Fifth Annual Conference

ASSOCIATION OF

MIDWEST FISH AND GAME COMMISSIONERS.

Paxton Hotel

Omaha, Nebraska.

June 8, 9, - 1938.

Edna E. McFarland
305-6 Paxton Block
Omaha, Nebraska
Stenographic Reporter.

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WEDNESDAY, June 8, 1938.

MORNING.

Assembly of Members.

Roll Call.

Address of Welcome by Seymour Smith, City Attorney, given by Mr. Smith as the Mayor was out of the City.

Appointment of Committees and Announcements.

Address, Burnie Maurek, Regional Director, Bureau of Biological Survey.

What we Think of the Beaver

Geo. Weaver - - - - - - - - -	Minnesota
D.W. Hulterstrum - - - - -	North Dakota
Ernest Swift - - - - - - -	Wisconsin.

Report - Waterfowl, Spring Flight and Hatch

D. W. Hulterstrum - - - - - - - -	North Dakota
E. G. Adams - - - - - - - - - - -	South Dakota
Frank D. Blair - - - - - - - - -	Minnesota
Frank B. O'Connell - - - - - - -	Nebraska

AFTERNOON.

MR. FRANK B. O'CONNELL: (Presiding)

The meeting will please come to order.

We are glad to see the faces this afternoon of some of those members who were not able to be present this morning. We are going to change the program a little bit and get the papers out of the way before we get to the discussion of water fowl regulations.

The first paper we are going to have this afternoon will be "Handicaps in Fish Propogations and How We Treat Them in Minnesota" by J. O. Nelson, Superintendent of Fish Propogation in Minnesota - Mr. Nelson, --

MR. NELSON:

Mr. President, Fellow Commissioners: I presume that old phrase, I am glad to be with you and glad to be here, has been spoken so many times by speakers it is beginning to sound like a joke. But, I want to tell you today I am glad to be here, and I want you to believe it, because I mean it. I am glad to be here for two reasons. First, because I am a new man among you, not new in this work, but I am new in this position which I have only held since November 1, 1937; Seoondly, I am always glad to meet with the Commissioners and discuss the problems and listen to discussions of the problems so important to us all.

Minnesota is a wonderful state, at least, we think so, and I do not believe anyone will question our right to this opinion of our own state. It has an area of approximately 48,000 square miles, of which about 5,000 square miles is water. It extends from south to north over 5 degrees and 54 minutes of latitude or 405 miles, and is 354 miles wide over its wides part from east to west. It occupies about the central part of the continent. We have over 10,000 beautiful lakes and

thousands of wonderful streams which furnish most wonderful fishing grounds, a haven where we may go and forget our troubles.

Our possibilities in fish propagation work are almost unlimited in our state, but I believe that any person with a practical knowledge of fish propagation will realize that to satisfy all anglers over an area of about 5,000 square miles of water, presents somewhat of a problem. In trying to keep this large area stocked we encounter some baffling difficulties and handicaps.

I do not mean to infer that we have a monopoly on the handicaps in fish propagation. It is an adversity which all fish culturists and all states have in common, although the adversities may vary with the different environments and in the various localities. It is a certainty that those handicaps will present themselves to us all insome form or other, and I am sure it is the fondest wish of all who are engaged in this work to see the time when they may be reduced to a minimum, which meetings of this kind will help to bring about as nearly as it is possible. After all, perhaps those difficulties are the spice of our profession. If all the handicaps could be eliminated, the road of the fish culturist would be a "path of roses" and too great an army of pedestrians would want to travel on it.

My time for this paper will not permit me to enumerate all of our difficulties, even if I were able to do so, but I shall try to mention a few which I believe are common to us all and by a discussion of same, something may be brought out which I hope will be beneficial to some of us, at least.

One of our chief problems in Minnesota is erosion. The damage is becoming very evident, even on our small trout streams in the central and northern part of the state, but the greatest damage is in thesoutheastern section on the Whitewater and the Root Rivers together with their tributaries. In that part of the state the drainage area is cut deeply with ravines separated by well-defined ridges, creeks, dry runs and ravines. During heavy rainfalls, great volumes of silt-laden waters will rush down the streams, not only carrying away most of the trout, but also destroying the food on which we depend for subsistence for the few fish that are left over.

Our Legislature has created a Soil Conservation Committee of which the Commissioner of Conservation is by law a member. We are very hopeful that this committee may work out a program that will eventually remedy this condition to a certain extent, but it is a big program and may take years before any

visible results can be expected. Our only alternative is to rear trout to catchable size, and in order to do this, the department had to purchase an additonal tract of land near Crystal Springs, six miles north of St. Charles, which is now the Whitewater State Park, where a number of large ponds will be constructed for trout propagation. This will greatly increase the cost of our trout propagation, and we must list it as another enormous handicap for the department, which is compelled to operate over such large areas of water on a fifty-cent local fishing license.

The opening dates of the bass season have for years been a controversial problem in our state. The opening date inthe southern zone is May 29th and June 21st in the northern zone. This we will also have to brand as one of our handicaps. Those dates are all right in a very early season, but a practical fish culturist knows that in an average season bass will not spawn until from June 10th to June 20th in Minnesota, and if the season is late, which has beenthe case inlater years, they may not be through until July 1st. This year it may be well into July in the colder lakes. Now, I need not try to picture to you gentlemen what happens to our bass when plugs, flies and live bait are cast over them while they are on the nests. Fruitless appeals to have the opening dates for the bass season changed have been made to the Legislature. This spring the Department of Conservation took the matter into its own hands. We set aside one or two of the best spawning beds in most of our lakes and posted them against fishing until July 15th. We believe this is a conservation measure which will bring results.

The establishment of a research branch in our division on January 1st of this year under the superivision of Dr. Samuel Eddy of the University of Minnesota, is a forward step in our fish propagation program. Instead of planting fish promiscuously, we will be able, in the future, to plan our planting in accordance with the surveys and recommendations of this branch.

Our major problems, at present, are largely confined to the lakes, as lakes constitute our most popular fishing waters. The outstanding problems which we expect to solve at present are as follows:

1. To find out the kind of fishes suitable for the various lakes.

2. To find out the number of fishes present in a lake.

3. To decide whether more fishes are needed, and if so, how many should be planted.

4. To decide if the lake can be improved to increase production.

5. To determine the production of fish in the lake and determine the yield or number of fish which can be removed and still keep a balance commensurate with the food supply.

In order to solve these problems, the first procedure is to make an inventory of all the factors present. At this point I wish to give due credit to the Civilian Conservation Corps of Minnesota for mapping several hundred of our northern lakes within the state forests during the past two years. By the end of this year, we hope to have completed a survey on close to five hundred lakes. These surveys include a study and analysis of the morphometry of the lake, the other physical characteristics, the chemical condition, and the biological conditions.

By surveys made to date we have been able to classify our lakes into seven different types, according to the conditions present. Each of these types is suited for certain fishes only.

We are studying fish populations from data gathered by means of nets and seines from the surveys of these lakes. In this regard I might mention the test seining crew which has been set up this year to carry on this work. The seining operations tell us the kind of fish present and give us some idea as to their relative abundance. We are gathering information on sex ratios and also on the size and rate of growth of the fish. In connection with the study of the rate of growth, the University of Minnesota has already completed a study of the growth rate of over 25,000 fish from 300 lakes scattered over the state. The information from this shows us that fishes grow much faster in some lakes than inothers. This is not always an indication of the productivity of the lake, but seems related to the abundance of the population, as in some lakes where productivity was very high and the fish population was very large, we found the lowest rates of growth. Age and growth studies have been carriedout through a study of the scales.

The yellow perch is becoming quite a problem in a few of our good lakes. They are, perhaps, one of the worst predators we have in our lakes when they become too numerous. We are trying to combat this menace by restocking those lakes heavily with northern pike, and we hope that this will eventually reduce them to a proper balance. We will also introduce a bill in the next legislature, asking permission to seine out perch and to do with them as we deem expedient.

In speaking of handicaps I must not overlook one which has proved very disastrous - the low water level of the past six or seven years. A great number of fishes were killed by suffocation and thousands of spawning beds were destroyed for bass, northern pike and muskellunge. This problem, however, is being solved gradually on many of our lakes through our Division of Drainage and Waters. A number of fine dams have been constructed, and many more are under construction, which will restore the spawning areas on those lakes.

