose			x
Snow Goose			x
White-fronted Goose			x
Canada Goose		x	

NESTING SEASON

At this time (June 24, 1935) the nesting season is in full swing. Due to late spring weather conditions our growing season is about three weeks late. This has had a great effect on the nesting season. To date the Ruddy duck and Redhead have not nested due to the slowness of vegetation developing in the sloughs and marshes. Whether they will nest this season remains to be seen.

The ducks that nest in Iowa are as follows: Blue-wing Teal, Shoveller, Mallard, Wood duck, Ruddy, Bufflehead, Pintail, and Lesser Scaup. They are listed as to their importance as nesting species in this State.

The Blue-wing Teal is the most abundant nesting duck in Iowa. It nests in small numbers throughout the State. Due to rainfall over the greater part of the State a few will be produced in each County whereas last year no hatch took place except in Clay, Palo Alto, Emmet and Dickinson Counties and along the Mississippi River. In Clay, Palo Alto, and Emmet, and Dickinson Counties the Blue-wing Teal hatch will probably be greater as a whole than in 1934. Eighty per cent of the ducks reared in Iowa are produced in the four counties named above. There are more Shovellers nesting in the State than a year ago. Although not nearly as common as the Blue-wing, several thousand will be produced in the State.

Mallards are nesting in slightly larger numbers than in 1934. Pintails seem to be present in about the same numbers as in 1934. The Wood duck population on the Mississippi is apparently somewhat greater this year.

1935 NESTING SEASON COMPARED WITH 1934

	Decrease	The Same	Increase
Blue-wing Teal			x
Mallard			x
Pintail		x	
Ruddy	?		
Redhead	?		
Shoveller			x
Lesser Scaup	x		

REASON FOR SUCH A SMALL INCREASE IN DUCK PRODUCTION

Practically all sloughs and marshes in Iowa are grazed or mowed to the water's edge. With this condition many potential duck producing marshes or sloughs are without nesting cover for the breeding birds. A marsh or slough should have at least 100 yards of protected margin, grown up to grasses to provide nesting cover. Some of our most important shooting marshes are not producing ducks for the simple reason that a duck cannot find enough upland grass around to nest in. The waterfowl situation can be remedied by providing nesting cover around our existing marshes and sloughs.

Mr. Foley: Mr. MacKenzie of Wisconsin.

Mr. MacKenzie: As you no doubt all know, we had a thirty day season last fall. Although we had more hunters in the field hunting, there were very few ducks killed. This spring there were very few canvas backs in the flight through the state. I think the mallards have shown up more than any other ducks this spring. An experiment was tried out in the southeastern part of Wisconsin. The sportsmen banded together and put out about a thousand ducks that they secured from various parts of the state from game farms, etc., and put the ducks on a large marsh area which is about eleven miles long and three or four miles wide. The ducks seemed to attract large numbers of wild species and wardens report there is a large number to be seen, both of the mallards they introduced and wild mallards, also a large number of green wing and blue wing teal. The hatch is late this year. So far as the geese are concerned, we have noticed large numbers of Canadian geese. I can but agree with the statement of Oscar Johnson that a closed season in 1934 would have done more for the saving of the ducks than a closed season in 1935, but nevertheless I believe everyone will agree that there is dire necessity in attempting to save them and to keep hunters from killing them. I believe that Wisconsin will favor a closed season on ducks if all other states would have a closed season. We also are very much against the baiting of ducks. We think that the federal authorities should create a regulation prohibiting the baiting of ducks. We have found by experiment that if we plant ducks in an area it will attract more ducks to the state. There is no question but what it would be very helpful in increasing their number.

There was more discussion at this point on the conditions in Wisconsin.

Mr. Foley: May we have a report from Minnesota?

Mr. Gustave Swanson, Biologist: A detailed report was drawn up in reply to a request for information on the waterfowl question. The complete report on all species is available for anyone who wishes to see it. The results may be summarized briefly as follows:

(1) Over half of the observers reported that the 1935 spring flight was larger than that in 1934.

(2) Fifty-seven out of ninety-five reported that this year's flight was smaller than five or ten years ago. Only 17 reported it larger and the largest number of reports (33) indicated a decrease of more than 30%.

(3) In the western part of the state there was a larger flight of swans and geese this year than last, and many observers reported it larger than for several years. The ducks reported in increased numbers this year by a substantial majority of observers were bluebills, blue-winged teal, and mallards. No great majority reported a decrease of any one species of waterfowl but at least a plurality of the reports on gadwall, green-winged teal, red-head, old squaw, baldpate, wood duck, buffle head, and ruddy duck, reported them decreased since the spring of 1934.

(4) A large majority (78/87) of the reports state that nesting conditions are favorable and most agree that they are better than last year. A large majority also report that there is plenty of natural food. Sixty-seven of the 83 replies report a rise in the lake levels, and 74 out of 88 report that in their areas there is plenty of nesting cover for ducks.

(5) There is a rather universal agreement that there are increased numbers of blue-winged teal, mallards, spoonbill and bluebill breeding in Minnesota this year. The reports are especially emphatic on the blue-winged teal. Large numbers of coots are also reported as nesting.

While there can be no question about the improvement in nesting conditions for waterfowl this year, because of the increased precipitation, a large part of the optimism in the above reports is undoubtedly due to a change in fly-ways or choice of nesting localities. The reports last fall were quite generally gloomy, and obviously there were less ducks this spring than last fall. The large number of blue-winged teal nesting in Minnesota this season I feel must be ducks which formerly have passed through to Canada but which stopped this season in Minnesota when they found nesting conditions favorable. We can feel certain, however, that more ducks will be raised in Minnesota this year than last, and perhaps more than for two or three years.

The report of waterfowl taken as indicated on returns from small game license were as follows: Ducks - 1932 - 330,897, 1933 - 265,399, 1934 - 147,896; Geese - 1932 - 1,100, 1933 - 900, 1934 - 1,261; Coot or Mudhen - 1932 -26,954, 1933 - 20,654, 1934 - 13,062.

There was a discussion of the foregoing report and Mr. Walters of South Dakota raised the question of shore birds, which was discussed by all states interested.