This year we have taken steps to restock some of our lakes with muskies. A small experimental hatchery was constructed last winter on Belle Taine Lake, near Nevis, and, although the season was cold and unfavorable, the result was very satisfactory.

These are a few of our handicaps in Minnesota. Many more could be mentioned, but times does not permit me to do so. As I stated before, handicaps are common to us all. Perhaps some of those which I can not take time to mention will be brought out in some other paper.

Thank you.

MR. O'CONNELL:

Is there any discussion? Is Mr. Martin from Illinois in the room? At this time we will hear a paper by Mr. Martin on "Illinois' Cooperative Bird Production Plan." Mr. Martin -

MR. MARTIN:

For the past three years we have been working on a program in the State of Illinois to bring closer together the farmer sportsman and the State Department of Conservation.

Up to the present time we have not given out much publicity except through our own sportsman channels. This is really the first opportunity we have had to bring out some points we believe valuable in dealing with the sportsman groups and the individual groups. I welcome this opportunity to mention some of the particularly good points and some of the weaker points in attacking the farmer sportsman, and of course that is well know that they are valuable to any State Conservation Department.

In order to give you a picture of what we are up against in Illinois and what is in our favor, I would like to present a picture as to what we have in Illinois, the habitat, environment, natural conditions and what is done to reproduce what is lost.

The State of Illinois extends 400 miles South of the Wisconsin border, in such a manner in Southern Illinois we have fields and swamps. The South then has almost eliminated the quail population because of the change of habitat. Many areas have some bob-white, and some areas have been established good for ring-neck pheasants, and a lot of work is devoted to building up of the pheasant crop in that section of the state. We termed it almost impossible to restore their habitat in the next two years to supply the native crop that once existed in this territory.

As we go from Carwell to the Southermost city in the state we approach hills and we do not have a population of upland game; because of the lack of agriculture they are not there.

Further north we have the huge Illinois prairies, almost to the Wisconsin line in some spots. On this prairies we have the best quail and in this the black soil. Because of the black soil farming they no longer have sufficient habitat.

Farther into the north, back into the hill type of country, which was created there by glaciers, in this part we are talking of replacing the native game with ring-neck pheasants. In the east and northeast part of the state it is unglaciated and we also have a fair coverage in the northeast, the unglaciated section. We have as yet been unable to establish pheasants in any ways near the number established in the northeast quarter which is the only glaciated section. Of course, the Illinois Valley probably affords us remains of the greatest tract of land and body of water in the state of Illinois, endowed with a number of the finest water fowl, and shooting areas.

We also recognize Illinois as one of the finest fish producing bodies of water we have. There is no doubt the finest in the country. Polution almost ruined this 10 or 12 years ago. The Water Board was able to get enouth teeth in the legislation to clean out some of it. There was about a 90 per cent clean up on this body of water.

The original south tract was occupied at one time by turkeys. They have disappeared, but that one particular area is occupied by negroes. We have stories coming from the swamps that we have some left.

The forest fires seem to have reduced all vegatation so

they are almost lost for food supply. It seems most of them perished. Most of the old timers can recall still the turkey population. The prairie chicken has been driven out. We have colonies all over Illinois, and two or three concentration spots. Those show how nature steps in ahead and man in behind.

Then the oil boom stepped in and they drilled oil wells all over our prairie chicken corner. We had a fine refuge program in mind a few years ago, but it has gone into the vest pocket because of the oil leases.

The greatest amount of work can be done in Illinois to tackle the problem of the public appreciation and farmer sportsman crop in the northern part of the state. Chicago is our large metropolitan district and is the obligation of our section of our state. Wisconsin gets the fisherman and we get the rabbit hunter and the pheasant hunters.

This section has considerable waste land because of large estates. Our great grain farms are in so much of the areas lying further down State, and it was on this we had the largest crop of ring-neck pheasants. Several years ago saw the job of building a ring-neck pheasant crop in this section to off-set the loss in this native species.

Not much of our program was made up until about 5 years ago. * * * * In recent years , I would say about the last 5 years, there has been a relative uptake in the ring-neck pheasant from the standpoint of building up as a suitable species and worth while.

The first introduction of pheasants was looked at with a favorable attitude, but gradually the farmer was prejudiced against driving out the quail and prairie chickens. They ate his gardens. * We do now have an appreciation for the ring-neck pheasant and think it a valuable asset to the northern section of the state.

I do not think it will be many years before the agricultural conditions afford enough coverage for the native bob-white. In 1935 our last director, C. F. Thompson, sho died last August, began a program to bring about an organization of farmers and sportsman. I think we have only the Federation of Sportsman

group organized by the Department of Conservation. We do not have any people organized under this department. It is all carried on under one group organizer. You have to start with one somewhere. We had 7 members at the first meeting in spring of 1935, by the spring of 1937 had organized about 175 chapters, throughout the state and at that time thought it more advisable to begin our cooperative bird program. We have several fish programs along with the groups. The bird program is the one I am most closely acquainted with. It was organized by chapters. It organized in district organizations. We have 21 in the state and each group of sportsmen club in the district select a district representative, who attends a meeting four times a year. At this meeting they discuss the prospects in the district. They may present projects worked out between their staff and directors. These various county groups formed in the state organization primarily are interested in the representative side of it. It is also an educational program. They are organized to forward legislative matter and carry on the back state side of the educational program. The program is carried on to contact the youth in the state.

The game program is divided into four specific types of work. Game refuge on which we are working is the most extensive at the present time. We are in on the wrong set-up by the legislature - one the two-year - one biennium - can be renewed at the end of the biennial period. It is a handicap in some ways. It is impossible to get around it.

We take on game refuge only so far as the management is concerned. We control the hunting. We have the cooperation of the land owner insofar as food and coverage. * * * You might say most of the projects are sponsored by the sportsmen organization, then they work through the private owner itself. Most of them after improved will be kept going by the farmer himself. After going they will not be closed areas unless he is prejudiced in some way against sportsmen coming up on his land.

Reforestation is carried on through the forestry division. We set up an area, if intend to have extensive forestry projects. It is namely for game to have. It is more the idea of granting extensive timber upon this man's property. The actual labor belongs to the youth. The NYA worked out good in most cases. We were able to hame them furnished with supervisory and if they had a man to stay on the project and keep them under his control we were able to accomplish good work. The 4-H Club boys did good work. The Boy Scouts spent considerable time and effort under the guidance of their supervisor.

The planting is the most widely spread program. At all times we find individuals buying in game propogation and those that don't buy in restock. We think it is necessary and for that reason we have expended our program for pheasants and the glaciated country and some of the program on bob-whites and quail until we have at the present time 78 or 79 pheasant co-operatives in the State. We plan on having 40 counties cooperating on bob-white. We are trying to accomplish this by having something alive, something that moves and something that has life which can be placed on these areas. When we first started we started with another cooperation program with the clubs and not game management. It sounded good. We planted over 500 areas in which the club did not stock. When you come to the farmer condition you have something. You will say when you put it in you will have something. Sure you will have, but it don't work out that way. They would like to have these stocked. * * * * If they would support the labor. Last year we should furnish two week old pheasants and these units in addition would have a man in the field to supervise so that it would be carried on in uniform. * * * * most of the surplus cocks went out on season shooting areas. That pleased them. It was not any forward step in conservation. But give them some age to shoot and they would get some shooting the first year. In lots of places they didn't stay where they were placed. We showed them how hard it was if they didn't have the environment. We thought the first year would get 15 of the cooperative units. The first thing we knew we had 52 brooders in 31 counties. We had to put a stop to it. We charged 20,000 pheasants to 52 cooperatives. We placed them on the area picked in advance. We released 17,000 birds. That was a release of 85% of all the birds shipped out. * * * We intend to trap refugees of live birds on the areas. * * Mathematically I think we can get a fair estimate. It is enough to show the work is worth while. * * This year our program is expanded. We have at this time 80 organizations. - 80 counties. It is all handled through the county organization. We do not deal with the individual. It would be impossible if we had to break down the county clubs. This year we furnished one-half the feed. We have improved the program so we will release the birds earlier than in the past. Last year we released them in the middle of September. This year we want to release them the first week or earlier.