It was pointed out that the matter of revenue from duck hunting licenses might be an important factor, but it was decided that it would not be a determining factor in the final decision.

Mr. I. T. Bode, Secretary of the Association, at this point made a report stating that of the $35.00 originally in the treasury - $10.46 had been spent for printing. During the year there was some correspondence carried on after the last meeting. Copies of the constitution were sent to the members and during the spring the states were notified of the topics which had been assigned to them.

A motion was made and seconded that the meeting be adjourned until 1:30.

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The meeting was called to order by chairman Mr. O'Connel.

Mr. Schwab read the following recommendations made by the State of Iowa:

Open season October 20 to November 20 - northern zone.
Shooting sunrise to 5 P.M.
Limit - 10 ducks per day
Possession - 10 per person
25 decoys - 12 may be live
Shooting from floating blinds prohibited
No more than one gun - three shots
Blinds permitted on dry land
Closed season on redheads and canvasbacks
Zones biological survey adopted
Baiting prohibited

Mr. O'Connell: May we hear from South Dakota?

Mr. Johnson: We would like to caucus to decide on our recommendations.

The South Dakota group adjourned to the lobby and upon their return Mr. Johnson spoke as follows: I would like to present the action of the South Dakota Commission on the questions that were raised by the gentleman from Iowa. That the South Dakota Commission favors unanimously a closed season on water fowl nationally. That is our choice - no arguments. However, if it is the majority expression of this Association that there be a season provided for in 1935 for waterfowl, their recommendations are as follows: 30 days consecutive shooting from sunrise until noon. Limits - 6 per day; 10 in possession. Discussed briefly a season limit but they felt that was a matter which perhaps would be extremely difficult to enforce. No decoys whatsoever, live or artificial, either

of ducks or geese. No baiting. Canvasback and redhead to be added to the list of fully protected birds. Wasn't necessary to take action on floating blinds because state laws prohibit their use.

Mr. Peterson: I like the report of South Dakota. The only difference is that we generally have winter about the 20th of October and the birds have all left us. I have a petition here, one of a number that has been sent into our department, which I would like to read - it is self-explanatory. We are conservation minded in North Dakota and we believe in a closed season provided they close it all over.

Mr. Peterson read an article from The Outdoor Life recounting the immense kill of migratory waterfowl by clubs in Louisiana, Illinois and other states south of here.

Mr. MacKenzie: I believe if we are to save our ducks we cannot shoot them this year. Now we all realize as we said here that there is going to be difficulty in securing a closed season, particularly because the south and seaboard states are against it, but in the event every state in the Union will agree to a closed season this year, Wisconsin will be more than pleased to join them. Will be glad to have open season restricted to six, as small a limit as possible. Twenty days is all right but it would be better for us to have the season from October 15 to November 15 rather than October 20 to November 20. We will have plenty of geese as indicated by flights northward every spring, and the season for them would be from November 20 to December 5 or 10. The shooting is practically all field shooting - not much water shooting. Speaking from experience, I don't think a season bag limit can be enforced. With reference to blind shooting, we don't allow people to come into the blind until twenty minutes before shooting time. Must be out of blind at certain time. With reference to shooting only three shells from a gun, most of our sportsmen do that now. There would be no question but what everyone in our state would agree to a closed season on canvasbacks and redheads. As far as prohibiting baiting is concerned, we are for it, and would like to see it stopped in the southern states, as stated by the gentleman from North Dakota. There is no question but what baiting in Louisiana and other states is rotten. Some of our enforcement officers went down there to find out what was going on. From the stories brought back, we don't know half of what is going on. I do think so far as goose shooting is concerned that they should be considered separately from ducks. I might say in closing that Wisconsin is willing to cooperate with this Association in protecting not only ducks but also shore birds. I am going to ask the chairman of our Commission, when we get back home, to write to our Senators and also our Congressmen in Washington to see what they can do in influencing members to try to put a stop to the slaughter of birds in the southern and seaboard states. If we do not bring pressure to bear through our congressmen they are not going to know about conditions. I think if we are going to protect our ducks that is one angle from which we should attack this proposition.

Mr. McFarlane: If we are to continue to enjoy the confidence of the sportsmen in Minnesota, there is only one re-

port we can make and that would be for a closed season. It seems that in some of the regulations that have been propounded this afternoon there is an inconsistency. We speak of a closed season and then we speak in the same breath of redheads and canvasbacks. If the season is to be opened the season must be closed on these two species. I think from the law enforcement angle it is very difficult to enforce a law like that and that is why if we are so concerned about canvasbacks and redheads we must necessarily be concerned about all other species and close the season entirely. That is the only thing Minnesota can say about the duck season this year. There is a unified sentiment on behalf of the sportsmen to have the season closed and I should think that we in this association of our states should have a unified expression of sentiment ourselves in order to demand that the season be closed this year. We all seem to be in favor of it. I do not think we should make any bones about it. I do not think we should continue to compromise - a closed season or nothing!

Mr. MacKenzie: I should like to say that we have had a closed season on wood ducks for a number of years and while there have been a number of these killed, there have been a lot of them saved by the closed season. The average duck hunter knows pretty much the duck he is killing. This would conserve ducks and have a tendency to bring them back. There would be more killed if there was an open season than if a closed season was had.

Mr. O'Connell: I think the recommendations made will be entirely satisfactory with us. There is one point - that of the closed season. I think Nebraska, though it is going to cost us something in the confidence of our hunters on account of the situation we got into last year, and something in revenue, that if it is the consensus of opinion that we have a closed season and if it is the recommendation of the Biological Survey that we have a closed season, we will agree.

A general discussion took place with reference to the recommendations. A vote was taken and it was unanimously decided that this Association go on record as being in favor of a closed season on migratory waterfowl beginning with the fall of 1935 and ending with the season of 1936.

The subject of "Open and Closed Areas for Shooting Grounds and Refuges" had been assigned to Nebraska and Wisconsin at the last meeting and Mr. O'Connell of Nebraska began.