Last year we had 6 or 8 week quail to be shipped and held over until the following spring to be release in pairs. This worked out as well as could be expected. Some raised 95 per cent. We had some that thought as long as the state didn't know we had chickens out and in that lot would be a good place for quail. They lost a large proportion of the birds. Last year was the first experience of such a program and we released 71 and 72 per cent. I think we can release 80 per cent this year.

* * We have a large organization growing steadily, with over 100,000 members. We have some county organizations doing far more conservation work than the county itself. On the co-operative the organization takes the credit. That is right too. The biggest thing we have had to contend with is to keep a program and keep it standardized by counties rather than the state. One time we thought a state wide program would work out on pheasants and quail. I don't think there is any state that could have a program like that.

For instance the Chicago area have a continual demand for restocking of pheasants, male birds. They want you to raise the birds and take them out to shoot. You can't blame them. There are so many shooters. I don't think you can produce enough birds to satisfy the shooters in that state. We tried to work cooperatively in getting the program worked half between the department and sportsman, At the time it was presented. We used to have projects presented from this county organization and different ones. Can you give us this or can't you? We have been able now to get to the county organization and work with them and get the projects worked up before submitting them to the membership. We worked with the Board of Directors, and each have something in mind. * * If it is an upland refuge or an area they think should be restocked we try to get it signed by the county officers before we make any plan and the department so far has worked out and had an active year. It has worked out satisfactorily - we haven't had much trouble continually being at odds with the county organization over what they think should be done. We try to keep the work away from the field force as far as possible. A lot of work must be supervised by county men and district men or by trained men working out in the field who have a thorough understanding of the practical as well as the technical side.

On these counties last year average cost of the bird raised from two to ten weeks of age, - was 20¢, cost on the equipment set up and the feed purchased and the labor put on the project. In most cases that was very small because of the location of brooders. In most places they were located in county homes. One we had at the U.S. Headquarters at Savannah. The army furnished the men to take care of it. This cost something of .30 a bird. This appeals to the sportsmen from the shooting point. They don't think the managementdaries are necessary. It didn't cost the state department over that much to produce 2 weeks old pheasants.

In our quail program we haven't been able to assemble any figures. We put out 100 birds to a county. This year we are doubling it. They, of course, have the records. We don't have them assembled. We feel a 6 week old quail should be produced on a modern game farm for .75. It is higher comparably.

* * a 150,000 or 200,000 are turned loose each year.

Q- In the development of these refuge areas, is that under the direction of the Department on the privately owned farm?

A- The Farmers-Sportsman cooperative.

Q- That is handled through the farmer, who don't spend any money for that work?

A- We have in the Western part of the state a lot of good quail land. Some under our refuge lease program. That is set up by the legislature. * * We are hoping the next session of the legislature we will get a sizable sum for material. They won't furnish any labor. Our supervisors are setting up a lot of relief county projects. We don't guarantee any labor. We keep maps of each area and improvements in our file so we have a complete record. The thing we are trying to eliminate is getting tangled up with a huge game management program with nothing to operate it on. I don't see how some can operate and furnish all the money some call for. In Pennsylvania they have a program for carrying on public shooting grounds and guarantee protection by keeping a man on the area. I don't see how it is possible for any state department over a period of years, if they are going to get a program worked out to the advantage of the farmer. I don't see how any state could work it out. We are trying to stay in the background and let the farmer and sportsman take ahold of it.

Q- What does the farmer get out of this plan, if anything?

A- It is getting back to the farmer cooperative method of getting the two together. We rely on the old mode that it is the farmer's own property and if the sportsman can't get along it is up to him. So far we have had little trouble. Some counties have done remarkable work. As a whole the program has worked out pretty good. We lay it to the fact it don't have a lot of strings tied to it - that is an attribute.

Q- Do you have a two years agreement with the farmer?

A- No. We have nothing except by agreement with the property owner we can spend money on the planting areas.

Q- Do you have one field man to each or how many technical men are required to do this work?

A- We use two men in the state. Of course, we will have to take on more men as it develops.

Q- Does it work as Pennsylvania works?

A- I don't know how many farms are necessary to throw a game program. We thought it would be too expensive. Possibly it would work in the area around Chicago, between the banks and the insurance companies it is hard to get a lease on anything on the property near Chicago. During the depression it all changed hands. Around the state we have been able to get the cooperative agreements worked out good.

Q- (Mr. McKim) What do you pay the farmer?

A- Nothing. We don't ask for prospects, they are submitted and brought through the sportsmen.

Q- (Mr. McKim) How can the sportsmen do it?

A- It is remarkable how it works. * They have been very thankful to have our cooperation to bring back some wild life.* The department has tried to stay in the background to get the areas going. It may not work out that way in a few years. I think the cooperative program has been the best thing. If there are 200 birds in the brodder about 2 weeks old, we don't have any trouble getting cooperation from the farmer. Sometimes we have some cooperatives that refuse to put in the birds on the areas. If the project is set up properly in the first place it will do 80 per cent of the work in that project and we feel that is as good as can be expected when we are dealing with 78 or 80 different organizations.

The county organizations are very generally conservation work. That is the main thing. To do public conservation work. We ran into some small trouble in Southern Illinois, they have the idea that unless they have a membership club you can't hunt on the areas. They are not trying to stop outside hunting, but trying to work it out with the permission of the farmers. White County has an organization in every township. They were so thoroughly against Chicago hunters there, that if they saw a car parked on the road standing they would go back and find out if they had permission in their county.

Q- What is the state law concerning trespass?

A- It is written in the Game Codes at the present time.

<u>Gentleman from Chicago area</u>:

I don't know what we would do if we didn't have the pheasant in the Chicago area. We have a few qual and rabbit. The pheasant is gradually becoming the propular bird. Up in the Wisconsin shooting reserves a lot of Chicago men have shot on the commercial reserves and we want to get started in Illinois. We

set up a bill in the Legislature but it was thrown out. They are demanding the pheasant in our country as a suitable species. We have some of our heaviest pheasant population in the suburbs.

Q- Have the pheasants ever become numerous enough that you have had complaints of them destroying crops?

A- We have had a few this year, but have had complaints only from estates. We have never had any complaints as proven definite from an individual farmer. The population is only over abundant on the state land. We have in mind considerable trapping as a part of our refuge work. Some it is agreed can be closed as wild areas. We intend to trap a lot of stock and remove to farms.

Q- Did I understand you to say you had the support of other groups and organizations?

A- None, except the Isaac Walton League, a few chapters. * if you want to go into the county, a few of them will take it over.

Q- They only work with the county organizations?

A- Yes.

Q- They are representing the county organization?

A- Yes. and in our State Federation they also have the support, not officially, but the complete support of the groups and the women's clubs. We have another body in which our Illinois Federation is a part, that includes all the organizations in the state. The Affiliated Conservation Organization in the State, which includes all the organizations interested inconservation work. Everyone, except one.

Q- Are any of the county organizations affiliated with the Wild Life organization?

A- Our state organization, as the county is affiliated and each chapter is affiliated with each other. The county is the intermediate group we deal with. The chapters are the means of organization to get out into the counties.

Q- Have the prople used any legislative argument?

A- As far as the state organization is concerned we haven't had time to get in the political side yet. We stay out of everything except conservation subjects * * so far there has been no trouble.

MR. O'CONNELL:

The next pap^r for discussion is "The Deer Problem". Looking at thes ̀ ̀ ̀ ̀ speakers you might think it is the two-legged de ̀ ̀ ̀ ̀ it is the four-legged. The first speaker is Ernes ̀ ̀ ̀ ̀ Wisconsin.

MR. SWI

roblem is properly the most
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sconsin deer is part of the
ical records show that Sou-
nsin had more deer origi-
e regions of north Wis-
of nut bearing trees
they seemed to thrive
ivorous forrests of the
in years past into the north
and south, but due to deep
wolves and lack of feed they would
sections of the country where they

f the settler and white man into this pic-
anges. The southwestern part was developed
tural region. In the early day there was no
on the killing of deer and their habitat was
y from them. At the same time they began looking
slosh furnished ideal feed, and the country that
up as timber was taken off and roads developed, so the
oitat of the Wisconsin deer began to change, the conditions
changed and there was a definite slow increase of deer.