Mr. O'Connell: Mr. Spencer who was to discuss this question will not be present at this meeting, but I might say that in Nebraska we have the classification of big game refuges, upland bird refuges and migratory waterfowl refuges. We have such a limited amount of big game that it is more exhibition than restoration. We are cooperating with two National Forests on the matter of game. Upland birds, however, is exclusively a state problem and we have a number of different ways a refuge can be established. One is by leasing land over 1000 acres for a period of three years by petition of landowners. We also set aside five miles or more along a river bank upon receipt of a petition from owners in freehold of the land. A new act of the

Legislature this year makes the Platte River Game Refuge open only during the lawful open season.

Mr. MacKenzie: Gentlemen: The efficient administration and management of refuge areas and public and private lands adjoining such refuges are of vital concern to all of the members of this association. I am going to discuss very briefly and to the point the views of the Wisconsin department on the topic assigned me.

In refuge management, we have the problem of not only building up and maintaining the wild life crop on the refuge areas, but in addition the proper utilization of the crop resulting from such management. We are all naturally interested in the administration of federal refuges that adjoin our own state borders and in the lands and waters adjacent to these refuges, as well as in our own state refuge programs. In our minds the solution of the question of administration of federal waterfowl refuges is contained in a paragraph from a recent letter to the Wisconsin department from Ray Steele, superintendent of the Upper Mississippi River Wild Life and Fish Refuge. Mr. Steele states: "Our policy has been to maintain certain portions of the refuge as an inviolate sanctuary, while other portions of the refuge have been open to public shooting and trapping during the respective open seasons of the four states in which the refuge is situated. We have endeavored to provide as much open shooting and trapping for the people living adjacent to the refuge as sound conservation practice would permit, and so far as I am aware, our policy has met with general satisfaction throughout its entire length of nearly 300 miles."

There is no question but what a flexible policy of this type, used as conditions permit, is essential to the proper management of a federal refuge or any other refuge, rather than any set of hard and fast rules and regulations. Such a policy encourages local co-operation from those people in the various states who live adjacent to the refuge boundaries. Such co-operation often has a direct bearing upon the success or failure of a refuge area.

It is my firm belief that in connection with the administration of game matters on lands and waters adjacent to federal waterfowl and fur bearing animal refuges that the state should be in direct control. On many areas, particularly in which the federal government has a considerable interest, there is no reason why there may not be co-operative agreements on both policy and administration by the federal government and by the states. Such control should apply to all game, whether upland or migratory, to fur bearing animals and to fish. The program of administration of state waterfowl refuges must be a flexible one. The policy in Wisconsin has been to declare all such refuges inviolate sanctuaries for waterfowl during the spring months, that is, the breeding and nesting season. Portions of certain refuges may be opened to public trapping as conditions permit. The same or other portions of the refuges may be opened to public shooting in the fall. The public hunting and trapping policy should be governed according to the degree of successful management and to other conditions. Naturally, the various refuges present different problems, depend-

ing upon the site, environment, the purpose for which the refuge is established, management, and local co-operation. It is probable that those large refuges of inter-state and national important should have the major part of their area established as inviolate waterfowl sanctuaries throughout the greater part of the year. The states must have entire jurisdiction over lands and waters immediately surrounding state waterfowl refuges. Only by state control on its own lands or by co-operative agreement with counties or with private individuals can utilization of the overflow from these refuges be regulated.

Of importance to all northern states are federal plans being formulated for game management on the national forests. The federal government has facilities which many states may never have. These should be utilized in a practical way. There is no reason why the various states and the federal government cannot co-operate in a flexible policy of management on upland game refuges within the national forests. Season establishment and enforcement should also be in co-operation with the federal people. Final jurisdiction, however, on hunting and trapping regulations within the national forests, exclusive of the refuge areas, should remain with the various states. Wisconsin has at this time an agreement with the federal forestry authorities which prohibits the trapping of any fur bearing animal on all national forests in Wisconsin for an indefinite period. Hunting of all game species excepting fur bearing animals is permitted, however, on the federal units during the open season prescribed for the various game species. This agreement affects approximately two million acres. The return of a normal fur crop on these areas means a great deal to Wisconsin people living in or adjacent to the national forests. Eventual open seasons on all or a part of the areas will remain within the jurisdiction of the state conservation commission.

In the Wisconsin upland game refuge program, we have divided our refuges into three classes for better clarification and administration. These classes are big game refuges, small game refuges, and sanctuaries. Big game refuges are established primarily for the protection and management of deer. Small game refuges are established for the management and protection of pheasants and other upland game birds that react favorably to the refuge system. Sanctuaries are established for the inviolate protection of the rarer species of wild life. Wherever state jurisidiction permits, lands adjacent to upland refuges are declared public hunting grounds. In the event of private ownership, every means is taken to encourage landowners to open their lands adjacent to the refuges to public hunting.

Both the federal government and the states have a distinct function in the migratory bird and upland game refuge and public shooting ground program. The states must waive certain interests of their own toward the establishment of a series of major federal waterfowl refuges of national importance. The federal government, on the other hand, must observe the right of the states to regulate minor waterfowl refuges and to regulate hunting, trapping, and fishing conditions on ALL lands and waters wholly within their boundaries. The federal author-

ities, however, have the right to expect and should receive full co-operation from all of the states on their migratory bird and upland game management program wherein such a plan definitely benefits the people for whom it is intended. It is my suggestion that this association of Midwest Fish and Game Commissioners so advise the U. S. Bureau of Biological Survey and the U. S. Forest Service so that we all may begin to make more definite strides in the practice of game management. I thank you."

There was much discussion on the question of how much authority the federal government has over the fish and game in the states, and over fish and game in nationally owned land. It was suggested by Mr. McFarlane that this be made a subject to be assigned to some one of the states and a full report given at the next meeting.

Mr. Rapp read the following paper on "New Regulations Policy and Interstate Cooperation of States".

When I suggested at our first meeting that the matter of regulations deserved consideration by this organization I had no desire to have the subject assigned to me. That suggestion was made because I felt that there was a lack of understanding of the relationship of regulations and the purpose for which our organization and our respective organizations had been created.