In 1915, approximately 25 years ago, it was felt that Wisconsin should have a buck law due to the fact that deer were killed in great numbers under the law of 20 days at that time. Originally they could kill two deer of any size. This law made considerable objection and controversy, but nevertheless it held with a few exceptions until 1927. That is there were some years in there, three at least, that anything would be killed, but in the majority of those years a buck law prevailed. In 1927 the Legislature passed a law making the deer season alternate years and this prevailed for some time. Now, in 1932 our deer kill of Wisconsin was 36,000 deer, in 1934 slightly in excess of 35,000 and in 1936 between 29,000 and 30,000. That was the forked horn law that year.

In 1937 the Legislature gave power to open our closed season. They established a season therefore in 1934, letting 1933 go by and again in 1936. However, it was felt in 1937 by the sportsmen that Wisconsin should have a season, due to the prevalence of deer,and we have to take into consideration irrespective of the general public, the sportsman, the deer hunter himself. 25 years ago a majority or a great share were opposed to the buck law. Over a period of years they have changed their sentiment and so today the average deer hunter is in favor of it. In Wisconson we have the forked hown law. No deer can be killed unless it has a fork on at least one horn. These sportsman are not always in unisnn themselves. A majority are in favor of what we have spoken of.

There are the nature lovers, the garden clubs, who do not want to see anything killed. They do not take into consideration whether there is sufficient movement or the crop is heavy, or what the feeding conditions are. They are strictly opposed to killing under any circumstances.

We also have the resort owners position, - a great many of them. I don't mean all of them. In the principal resort counties they do not wish to see the deer season, because deer is an asset to the summer resort season. He doesn't feel the deer hunter pays sufficient revenue to him personally through a short period of time, but the summer vacationist derives a great deal of pleasure from live deer, and the commercial value of the deer to him is more alive than having him hunted. Neither do this group take into consideration the game laws or the crop. Recreation in Wisconsin is the second largest industry. Nevertheless, the resort owner through profitable conditions, doesn't contribute any except 2/10th of the tax for forestry. He is realizing on resources which he does not contribute to keep up. The deer hunter or the man paying the license is the fellow that has protected us. If it were not for the hunterand his license money in a lot of the states there wouldn't be anything alive today in the way of wild life.

The sportsman, in general, we can say is selfish, but are conservative enough to preserve so they can kill. It is these three groups we must deal with.

The resort owner is the active group that is condemning the deer season, and all their reason is to commercialize. They enlist the nature lovers, so those two groups to a great extent are combined forces.

For the last 70 years or so Wisconsin has been cutting timber, and while the timber was being cut furnished a supply

of food for the deer. They will eat clean white pine tops, they like cedar, birch buds or maple. So when they are being cut the deer congregated there. The more timber cut the more summer feed that came up afterwards, and the more cut the more winter feed made possible. But eventually Wisconsin, like other states, reached the end of the rope when it came to cutting timber. In some cases there has been a shortage of winter feed, not summer feed, but winter. It is hard to make people believe, especially summer visitors when they see old logging roads full of clover.

In discussing this question by people opposed to the deer season, they always say we maintain the deer are starving to death. We don't, but there are certain areas where there is a definite overpopulation for the amount of feed available. These areas haven't gotten real bad, but are gradually spreading out. A great many people advocate artificial feed. To me that is an aggravation of a situation if you are going to carry on in a large manner. It isn't like feeding birds. It takes a lot of hard labor to get feed in to where the deer is. You have to take the feed to where the deer is concentrated. Last year on the Flag there were 300 to 500 deer and considerable feeding was carried on there. We don't want to reach back to where it tips over. We can counteract this by having a season to take off the population and keep it more normal and in conformity with the amount of feed we have, until winter feed can come back. In many parts they are still logging to some extent, but the big logging jobs of years ago are all over with.

Another problem we have had is fire lanes. Fire lanes are a necessity for legitimate forest protection. Our department feels they should be closed to public travel. There are some portions where the enforcement increased due to the unrestricting of fire lanes. I don't mean to criticize. The Federal Forrest Service have a great many public lanes open to public travel.

Some of the greatest difficulties we have today are with the headlights, due to the fact they take an automobile with a headlight and rifle and you can't stop them.

The Commissioner several years ago passed a regulation whereby the fire lanes by the state built, first an easement is granted, like two individuals; they allow the state to build the fires lane. In this easement they are giving the control of the lane to the state. They are gated and locked and by permission or permit open to any legitimate individual, this individual who will come and state his business, and if it is not inconsistent with fire hazards. When it comes to

the matter of hunting, you can't get in, unless you walk in. You will have to walk in. I believe last year we had some 30 counties open to hunting of deer with rifles. They hunted deer with rifles within 30 miles of Madison for the first time. The Central part of Wisconsin was open for the first time in 20 years. The deer population had increased so greatly, but the people had lost interest, and because they wouldn't hunt that bootlegger of venison really found a place for his work. When the season is open the average citizen became interested in his heart in seeing the violations stopped. There are two or three counites north of Madison which have a bow and arrow season. We haven't had to consider these sportsmen with theother type, these who have some hobby to carry out. So far they haven't done much damage to the deer, but go up there and have a good time. Are there any questions?

Q- Are there a good many complaints of crop damage due to deer?

A- Wisconson has an allotment setting aside certain monies. In fact there is $12,000 every year for crop damage. This allotment operates in this manner: That the damage does not specifically say crop damage, but can only be paid to damage done on a man's property. The warden goes in and looks the damage over and tries to deal with the landowner. If they can come to a settlement the check is made out and the man paid. If not it is taken before the Circuit Court Judge and his decisions is what the damage will be. So far we have kept within bounds of that, but I will admit the boys have to be pretty severe sometimes to see they don't get out of hands and it is not a habit in asking for deer damage. We had instances in the old days where the Town Board handled them and they would get damage in excess. We do pay deer damage and that comes out of the deer license or deer tag money.

Q- Are there any instructions about the kind of guns they use?

A- No.

Q- Can they use shot guns and 22-rifles?

A- The instructions are for out of season, not in season.

Q- Does Wisconsin allow deer driving?

A- Yes.

Q- Do they permit the use of dogs?

A- No, dogs can't be in camp 5 days before season, and so many days afterwards.

Q- I noticed recently your department advocated the use of electric fence controlling deer?

A- They have been experimenting with several types of electric fence. There have been instances where we were very successful in the use of the electric fence. However, someone told me that he feared the deer were becoming educated and were jumpting it.

Q- That was the thought that occurred to me. You said you expected those you license to carry a tag to be attached to the deer?

A- Those that hunt under a general hunting license. In addition they buy a tag for $1.00, which is a box type tag and they must attach to the deer as soon as it is killed.

Q- Do you require a report from the hunter as to whether he made a kill or not?

A- We require a report ffom all hunters when they are issued a license. He is given a card and it is mandatory he put his kill on it. We are computing those kills right now and should have the kill for 1937, that is for each species of animal that is killed.

Q- Does that give information as to what part of the state the deer was killed in?

A- He puts his county down, he puts his name down and the county heis from, but he don't always tell each particular county he has hunted in.

Mr. McKenzie:

It specifies particularly the county where he has claimed the deer, the weight of the deer, and I think how many prongs the deer has.

Mr. SWIFT:

When you come into the county clerk's office you have to swear to an affidavit and file the report.

Q- Does Michigan and Minnesota have the same trouble you have?

Mr. WEAVER:

I think about the same.

Q- You might tell them about the Michigan trouble, I think it would be interesting to this group.

Mr. WEAVER:

Our season is opened by legislative act and they have a different situation in Southern Michigan than they do in Northern Michigan and they maintain in Northern Michigan they have had considerable loss from starvation. On the other hand they have a 15-day annual season open shoot in the Southern Peninsula of Michigan where they feel they have an overpopulation. In other words in Pennsylvania, according to what you read, they tried to open a season becauseof over-population and the sportsman wouldn't allow it.

Q- What about daylight shooting?

A- One-half hour before sunrise and sunset.

Q- You might explain why you want to kill the buck?

A- The deer are hard to keep in the winter, depending on size. A big deer takes more nourishment and feed and reaches higher. You can see in some of the swamps where they will stand up in the cedars with their front feet, so if there is any malnutrition you will see the results in the small deer. If there is any shortage of feed at all it is nearly impossible for the smaller deer to come through.

Q- How long has the buck law been in operation?

A- The law was first enacted in 1915. From then up until 1927 it operated with about three years exception. From 1927 it has been in operation, but the season is alternate years, instead of every year from 1915 to 1927. The commission changed a season in 1936 and 1937.

Q- How many more accidents such as killing of hunters do you have in the doe season than when only bucks are hunted?

Mr. Scott:

In one year there were as many as 25 killed in the doe season. In 1936 there were some gun accidents, but it couldn't be attributed to a person being mistaken for a deer. In 1937 there were one or two. Most of our accidents are in quail, duck and rabbit hunting, in spite of the publicity deer hunting gets from the standpoint of killing human beings. Especially with the forked horn law they are awfully careful and we feel it has definitely reduced the chance of taking human lives.

Q- The local people in Wisconsin, are they limited to certain hunting in the year in the season?

A- No, they are limited to one forked horn buck. We have a non-resident, it is a $50.00 license. I am also speaking of the resident of Wisconsin. It doesn't make any difference where he comes from, that is the bag limit for the hunter, resident or non-resident.

Mr. Swift:

Our general hunting license includes deer, but there is a place on the license where the tag number is written in so if the warden runs into the man and asks for his license the deer tag number must be written into the license and he must have the tag with him.

Q- Suppose he said he was not hunting deer but something else?

A- You run into those things, but it is too bad for him. There isn't a law passed someone doesn't try to get around.

Mr. WEAVER:

The average deer hunter doesn't appreciate what the time of the year means in the way of hunting season. You can open your deer season on the 20th of November and if it has been warm you will have a big kill. On the other hand if it has been cool weather which has come on previous to that time, you will have a considerable lighter kill in all probability and the hunter will attribute that to the scarcity of deer, but it isn't always true. There is a difference in whether they are running. The Department has been trying to interest the sportsman in an early season in October before they begin to rut and at the time of the year when the foliage is more or less on the trees and the deer have a better chance. It is one of those things where custom is so ingrained in the average man it is hard to make any headway with the average deer hunter in getting him to change his deer hunting habits from the time of the year he has always been accustomed to. But nevertheless as this has been advanced more and more of the hunters are beginning to think on this subject and I am sure eventually it is going to be tried out.

Mr. McKenzie:

In our state the last 5 days, maybe the last 7 days, of October and maybe three or four days into November, our does

go into the deepest hiding to get away from the buck. They will crawl under brush piles and the result is it is almost impossible to drive the doe out. After the season is opened then is when the does are in the deepest hiding and the bucks are trying to get them out. You wouldn't be able to get so many deer. There would be a better protection from the foliage and you couldn't get at the deer. Also if an early season you couldn't hang them up, * in other words if an early season you would have to go home to take care of the deer.

Mr. JOHNSON: (So. Dakota)

I think the subject has been so thoroughly discussed and covered that I couldn't possibly add a thing. How about the thinning being done in jack pine by the C.C. forest set-up, or is that being resorted to?

A- They started it and we discouraged it. They took the food right out of the deer's mouths. I would like to know something about the deer situation in the Black Hills?

Mr. JOHNSON:

I did make some notes, but if I said anything it would have to be only on the South Dakota problem. We have got problems in the management of our deer herd. We have more of a problem than you have in Minnesota, Wisconsin and Michigan, because our range is decidedly limited, our deer range is limited to an area of 50 by 100 miles. For that reason we don't speak of deer in the thousands when we talk about a season's kill. The kill was the highest last year. They took around 800 deer. That number was taken by approximately 2600 and some paid licenses. We are a little bit concerned about that large kill. We feel it was due to two or three factions. The lack of snow - and the work being done in the Black Hills in the National Forrest Area by the CCC Camps. They are building fire trails into every portion * * * as a result of that they are getting into remote places that were deer havens prior to the CCC development. Another factor I think is contributing is the thinning of jack pine. The jack pine thickets were natural refuges. There are many places where had thickets of four or five hundred acres and if the deer went in there they might as well forget they were in the United States let alone the Black Hills. No one could get to him.Because of the thinning of these jack pine and these roads the old time hunters go after them, to match their wits against that of the deer, and in these large drives of 10 or 15 men in a group they will go through and beat the brush and then have the good shots perched up where they have the perfect view.

There is a very insistent demand on the part of the old time deer hunters that legislation during the coming session ban that type of hunting. I don't know how they are going to do it. It should be discouraged. But whether they can do it, I don't know. I know it is unpopular and the commission is being panned for permitting it. As to the one-buck law and the authority of your commission. I was glad to hear that explanation. Of course we hear every year there is a decided shortage of bucks, but so far as the production of deer is concerned, there is no indication. To my knowledge no one has seen any evidence of late fawns in our season, which is the evidence.

You know in an area 100 miles wide if we opened the season one single year we could treble the number of deer hunters because the chances are better. I am convinced that with the accessibility now, if we would open in one year we would so reduce the breeding stock we would have to close for several.

The law now fixes the season November 1st to 20th. I feel the commission should have the authority to fix the dates so they will agree. Scientists will agree they should be based on the dark of the October moon, etc. I know in an area as limited as that it is possible to over-shoot bucks. We can't go on indefinitely taking the male and obtain the proper breeding ratio. Eventually it will have to be regulated and it is the Commissioners job to regulate it. It is possible it should be necessary to reduce the doe population. We could release a certain amount of permits. In 1928 they had to stop the season in the midst in Pennsylvania for fear they were going to kill all the doe in Pennsylvania. Some feel that a 20-day season is too long. We don't feel that way. However, the Black Hills is a safe country to hunt in because there are no flat places. What is the maximum distance at which one will shoot a deer? I think the average distance is 150 yards. We don't have long shots that would jeopardize human lives like they would find in Michigan. As far as the black hills is concerned it is safe to hunt and the buck law adds to the safety. Our law doesn't permit the hunting of the deer with bow and arrow. We have a few nuts in South Dakot who think they should be William Tell's and shoot deer with bow and arrow. But our law doesn't permit it. I am anxious to learn how it works out.

Mr. SWIFT:

Last year they didn't have any.

Mr. JOHNSON:

Is your bow and arrow becoming increasingly popular?

Mr. SWIFT:

We have those two counties and there the deer are very

plentiful. But the trouble is when the time comes to shoot the hunter gets so highly excitable he can't hit the deer. I attended the archery meeting. I listened and was highly amused at some of the incidents. They can hunt anywhere during the open season.

Mr. JOHNSON:

He is afraid if they legalizethat thing it will become so frequent it will open the season for poachers.

Mr. SWIFT:

We have a 20-day season in Wisconsin and there is no trouble.

Mr. JOHNSON:

Thereis the noiseless weapon for the poacher to get in. If they are using a rifle the report of the rifle can be heard for some distance.

Mr. McKENZIE:

They kill more deer with silencers than they ever have with the bow and arrow and you can't hear them.

Mr. JOHNSON:

It is just a question if we will eventually have to amend our law so the bow and arrow is permissible.

Mr. McKENZIE:

This year we are going to raise 2000 or 3000 wild turkeys and turn them loose on them with the bow and arrow.

Mr. JOHNSON:

We have no feeding problem in the Hills. It has never been necessary to resort to winter feeding. There is no indication, even in Custer State Park of underfeeding. We have to aid the shephards every winter, but so far the deer can take care of themselves. There are many phases in Wisconsin I like. We issue a big game license. We can't have that to be attached to the animal when killed. This tag to be attached to the deer, that seems to be a pretty fine feature that could be copies in South Dakota without any change of game laws.

Mr. ADAMS:

The remarks Mr. Johnson made about the driving of deer;- are there any states represented where they permit the hunting of upland deer in large parties?

Gentleman from WYOMING:

In Wyoming we have a law of that kind.

MR. SWIFT:

Last year one or two states tried out that idea, limiting it to 5 in a party at the time.

MR. SWIFT:

I would like to see this meeting go on record as opposing the unrestricted use of fire lanes in the National Forests. I will make it as a motion.

MR. BLAIR: (Minnesota)

I second the motion.

MR. SWIFT:

I don't know how far it would go, but it is creating an awful problem.

MR. O'CONNELL:

You have heard the motion. Is there any further discussion.