When the Iowa State Fish and Game Commission was organized some four years ago they were met with an insistent demand that the regulations relating to fish and game be revised. So that we might become more familiar with the nature of this demand and with the actual need for revision we invited both criticism and suggestions as to possible improvement. In arranging these criticisms and suggestions in a systematic manner so that their substance might be analyzed I was interested in noting to what a great extent there seemed to be lacking an understanding of those principles upon which general policies should be based.

In very many cases the regulations or the suggestions for regulations seemed to be little more than expedients to meet what appeared to be the immediate needs of a condition rather than an act based upon an understanding of the real significance of such a condition. In studying the reports and the regulations of other states there was much to justify the belief that these regulations had also been adopted as expedients rather than in accordance with a definite policy based upon an understanding of definite principles.

In preparing this paper and in seeking information regarding those principles and policies which should serve as the basis for fish and game regulations I very soon found out that the existence of such principles and policies was to a large extent unrecognized.

In studying regulations of a general nature such as those relating to building codes, zoning ordinances, advertising structures, etc., it quickly becomes apparent that there is

fisheries their taking because of their food value has declined almost to the vanishing point but I am inclined to think that the desire to take for sport perhaps has increased. The interesting thing is that down through the cycle in all the different times and different lands the same experience was had, the same expedients, and regulations were adopted and enforced and the same results or lack of results obtained. Only as the fish and game became practically exhausted did man recognize the real nature of his problem and then did he establish policies which might result in the providing of the type of recreation in which you are interested.

I have taken you in this rambling fashion down through the experience of civilized people having available improved equipment for taking fish and game so that you might see that regulations and a licensing system alone are not sufficient.

Now while regulations and the enforcement thereof are not sufficient to assure the continuance of a sport in which we are interested there are certain principles and policies, the recognition and practice of which may help us in solving the problems that we have before us. I believe that the first of these is the definite recognition of the purpose for which fish and game departments are established. I am interested in the various preambles in the statutes creating such departments. Practically all consist of an enumeration of the things incidental to and essential to the maintenance of such a department but not one plainly and definitely states that the purpose for which the department is created is to provide hunting and fishing opportunities and yet without question that is precisely the purpose towards which all our efforts should be bent and every act and every regulation or restriction which interferes with that purpose should be given the most careful consideration. We all know that there is a constant tendency on the part of not only a commission and its administrative organization but also of sportsmen and sportsmen's organizations to become what might be termed conservation-minded to a degree that amounts almost to a prejudice. Such an attitude is often due to a failure to realize what we are here for and to adopt a policy that is less concerned about possible depletion of our supply of fish and game and more concerned over providing an adequate supply to meet the public demand. I am very glad to say that there is an awakening realization of this condition in a number of states, just as it has been in other lands, and I sincerely hope that this will extend to all of our states.

The second principle to which I would call your attention is that providing hunting and fishing opportunities is a business and that you are providing commodities as definite as any commodity or service provided by any business and that any regulation that restricts the advisable operation or development of such a business is very questionable. Only recently have many of us become aware of the relationship of regulations and license receipts and this recognition is a very healthy sign.

I sometimes think that a competent sales manager is just as essential an element in a fish and game organization as any other component party and such a sales manager would

without question see the relationship between regulations and the manner in which service was being provided to the public.

The manner in which regulations permit the citizens of the state to enjoy hunting and fishing privileges is quite comparable to the manner in which a commodity or a service is provided by private business with this exception that a fish and game department practically controls a monopoly of that privilege is granted in a begrudging manner. No private business can maintain such an attitude and no public business should. It may be advisable to open an area in a much used park to fishing even though there is a spawning area in that park. It may be advisable to permit trot line fishing in a stream that is suitable for no other fishing or to permit spearing rough fish in a part of the state where there are no other kinds of fish even though trot line fishing and spearing carp are not the highest types of sport.

I think that we should recognize the principle that the public is more interested in what it is permitted to do then in what is forbidden and that a single section prohibiting the taking, distributing, possession, etc., of fish and game, except as is otherwise provided, is a far better way of presenting regulations than is used in so many of our states where constant repetitions to the effect that is unlawful to do this or to do that arouses both confusion and antagonism. When this is done a simple statement that certain fish or game may be taken at a certain time or manner is all that is necessary and such a statement is far more informative than the average statutory regulation.

I am perfectly aware that certain of our legal friends would have us believe that it is easier to secure a conviction of the regulation expressly forbids each and every act except the one that is permissable but, I would remind you that we are reaching a stage when violations are the exception but the desire of the public for information is general and that observance is far more desirable than enforcement. With more than an average familiarity with regulations, I must confess that I have found it necessary at times to read some several times before the intent was quite clear. Such possible confusion should as a matter of principle be avoided. Many of our regulations are psychologically bad in that they suggest violations. None of us would think it advisable to start little Johnny on the way to school with a half dozen admonitions to the effect that he should not break any windows nor tie cans to the dogs' tails, nor slap his little brother, nor to swear at the old lady on the corner. It is very fine to find that there is a growing tendency towards simpler and more uniform regulations.

Regulations that carry with them a penalty that is unreasonable are in my mind inadvisable. While a judge may in the exercise of his judicial functions decide that the facts warrant declaring a man guilty of a violation carrying with it a fine of $250.00, no jury is apt to bring in a verdict of guilty under similar circumstance and such a regulation is practically unenforcible where people are intelligent enough to ask for a jury trial.

On the other hand--hunting or fishing without a license should be uniformly considered as theft and dealt with accordingly, and the taking of fish or game in an unlawful manner should be considered as the distinction of public property.