MR. WALTERS:

In support of Mr. Swift's situation, I will say there are in South Dakota more deer taken out of season illegally because of those roads. We have a lot of men coming in for wood posts and lumber and they go back in the timber and there is no way of checking the numbers. We have information a good many deer go out that way.

MR. JOHNSON:

As chairman of the Resolution Committee I will suggest that the resolution committee bring in a resolution on this.

MR. O'CONNELL:

If agreeable we will leave it to the resolution committee to bring in a resolution on the subject.

We have about a half an hour in which we can resort to the discussion of the regulatory water fowl. I think the best thing would be to call on the states for their different ideas.

I will first call on the State of North Dakota. Each state will be called upon for regulations. I don't suppose anything we do here would be binding on any of the states game commissions, it would be more or less of advice to the several state game commissions as to how we find the several states feel as a group.

MR. HULTERSTRUM: (No. Dakota)

The sportsman in our state, in the north part of the state this last season had no shooting practically, whatever. In order to get the local shooting, and also get a chance at the north they must have more than 30 days. The shooting hours I think should be changed. The birds don't come out to feed until after 4:00 o'clock and in our states their game refuges don't leave any shooting grounds for them. It doesn't advocate sundown shooting and doesn't give an opportunity to check on the bag, which is still necessary. But I think there is going to be a very big protest if the season isn't lengthened somewhat in the shooting.

Q- What dates do you suggest for North Dakota?

MR. HULTERSTRUM:

October 1st to November 15th would hit it as close as you could.

MR. O'CONNELL:

May we hear from South Dakota?

MR. JOHNSON:

Chairman Walters was supposed to present our views, but he is over to the eye specialist and so asked me to present them. We are going to agree with North Dakota that the season should be lengthened. However, if the concession is granted we are going to reduce the daily bag limit to offset it. Our recommendations are based on a host of actions and reports coming in from organized sportsman and individuals and the recommendations coming in from all sources have no opportunity to compare notes, and are surprisingly consistent. Quite a few want a chance to shoot in the morning and evening. Are there any arguments in favor of that? The 7:00 o'clock regulation and the variation in the sunrise time over a 30-day period is approximately 22 minutes. During that period at the end of the 30-day period it will be 22 minutes later than at the start. * * * The setting of time by the clock is not so simple as if it were set by sunrise. For years and years it was one hour before sunrise and satisfactory. Some may jump the rule, but they will do that even before 7:00 o'clock. Law violators are becoming more reluctant to pay attention to a few minutes and the enforcement officers more reluctant to bring violations for 10 or 15 minutes.

The courts are anxious to support the law, but they think a law enforcement officer is getting technical when he gets in and counts two or three minutes. This weakens our standing with the courts. We are going to hang for a half an hour before sunrise. I haven't much quarrel, but who wants to get out before daylight. If he goes out before daylight he drives the ducks away. Another argument on 30 minutes before sunrise, if you started shooting at 3:00 o'clock it was our experience the ducks were in need of protection. The low population of ducks were taken, while the mallard and the pintail was out in the cornfield safely. The other ducks are not as plentiful as the mallard and the pintail. We are taking the ducks that should be preserved the others are in the cornfield safe. We think the dates, whatever there are, should be over a 6-weeks period. We don't want any staggered season. We don't say you should be allowed to take convasback, red head, ruddy and buffalo head unrestricted, but two or three of these species included in the legal bag limit. * * Maybe there are duck hunters that can tell them on the wing. I confess I am too dumb to swallow it. I have seen fellows refuse to pick up a drake pintail. We found on our marsh ducks that were left because they couldn't identify them and were afraid to take them with them. I say that with a reasonable modification it would tend to conserve ducks rather than to waste them. Perhaps most of you received a communication from your representative of ducks unlimited. It was sent to all members from the South Dakota department.

This is approximately the gist of the stuff they are arguing for this year. A substantial season over a 6-day period. We don't believe in any closed dates or days or any variety of game. You are increasing the slaughter when you allow the ducks to quiet down. If you are going to have a 6 days make it continuous; they will take less ducks. We are asking for a possession limit double the daily bag limit. Legalized feeding under permits. Asking for a restatement of the live decoy and want all day shooting and longer hours. I thought perhaps a representative would be present at this meeting. You hear their recommendations. Perhaps everyone received the same letter. South Dakota is not throwing in with that. We don't believe in segregation or don't believe in double the bag limit. We believe in decreasing the bag limit. I don't believe I have any more to add.

MR. O'CONNELL:

Next we will hear from the state of Minnesota.

Gentleman from MINNESOTA:

Minnesota is exactly of the same feeling as South Dakota.

In fact our recommendations are for a season starting a half an hour before sunrise and closing at noon. A season starting October 1st and closing November 15th. We are also in favor of taking one or two of the so-called protected species. And if the hunter hasn't his limit of ducks and happens to shoot a canvas back or redhead, hemay throw it away and continue killing. We are also in favor of the smaller bag if we can get that season.

MR. O'CONNELL:

We will hear from Wisconsin next.

MR. McKENZIE:

As far as the season is concerned we are in favor of October 1st to November 15th. I also believe that a regulation such as you suggested about the redhead and canvasback would be helpfull. We have the same thing you have, a greatmany of these are left. As far as bating, our state as a whole is opposed to bating. I don't believe 5% of them believe we should bait for ducks. It is a little different concerning geese, because we have large numbers of geese in some of the larger lake areas and very few of them are killed and the reason is the geese pass on south after our season closes. On the other hand in Illinois the season is open later and you get some fine goose shooting. Our fellows across the line hear the shooting of the guns and are not satisfied. We feel there should be a season for geese that might be somewhat different than that for ducks, although there might be some difficulty from an enforcement angle. There are plenty of geese and while there are a few ducks that might be killed unseasonably, it might be tried for awhile and see what the results are. A staggered season has been talked some. Because of our ducks that are flying around earlier and when the northern ducks come down the season is closed. Naturally, in Illinois your season is later and while there are not so many convasbacks and redheads, you kill the northern mallards. It is the old saying "we raise them and Illinois kills them." The season arrangements for 6-weeks as suggested by Mr. Johnson would meet the approval of the sportsman and we will be glad to go with you. On the decoys, we don't have any trouble. I think they should be used on geese because it is always impossible without them to get geese. I don't think the bag limit should be increased. I think it would be a mistake considering the amount of ducks we have. It has been indicated by several persons, who have had personal knowledge, that the population of ducks is on the increase. If so late they have a chance to increase more. I believe they should support a biological survey when they know they are right. I also know Mr. Bulbranson is trying to do the right thing. He has a tough job to satisfy all the states. After they make the surveys or have competent

help to do it, I think we should support them. The survey comes right out and proves definitely that they have found out just exactly what the situation is in connection with the duck population and there should be a 5 or 7 bag limit, and I believe we should go along until we find out they don't know what they are talking about. If they don't they certainly have men down in Washington that know what they are doing.

MR. O'CONNELL:

We will hear from Illinois.

Gentleman from ILLINOIS:

Our department has contacted most of the organized hunters and most of the individual organizations interested in duck hunting and as many individuals as possible to communicate sensibly with the department relative to the season bag limits and otherwise. The duck hunters in Illinois want an early season. * * I think the 45-day season would be favorable in Illinois.

One thing, I thinkthere should be a 2-day kill possession limit. Our state shows the average man goes out two days shoot and takes it home with him no matter how it is done. Also there is the mud hen, we think it should be classified with the rather than the duck. They are quit abundant.

As far as bating and decoys. We feel the popular opinion Illinois should follow. There are two sides of that proposition in the state. We don't get much of the majority feeling. There are a large number on both sides. We feel from the department standpoint it will rest with the biological survey. It would we feel be impossible to satisfy our whole duck hunting population, on account of the variation in the state. We feel an early season would benefit our part of the state where a greater amount of the ducks are taken and a greater amount of recreation expected. I believe that is all.

MR. O'CONNELL:

What were you open dates last year?

A- The month of November, I believe.

MR. O'CONNELL:

We will hear from Iowa.