As a matter of principle I do not think that we should be content with regulations that are merely remedies. From time immemorial man has attempted to remedy a decreasing or inadequate supply of fish and game by the use of restrictive regulations and he has had rather poor success. Iowa in its primitive state probably had a supply of game inadequate to meet the needs of its present population provided with the present available equipment and this would be true even though we had perfect enforcement of our present regulations. Today with perhaps 95% of its lands under private ownership and probably less than one per cent of its area suitable for the production of fishing and hunting opportunities, we are relying largely upon restrictive regulations for the maintenance of such opportunities. Certainly the continued adherence to such a policy is not intelligent and I believe that we not only should but that we must consider regulations that will not only permit, but that will promote and encourage methods and practices that will increase our opportunities. I believe that we must eventually avail ourselves of every possible means that is desirable by which the amount of fish and game can be increased and I believe that it is one of the most important duties of fish and game commissioners to give thought to this matter. It is significant that where private interests are concerned progress is apt to be more rapid. We have made progress in the artificial culture of fish largely because commercial fisheries have had a material interest in the solution of fisheries problems. I see no reason why equal progress cannot be made when private individuals and sportsmen's organizations are given both the opportunity and encouragement of reasonably constructive regulations to engage in the artificial culture of game.

Just as I believe that we have been inclined to rely to too great extent upon restrictive regulations so I believe that we have a tendency to indulge in unwarranted expenditures in the maintenance of our enforcement organizations. Carrying insurance upon stock that does not exist is poor business and I sometimes think that it is the height of optimism to expect some of our officers to find violations in their territory. This is somewhat off the topic but I merely mention it to stress the folly of relying upon trying to save that which does not exist.

In closing may I mention one more phase of our regulations in which two states may have a measure of concurrent jurisdiction. It is but logical that the regulations should be suitable to the conditions that prevail in the area under consideration and I believe that such suitable regulations should be adopted by both political units having jurisdiction.

I am not so certain that it is advisable for two commissions representing adjacent states to agree to respect each others regulations. There is a question as to both the legality and the advisability of such an agreement although I am aware that such agreements are often quite satisfactory in their operation. We have both natural boundaries and political

boundaries, both of which serve a purpose. We should recognize natural boundaries by jointly providing uniform regulations for the area within such boundaries and we should recognize political boundaries that are set up to provide government by permitting such government to operate. Unless such privileges are definitely recognized by the respective governing bodies of the different political units, any gentlemen's agreement is apt to provide a rather dubious solution of the problem.

In presenting this matter to you I am quite aware that I have done so inadequately. The very fact that we have depended to such a great extent upon restrictive regulations indicates that inadequate consideration has certainly been given to our entire problem.

In giving thought to this matter I have been amazed at our apparent inability to see this problem of providing for the wants and needs of our people in its broader aspects. I have also been interested in our tendency to grasp at some expedient that is of exceedingly doubtful value or some catch word that seems to hypnotize us into a false position. I cite but two of these, one is the use of the term biological balance. A moment's thought should tell us that to adequately meet the demands of sportsmen will require a very unbalanced development of our lands and waters. The other instance is the tendency to encourage the landowner to believe that he has proprietory rights in the fish and game that is in the lands and waters under his control. Social progress is definitely in the opposite direction and each year marks a definite step in recognition of the control of society over that which is privately owned, and we should be the last to do or to say anything which would lead to a denial of the interest which the public has in wild life. There has been a lot of loose thinking in this respect amongst our sportsmen and we should take heed and guard against the loss of that which circumstances so largely gave us.

A discussion followed on Mr. Rapp's paper.

A motion was made by Mr. MacKenzie, and seconded, that the chairman appoint a committee to draw up the resolutions which had been suggested. The following committee was appointed: Mr. H. W. MacKenzie, Mr. Oscar Johnson, Mr. Charles McFarlane and Mr. Arthur Peterson.

A motion was made by Margo K. Frankel and seconded that the member states of this association interchange legal opinions on any cases which might arise in the states.

Mr. Carl Hanson, Managing Editor of the Minnesota Conservationist, raised the question of whether the pheasant is an economic asset or liability.

The meeting was adjourned at 5:40 P.M. until 9:30 the following morning.

The Sunday morning meeting was called to order at 10:15 by President Foley.

Mr. Foley: I do not believe we had finished the discussion of Mr. Rapp's paper read yesterday.

Mr. Blizzard: That part of it which has to do with the interstate cooperation of states. I would like to say just a few words about boundary waters. The State of Iowa and the State of Wisconsin are separated by the Mississippi River. We have been endeavoring for a long while to build bridges across the river so that the citizens of the two states may get back and forth. Citizens may visit one another but nothing much has been done in regard to letting citizens fish in the adjoining state. The unfortunate situation seems to be that when a man from Wisconsin comes to Iowa side of the Mississippi he is subject to arrest and vice versa. Our Commission sent to the Wisconsin Commission a request that we would not arrest Wisconsin violators that come into Iowa if they would do likewise. The matter isn't ironed out yet - probably would be against the law. We think and hope we can fix it in some way.

Mr. Foley: A similar situation in connection with fishing on the Mississippi between Minnesota and Wisconsin and the St. Croix existed. The two commissions got together and adopted a uniform fishing regulations for the Mississippi River. It was so good that the Supreme Court of Wisconsin upheld it.

Mr. McKenzie: Not quite the same. When this law was passed it provided us with an opportunity of establishing uniform regulations with the State of Minnesota but an amendment was put on the bill that excluded Iowa. We cannot do much about it. Can do this providing the Commission agrees to that policy. We can allow your citizens and ours similar rights whereby they can fish on either side of the river. Our wardens have both Minnesota and Wisconsin Commissions. Your director's letter didn't reach my office until the 20th of the month and the Commission had its meeting on the 18th so I will refer this matter to the Commission at its next meeting which will be held on the 22nd of July. I might say in connection with that that the LaCrosse Tribune is trying to promote a joint meeting of the Commissions of Iowa, Wisconsin and Minnesota at LaCrosse the 25th of July. I imagine you people will have some word of this meeting when you get back home. It may be very helpful to all of us in arranging regulations that will work out to the good of all three states. Cannot establish any regulations same as we have with Minnesota relative to commercial fishing neither can we change any regulations in connection with open and closed seasons. There is a bill in the Legislature now that takes out that amendment that was put in but I have no way of knowing whether it will pass or not. Within the law we can allow your fishermen to fish on our side and we can clothe your wardens with Wisconsin authority - outside of that we cannot do anything.

More discussion on Mr. Rapp's paper followed these remarks, principally by Mr. Rapp, Mr. Hutton, Mr. Johnson, Judge Erickson and Mr. Surber.

"Federal Fisheries Program"

T. Surber

I should feel embarrassed and I would be but for the fact that it has become a habit. Two years ago at the meeting of the International Association of Game and Fish Commissioners at Columbus, Major Farley of San Francisco and myself were to be leaders of a discussion of a paper to be read by the U. S. Commissioner of Fisheries on "Cooperation of Federal and State Commission". I believe that the U. S. Commissioner of Fisheries, Mr. Bell, was at the banquet the night before but could not be found when his paper was to be read the next day.

Naturally I was absolutely unprepared when I was called upon to lead a discussion on an unread paper. In other words to discuss something wholly by title, but I did my best. I think I was in the same confusion of mind that I am in now. We were taught as children first a few syllables and then words of two or three syllables and my mind was in the same state of confusion as it was at that time - to discuss something I am wholly at sea as to the nature of. Now following this meeting two years ago in which, as I said, we discussed this matter, what we said is a matter of record in the proceedings of the International Association, a meeting was called this last April a year ago in St. Louis by U. S. Commissioner of Fisheries which I attended and while this meeting was well attended by people from various sections of the country, so far as I could make out, nothing definite was concurred in. The whole thing was talked over but no definite program layed out for either cooperation in enforcement or cooperation in stocking. Last fall at Montreal at the joint meeting of the International Association and the American Fisheries Society, Commissioner Bell again called for a 6 o'clock in the morning meeting in which we were supposed to meet and discuss this problem again. We met and at the request of the Commissioner from Alabama I was again requested to state my views which consisted only of this--that Minnesota stood ready at all times to cooperate with the U.S. Commissioner of Fisheries or surrounding states in any program that might be layed down within reasonablelimits. We adjourned. So far as I know nothing has been done except fixing states into groups in which we were first included, here in Minnesota, with a group composed of the states of Missouri, North and South Dakota, Nebraska, Michigan, Wisconsin and Iowa. Under this program, Fred Westerman wrote me sometime later -it has been nearly a year now, as I recall it - stating that it was his belief that we would probably prefer to be among the Lake States, inasmuch as we bordered both on International waters as well as interstate, and that our interests were more hooked up with the interests of the Great Lakes Fisheries so far as commercial fisheries is concerned. I wrote him I thought we should be included with Wisconsin and that particular group of states to include Michigan, Ohio, Illinois so as to give us a grouping that was more sensible, that is so far as its fish life was concerned because our interests are almost identical.

Now the question was brought up here yesterday as to the federal control over game. I think it was unfortunate that in the 1925 Legislature of Minnesota an act was passed

giving to the U. S. Bureau of Fisheries, without the knowledge or consent of the Game and Fish Department (the Commission was not then in existence) the same powers and privileges so far as operating fish hatcheries, handling and distributing fish in Minnesota is concerned, that we possess ourselves. I am looking at it, when I say I think this was unfortunate, from a political standpoint. I do not agree with a lot of experts in the U. S. Bureau of Fisheries as to the introduction of certain fish in Minnesota, and I am sure people from Iowa will agree with me on that. We can look back and see what happened when we introduced the carp. It is amazing at the present time to go back in our old commission reports, I cannot recall the date now, but in one of our old commission reports reporting on the difficulty they were having in obtaining carp from the U. S. Fish Commission, they say that in the third effort they made to bring these fish out here from Washington alive that they were successful in bringing here to St. Paul some of these highly desirable fish which would be planted in some of the lakes. It cost several thousand dollars, I think, to finally get these fish out here and we have spent hundreds of thousands of dollars trying to get rid of them. The smelt was introduced into the Great Lakes, in Ontario, a few years ago by the U. S. Bureau of Fisheries and reports would now indicate it has practically exterminated the whitefish and herring, certain species of herring at least, in Lake Erie. I was connected with and employed by the U.S. Bureau of Fisheries for a good many years before I came here with Minnesota, and I know their attitude is one of helpful cooperation, and it is well that we should have that cooperation but we should not relinquish our rights. In other words, we should reserve our sovereign rights and set up a program which they should concur with. What that program is or what it should be, I am not prepared to say. As I said a while ago, my mind is in the same state of confusion about the operation of these various three letter organizations that the country is infested with at the present time from ABC to XYZ. We can do many things with the cooperation of the Federal Government on the Mississippi for instance, possibly on international waters, but we can do infinitely more as we have done already through agreement between the states. For instance, as we have done with Wisconsin. We have accomplished something when we have set up a treaty, as you will, with our neighboring state of Wisconsin. We have tried to do the same thing with Ontario. We have already cooperated with South Dakota through legislation, so that South Dakota, Wisconsin and Minnesota are cooperating. We have not been getting the same degree of cooperation from the Canadians. They are probably right in not granting what we have demanded because it has been purely a question of commercial fisheries, and they have been hard put to it - had hard times the same as we have - and we can hardly expect more than we have received from them, but as I still see it, we can accomplish just as much in cooperative efforts with our Canadian neighbors and our neighbor on the south, Iowa, which I again will say I am hazy about how we can best cooperate It is my desire to cooperate, and the desire of my department and of the Commission, of which Mr. Foley is the head, to cooperate with all of our neighbors. Some program should be arranged before it can be worked out, apparently by the U.S. Bureau of Fisheries because they have now been working on it for two years and I don't know any more today than I did two years ago, what that program is going to be.

Mr. Foley: Did the Bureau of Fisheries ever ask to take over control of the state hatcheries?

Mr. Surber: No, but they wanted us to acquire the federal hatchery at Duluth. We refused because we have one hatchery only six miles from Duluth which we have never been able to stock to its limit with eggs. It was placed there for the purpose of taking care of international waters, which is Lake Superior. The Duluth Hatchery obtains its eggs partly, I believe, from Wisconsin, mostly from Michigan, none from Minnesota. Naturally we had to turn down the offer to operate the Duluth Hatchery. I don't think there has been a real desire on the part of the federal government to assume control of hatcheries - not in recent years at least. It is unfortunate that the Bureau of Fisheries cannot get some of the funds that are being handed out, or that the Biological Survey cannot get some. They are crippled to the extent that right now they cannot distribute the output of their hatcheries, and are calling on the states for help. We cannot help. In the first place, the hatchery in southeastern Minnesota produces more trout than can be stocked in streams in that territory. It is necessary to haul approximately sixty carloads annually, probably eighty carloads, hauling some of that output four hundred miles so we cannot help out because our biggest item in the operation of the hatcheries is the distribution of trout.