MR. SPEAKER:

We agree generally with the recommendations made here with reference to seasons. We feel our hunters in the State of Iowa have been very good in cooperating with this migratory water fowl program. They have observed these rigid restrictions placed on the duck hunter. But they are beginning to feel now there should be some liberalization because you have been telling them each year the ducks are on the increase. A lengthening of the season to 45 days or 6 weeks is what we would like to have. In Iowa of course you can only shoot ducks when they come through the state. It would give our people an opportunity to go out when the ducks are there. We are not in favor of a staggered season. With reference to shooting hours, personally I don't think it makes any difference if it is sun-up or 7:00 o'clock.

In our state there are 34 water fowl and 4 Federal Refuges. It is possible for the bird to start at one end of the state and fly to the other end of the state and not a shot taken at him. * As far as the loss of ducks we won't lose many ducks by the change, but it will satisfy a lot of duck hunters. * * Your duck hunter wants to shoot ducks in the morning. I think the regulations should be as suggested, 30 minutes before sun-up. As to bag limits , our hunters wouldn't object to having the bag limit reduced if they get a longer season. We are absolutely against bating in Iowa. I don't think any of the sportsman want bate. Another thing, there is Mississippi and the Missouri River with Illinois and Nebraska on one side and Wisconsin on the other. I think it would be a good thing if we could work out something where we could open our season a week before Illinois. Our season closes while they are still open in Illinois. If they have a 45-day season we would suggest something about October 9th or 15th to December 1st, for a 45-day season.

MR. O'CONNELL:

It has been suggested October 1st to November 15th.

MR. SPEAKER:

That is too early. Our first flight is between the 20th and 24th day of October. I think that is true of Nebraska.

MR. O'CONNELL:

Yes. If only 30 days we have been having October 20th to November 15th. Six weeks, I think it should be October

10th to November 20th, or something like that.

MINNESOTA:

As far as Minnesota is concerned our sportsman wouldn't agree to that. Any later than October 1st to November 15th, they wouldn't get any shooting. I am in favor of all the other restrictions, except those mentioned.

DR. SULLIVAN:

Of course we realize that most of those are personal opinions. We have talked with our commissioners concerning the dates. It is hard to make a limit in Nebraska of 30 days. Last year we had no problem for there was only a day or two of shooting, then would have to wait for a flight. Last year there wasn't any flight on the regular days.

I think the Nebraska Commission will all be agreeable on the 45-day open season. That will give everyone an opportunity to hunt when the ducks are coming through. We are pretty well agreed that the 45-day season won't be so hard on the ducks and a lot easier on the duck shooter. We are mighty glad to hear from men from Wisconsin, Illinois and Iowa against the staggered season. There was a time three or four years ago when the Government allowed the state to choose for themselves whether they have a straight season or a staggered season. * * * Nebraska went on record as saying they went on record fo the duck, so they had a 30 day straight season. Some states carried on two or three months. We are glad to see you all got around that idea of having a striaght season. I think somebody ought to say a kind word for the duck hunter. Everyone is in favor of the duck. Finally the duck hunter will quit if you are going to make it too tough for him. When you put an hour limit on starting the duck season you will make it pretty hard for a man to sit with a watch in his hand when some bootlegger up the river goes ahead and shoots them away. I don't see why we don't go on record by letting them go. Why put a limit on half an hour before sunrise. As the gentleman from So. Dakota says we are shooting here at 7:00 and he must sit until 8:00. Just name the date and let them start in the morning. Nearly all of the duck hunting is done in daylight. Why set a limit where a fellow must sit with his watch in his hand and says he must wait 10 minutes before he can shoot. Then the bootlegger isn't going to wait.

Peronsally, I think it is a mistake to take away the decoys. If you are going to set a bag limit, make it as easy as you can for the hunter to get the bag limit. We just make it as tough for him as we can. We should make it as easy as we can for him to get his bag.

In the State of Nebraska we have adopted a sort of custom as Wisconsin has, of having the man that takes out his license state how much game he took the year before. On that plan this year we have estimated on the licenses we have sold this year that there were around 450,000 ducks killed in Nebraskalast year. Of that number only 7,000 were geese. When the goose flight is on here you can really see as many geese as ducks. Why not let them have decoys? For the ducks and geese both and make it easier for the hunter to go out and get his limit. Last year was the poorest duck season we had for quite awhile. We usually used to pride ourselves on having one of the best hunting states in the union. We had a number of lakes. When they got to regulating it the Government comes in and takes 7000 acres of our best fishing lakes and kills our fishing. Then it comes in and tells us when we have got to shoot a duck, the hours and everything. It is a little hard to try to please the fisherman and the hunter, so I think someone must talk a little for the hunter instead of all for the ducks. * * We would like our season later than Wisconsin. About the 20th of October to the 20th of November. If it was made 45 days there would be some late time when it would be good shooting. For that reason we would like the 45-day. The ordinary hunter goes out only one time during the season, so I don't think they will kill any more ducks. We would like to have the dates set when the ducks are in flight.

As to baiting. Everybody is pretty well satisfied we all bate ducks. Anybody when they put out wild rice it is to have the ducks come in and stay around. I think that is a good idea. I don't think baiting should be put in that class. Illinois put a little bit of thought on the duck question in baiting. They claim in Southern Illinois they feed the ducks and bring them in with corn. I think we are all guiltyof putting in some feed for the ducks, and if we didn't they wouldn't come in. While the convention may go on record without being in favor of baiting, I say feed the ducks and have them come in. The big thought in the refuge is for some place where the duck can rest. While you wouldn't call it baiting them, it is a good idea to encourage feeding so they will stop in their migrations. Of course just local baiting with corn and stuff like that has a different sound than baiting with duck food. I would be in favor of saying feed the ducks as they go through. While I am for conservation, I am not for conservation so strong that it will hurt the duck hunter. We still have to have the sportsman.* * * We can't go in the same class as the other states. We want a certain date, but if we have a 45-day season it will give a chance to the hunters in the different states.

MR. O'CONNELL:

I think from observation in Nebraska, it was found that 7:00 o'clock shooting for the river shooting caused more cripples. For the reason that lots of the city hunters would take a chance when they were completely out of range. Our men reported a great number of cripples from 7:00 o'clock shooting.

Is there any further discussion. If there isn't the matter is in the lap of the resolutions committee. If a resolution is brought in I think the conference will give it consideration.

MR. JOHNSON:

From the discussion here it seems to be the opinion the zone division should be the southern line of South Dakota, Minnesota and Wisconsin. That would include Nebraska in the northern zone. Mr. Martin, what is your opinion of Illinois?

MR. MARTIN:

More of the hunters feel it should be zoned. We feel that Minnesota and South Dakota, it seems to me knowing the flight of ducks that should be the division line. It would eliminate the biggest problem Iowa has of the Missouri and lower Mississippi.

Gentleman from ILLINOIS:

I think I was the only one that presented the feeling of the two-day bag limit proposition. That is our big holler from everybody, every duck hunter thinks he should be able to go out for more than one day's shooting.

Gentleman from MINNESOTA:

I think Minnesota would be much in favor of that because there has been much talk among the sportsman that they would like to go out on Saturday and Sunday, and would like to bring back two-days hunt.

MR. SWIFT:

We would go with you on that, but not on 10 birds a day. We would go on 5 or 6 or 7 birds a day.

Gentleman from MINNESOTA:

I am speaking for that if we get a 6-weeks season.

MR. McKENZIE:

I would like to know how you are going to enforce it. Suppose a fellow takes a 2-bag limit home. He opens up the first day and kills the 2-bag limit and hides half of it until the next day. It is a pretty hard proposition to enforce it, particularly dealing with ducks.

MR. O'CONNELL:

If the reduce the bag limit to 5 and allow 2 days you would have the same thing you have now.

Gentleman from Minnesota:

The reason I speak that way, the gentleman from Nebraska spoke of looking out for the hunter. I think we are all interested in the hunter. That was the reason I wanted them to take home a redhead and a canvasback. I very much appreciate what the gentleman from Nebraska said. The reason why in Minnesota we feel we should be able to have a 2-bag limit or two days in possession, the sportsmen of our state purchase 10% of the duck stamps of the country. For that reason we have a large number of sportsman vitally interested in thehunting of ducks. They were all very much opposed to taking away the live decoy. There are a lot of things I think we should turn to the chairman of the resolution committee, to be taken care of.

MR. O'CONNELL:

We have great confidence in him doing just that. The affair tonight is a stag affair and we can go out any time within the next hour.

If there is no further business we will stand adjourned until 9:30 A.M. tomorrow.