A discussion of Mr. Surber's paper followed.

Mr. MacKenzie: What kind of a policy do you think the States of Minnesota, Wisconsin and Iowa should establish in connection with throwing back the small carp and other rough fish taken by commercial fishermen. Native rough fish should be thrown back but something should be done to prevent them from throwing carp back. Wouldn't it be a good policy to request the federal government to bury them instead of throwing them back? I think the three states ought to combine on that and request them to stop that during rescue work operations. Every year they are put back because the government claims they are commercial fish.

Mr. Surber: The only thing that will prevent carp from ascending the river is to operate no fishways in dams. The carp have gone from Minneapolis to Little Falls but can go no farther because of the high dam there. Wherever we have dams no fishways are operated.

Mr. Foley: I heard a report of someone having taken three carp out of Namekan Lake or Rainy Lake.

Mr. Surber: Those were native fish - buffalofish.

At this point Mr. MacKenzie read the following resolution:

WHEREAS, for a number of years the United States Bureau of Fisheries in conducting their rescue operations in the waters of the Mississippi River wherein it borders on the States of Minnesota, Iowa and Wisconsin, have been returning to the waters of said river small carp, buffalo and other

destructive rough fish, and

WHEREAS, the said Bureau of Fisheries has caused the distribution of certain species of game fish into the inland waters of the states of Minnesota, Iowa and Wisconsin wherein such distribution has been detrimental to the native fish inhabiting these waters;

Be it resolved that the Conservation Commissions of the States of Minnesota, Iowa and Wisconsin assembled do hereby respectfully request the United States Bureau of Fisheries to refrain from conducting the practise of returning the destructive rough fish into the Mississippi River and its contiguous waters,

And be it further resolved that in connection with the future distribution or planting of game fish into the waters of the States of Minnesota, Iowa and Wisconsin by the United States Bureau of Fisheries that the said Bureau provide in advance to the Conservation Commissions of the respective states full information concerning when and where such distribution or planting is to occur and thereby provide said Commissions with an opportunity to determine if the fish to be planted or distributed are adapted to the waters where such distribution is to be made;

And be it further resolved that this resolution be signed by each chairman of the Conservation Commission of the respective states, and a copy be forwarded to the Honorable Frank T. Bell, Commissioner, Bureau of Fisheries, Washington, D. C.

Ralph M, Immell, Wisconsin
Chairman, Conservation Commission

John R. Foley, Minnesota
Chairman, Conservation Commission

Margo K. Frankel, Iowa
Chairman, Conservation Commission

Frank O'Connell, Nebraska
Director of Game Department

H. E. Fankhauser, South Dakota
Chairman, Game & Fish Commission

Arthur Peterson, North Dakot
Game Commissioner

Mr. McKenzie: The three states ask the government that during their rescue work on the river they bury their rough fish same as our rescuing crews do, and when distributing fish in streams they should notify us in advance where the fish are going. If we don't feel fish should be planted in those areas than they shouldn't plant them there. I have seen brown trout assigned to various sportsmen in our state for planting in some of our brook trout streams. We have tried to head these plants off and have tried to substitute brook trout. We have sided the federal government in the distribution of their fish with our trucks because they are provided with a sufficient amount of money. We have heard that they have not been able to get enough money to pay their bills when due. All money seems to be going to forestry.

A short discussion of the foregoing resolution took place.

Mr. Oscar Johnson of South Dakota discussed the price of fish food.

Mr. Chas. E. Dow, of Mpls., presented facts and figures on the growing scarcity of waterfowl in spite of encouraging reports from eastern states. He asked that the Association consider the closing of the waterfowl season entirely for this year.

Mr. Hutton: I have a matter which I would like to have discussed. This is an organization particularly connected with fish and game but it appears there are other factors involved that perhaps we do not take in in a meeting of this kind--matters of soil erosion, stream pollution, and various other items. Two years ago the ECW was started and the C.C.C. camps. National park camps and U.S.Forestry camps, now soil erosion camps, stream improvement camps, water improvement camps. There are certain practices that I think thevvarious states in the Upper Mississippi Valley could consider jointly and may have some unified ideas as to their accomplishment. There might be a Game and Fish Division, a Forestry Division, another for sanitary and biological matters, and other divisions. They might meet for a two day session once a year or how ever often they desired and divide into sectional groups with a general meeting thereafter. Such an organization would be of advantage to states working with federal agencies in accomplishing matters you have agreed upon.

Mr. Foley: If we were going to expand into an organization covering all phases of conservation, we would just about get to a meeting in two days,-with all the various committees, and it would almost take a week's work.

Mr. Friedrich: I move that we adopt a resolution to include the formation of such an organization as described by Mr. Hutton to be sponsored by this Game and Fish conference. That this organization sponsor any movement looking toward another conference either out of this or separate from this.

Mr. Foley: If there is some particular subject some state is interested in, instead of expanding, we sould deal with that particular subject by a paper and gradually grow. There is danger of over-organization.

There was a discussion here on the subject of whether or not the Association of Midwest Fish and Game Commissioners should grow so as to include other phases of conservation. Mr. Foley read the preamble to the constitution of the Association. Mr. Friedrich withdrew his resolution.

Mr. Johnson read the following resolution which requested a closed season on migratory waterfowl for one year beginning September 1935:

WHEREAS, certain elements uncontrollable by human agency, viz, drouth, destruction and constriction of nesting areas, the continued encroachment of agricultrral advancement, together with overshooting, unscrupulous practices, particularly baiting of ducks to kill and use of live decoys in taking thereof and increased selfishness on the part of gunners, have combined to threaten with extinction certain species of migratory waterfowl and a hazardous reduction in the population of all species of migratory waterfowl;

WHEREAS, the shooting of migratory waterfowl is a major controllable factor in their decimation, and sportsmen should rightfully surrender this privilege as their contribution to alleviate the current crisis; Now therefore,

Be it resolved that we, the Association of Midwest Fish and Game Commissioners of the states of Nebraska, Minnesota Wisconsin, Iowa, North Dakota and South Dakota, in second annual conference assembled at St. Paul, Minnesota, this thirtieth day of June, Nineteen Thirty Five, do unanimously affirm and declare for a national closed season on migratory waterfowl for one year beginning September 1935;

Be it further resolved that we unanimously recommend provision of adequate federal funds to the United States Biological Survey for enforcement of said closed season.

Be it further resolved that we unanimously pledge our unfailing cooperation to and voice our unqualified approval of the United States Biological Survey and its program, and that we further pledge fullest cooperation with the Biological Survey on enforcement of a hunting moratorium.

Be it finally resolved that copies of this resolution be submitted the Honorable Franklin D. Roosevelt, President of the United States; The Honorable Henry A. Wallace, Secretary of Agriculture; The Honorable Jay N. Darling, Chief of the Bureau of Biological Survey, and Senators and Members of Congress of the member states, and that this resolution be entered in official transactions of this conference for permanent record.

Ralph M. Immell, Wisconsin
Chairman of Conservation Commission

John R. Foley, Minnesota
Chairman, Conservation Commission

Margo K. Frankel, Iowa
Chairman, Conservation Commission

Frank O'Connell, Nebraska
Director of Game Department

H. E. Fankhauser, South Dakota
Chairman, Game & Fish Commission

Arthur Peterson, North Dakota
Game Commissioner

A motion was made by Mr. Mundt, and seconded, that the resolution be amended so as to read that copies be sent to the Senators and Congressmen of the states represented in this Meeting.

Mr. Cundill moved that the resolution be amended to read that governments of Canada and Mexico be contacted in this regard in order that the moratorium may be international.

There was some discussion on this and the motion was withdrawn.

Mr. Foley suggested that the resolution be wired to Jay N. Darling, Chief, Bureau of Biological Survey, and that it be followed up by a personal appearance of a representative of each state of the Association, if deemed advisable by the president of the organization.

Roll call was called on the above resolution which resulted as follows:

South Dakota -	aye
North Dakota -	aye
Iowa	aye
Wisconsin	aye
Nebraska	aye
Minnesota	aye

The resolution was unanimously adopted.

It was moved and seconded that the cost of sending the wire be taken care of from the Association funds. The motion was carried.

Mr. Johnson made a motion that the resolution be signed by representatives of each of conservation commissions rather than President and Secretary of the Organization. Motion seconded and carried.

A motion was made by Mr. McKenzie, seconded by Mr. Blizzard, that the resolution with reference to the Bureau of Fisheries throwing carp back into the Mississippi River during rescue operations, also with reference to distribution of fish from federal hatcheries, be adopted. The resolution was unanimously adopted.

A motion was made by Mr. Blizzard, and seconded, t that the following resolution be adopted by the Association:

Resolution prepared and introduced by

Logan Blizzard

Iowa Conservation Commission

at June 30th meeting of the

Association of

Midwest Fish and Game Commissioners

Be it resolved that this organization approves of stream and lake improvement with Civilian Conservation Corps camps, when in accordance with plans made or approved by the

State authorities, and urge that the Federal Authorities give major recognition to this type of work.

Be it further resolved that copies of this resolution be sent to the proper governmental authorities.

The resolution was unanimously adopted.

A motion was made by Mr. Plattes, of the Associated Press, that the following resolution be adopted and copy sent to Mrs. Sam G. Anderson, Hutchinson:

BE IT HEREBY RESOLVED that we convey a sincere expression of sympathy to the family of the late Sam G. Anderson of Hutchinson, who was President of the Minnesota Game Protective League, a member of the migratory bird advisory board, and organizer of the Gopher Campfire Club, and a guiding beacon and leader in the Midwest's wild life conservation saga, and whose memory we shall always revere and respect; and that a copy of this resolution be forwarded to Mrs. Sam. G. Anderson at Hutchinson, Minnesota.

The resolution was unanimously adopted.

A motion was made by Mr. McKenzie and seconded by Mr. McConnell that the following resolution be adopted by the Association.

WHEREAS this organization, the Association of Midwest Fish and Game Commissioners, congratulates the Federal government of the value of its game management, stream and lake improvement program in the various states, but that we affirm and declare that the administration and jurisdiction by the state of all wild life, except migratory waterfowl, in the state, properly rests with the state in its sovereign capacity and that we pledge to continue to lend our fullest cooperation to the Federal authorities and that in turn the Federal authorities consult concurrently with the Conservation Commissions and authorities anent intrastate programs.

The resolution was unanimously adopted.

It was moved and seconded that the next meeting be held in Wisconsin. This motion was carried.

Election of Officers:

Mr. H. W. MacKenzie, President
Mr. Oscar Johnson, Vice President
Mr. Frank O'Connell, Secretary-Treasurer

The above were separately nominated, the nominations closed and the Secretary authorized to cast the ballot. Ballot cast.

Directors elected for one year terms are as follows:

C. F. Thompson, Springfield, Ill.
Arthur Peterson, Bismarck, N. D.

Wilbur C. Buford, Jefferson City, Mo.
Mr. John R. Foley, Wabasha, Minn.
Mrs. Margo K. Frankel, Des Moines, Ia.

Assignment of papers for next session:

Minnesota - Jurisdiction of Federal Government over game and fish in Federal Forests, Parks, Etc.

South Dakota - Suggestions for uniform game and fish regulations.

Iowa - Relation of soil erosion to fish life.

Nebraska - Study of control of hunting adjacent to sanctuaries.

North Dakota - Migratory waterfowl situation.

Minnesota, Iowa and South Dakota - Is the pheasant an economic asset or liability?

Iowa - Restoration of shallow water lakes.

The meeting was adjourned with the singing of Auld Lang Syne - at approximately 2:00P.M. June 30.