Meeting adjourned 4:30 P.M.

THURSDAY, June 9, 1938.

MORNING.

MR. O'CONNELL:

The meeting will please come to order. We have the honor at this time to have with us one of the members of a state that has never been able to be represented at the conference in any of the past years, and I am very happy to find we have here a representative from that state. I am going to introduce him and ask him to say a word or two. I think many of you know Mr. Bode of Iowa with the Survey down in Missouri, and we are very anxious particularly to have the cooperation of Missouri in these conferences. I am happy to introduce to you Mr. Bode --

MR. BODE:

I have very little to say. We are down there trying to find our way through with an entirely new background. In other words the fundamental law under which we are trying to get established is a constitutional amendment. It must be stated in general terms, we couldn't be specific. In order to get into actual working machinery it will take a lot of time and procedure and I have very little to say. Any of the experiences we have down there are at the disposal of any of these men. I sincerely hope that Missouri will take the part in this organization it should. We feel we have some of the best prospects of any state in the Union. I hope when we get further along we can bring you all down there and show you what we have. Thank you.

MR. O'CONNELL:

The next speaker I will present to you this morning is Robert A. Gray of Wisconsin, who will speak to you on "Rough Fish Eradication as a State Program" - Mr. Gray --

MR. GRAY:

One of the major activities in the conservation program is the problem of rough fish control. Yet this phase of conservation is least recognized by both state and federal governments and the general public. Rough fish control, I believe, is, with the exception of pollution, the most important of all lake and stream improvement and water management activities. As a rule when conservation is considered we immediately think of the planting of fish, enforcement, etc. When rough fish removal problems are considered they are thought of, for the most part, in terms of dollars and

cents by state and federal agencies and the fisherman or producef. Both state and federal governments are expending thousands of dollars each year to improve forestry and erosion conditions, control of weeds, operation of fish hatcheries, and the planting of fish, which we all agree are vitally essential to the general welfare of the public and to a systematic and proper conservation program.

The proper control of forests and marsh lands is the basic conservation activity as far as it concerns game and aquatic fur bearing animals and migratory waterfowl. However, the artificial planting of game fishes in our many lakes and streams is heralded by the general public as the salvation of the barefoot boy with the willow pole and the tired business man who seeks the quiet of a lake or stream and the relaxation to be found in angling for game fish in some choice fishing spot. This applies also to the farmer and the shop hand who enjoys a holiday or week end on some lake or stream with his family and gets a thrill in bringing home a string of fish.

Thousands of dollars are spent each year by and with the approval of the public, with no thought as to the conditions of the lakes and streams which might contain enemies of the small fry or fingerling planted therein each year under the watchful eye of many an Ike Walton or conservation official. I have seen pike planted in water so roiled under the activities of the carp that I doubt if one in a million survived after twenty-four hours. I have seen game fish planted in areas so infested with garfish that even adult fish left in the lake had scars on their bodies where large gars had nipped them. I have seen small fish planted in lakes so infested with small carp and buffalo that I doubt if enough plancton was left in the water for them to exist on for much over a week.

Now, I will grant you that there must be rough fish in a lake for game fish to feed on, and that rough fish will destroy some of the game fish and their spawn during the course of the life of each particular type of fish, but the point I wish to convey to you is this --that a proper balance between game and rough fish must be maintained, and that balance must lean heavily in favor of the game fish.

Rough fish removal in the past has been viewed pretty much from a financial standpoint. We have issued licenses to individuals to remove rough fish during certain periods

of the year according to regulations made, for the most part, by the various legislatures of different states. Many individuals avail themselves of the license system where it is still in force. As a rule many of those people are engaged in other work, but during certain periods of the year they avail themselves of a license and proceed to undertake the removal of rough fish for short periods of time as an additional means of livelihood.

As a rule this type of fisherman does not have adequate equipment and the result is that the local sportsmen continually complain of the destruction of and harm done to game fish by his operations. To offset this complaint supervision by the states is necessary, the cost of which can be borne either by the state or the fisherman operating under license.

A licensed territory in a lake or stream is free territory, making it impossible for an operator as a rule to make large catches because of the presence of many other fishermen in the same area. Therefore, if state supervision is required, which I believe is essential in all commercial fishing operations, the licensed operatoris forced to cease operations or go out of business unless the state provides funds for this purpose and furnishes supervision free of charge.

Usually a licensed fisherman operates periodically during the course of a year. The meshes of his net are large enough to allow all small fish to escape and an annual crop of rough fish is forthcoming each year under this practice. If a licensed fisherman is put out of business and is prevented from operating, there is another method of rough fish removal that is practiced in many areas--that is contract fishing.

From the fourteen years experience that I have had as a warden in the field and as a division chief with the conservation department, the story of contract fishing runs something like this:

A certain area, be it lake or stream, becomes thickly populated with carp and buffalo--large carp and buffalo, if you please. Certain individuals apply to the state for a contract. All desire the same lake or stream. The usual procedure followed by an applicant is to get some active conservationist to arouse the local community to the damages being done to the lake or stream by carp or buffalo. Generally a meeting is called, with the result that the local rod and gun club requests the conservation commission to do someth

thing about it.

While this is going on the propspective contractors call on their friend senator or assemblyman and advise him that they are in a position to help this local club and community, and the public at large, if they are only given the contract to remove the rough fish from this certainlake or stream. They point out to the people's representatives the fact that if they can do something to help those organizations, they will undoubtedly get the support of the community when they wish to run for office again. The senator or assemblyman, of course, is of the same political faith as that of the governor. If they are not, the men contacted are men who expect to oppose the present legislative members in the next campaign. Whichever the case may be, the parties contacted are anxious to help, especially in the cause of conservation. The governor is then contacted,and advised of the merits of the proposed contractor, his work and the amount of good he will do in his local community if he is only able to obtain a contract. The governor is usually asked to take the matter up with the conservation commission. Since the conservation commission is a state agency under the jurisdiction of the governor, he usually gladly agrees to mention it to the conservation commissioner, the conservation director, state game warden, or whatever public official may be in charge of the conservation department.

If there is only one applicant everything is fine, but sometimes there are several prospective contractors for the same lake or stream. When this happens the wisdom of Solomon is needed to get the matter ironed out. Usually if the commission acts in good faith and awards the contract to the best man, a lot of dissension results which, in the long run, is exceedingly detrimental to honest and efficient conservation government. To avoid unpleasant controversies, knocked-down and dragged out fights, this procedure is sometimes followed: The contract is awarded to the highest bidder. In other words, the contractors offer bids on a certain percentage for the state, agreeing to furnish equipment, personnel to operate a seine or nets, and pay the state for the supervising services of a warden. The percentage is figured on the net receipts of fish sold by the fisherman during the course or period of his contract. This usually amounts all the way from 20 to 50 per cent and in certain instances a little more. The commission then gives the contract to

the man who agrees to pay the greatest percentage. If there are several bidders those bidding less than the man awarded the contract sometimes can be induced by the commission to take less attractive lakes.

However, the fisherman usually has the territory all to himself. He then tries to get a buyer for the product he expects to produce. He is in the business to make money--not to eradicate carp. I have beentold that in certain instances where a fisherman had to pay a large percentage to get a lake he followed this procedure; 30,000 pounds of fish would be loaded in a car for shipment to some market in the United States. The car would be billed out at the local express agency at a weight of 15,000 pounds. Then the fisherman would receive payment from the buyer for the 15,000 pounds as billed, the state would collect its percentage on that amount, and at a later date the fisherman would receive his pay from the buyer for the other 15,000 pounds.

I have a letter here that I am going to read. It pertains to the activities carried on in Wisconsin. It happened in 1913, long before the present Wisconsin Conservation Commission had anything to do with carp removal operations or any of the present personnel. You can see how the state can be deprived of its just amounts under the contract system when procedures of this kind are adopted by commercial fishermen operating under the contract system.

But supposing everything is done on a legitimate scale, as it often is. (I do not wish to convey to you the idea that all contract fishermen are dishonest. I personally know many who are 100 per cent in every respect) As soon as the contractor has made a few hauls of fish and catches such amounts as he can be sure of selling, he ceases operations, and becauseof the large mesh net that most contractors use if the state permits, he has made only a slight dent in the number of rough fish in the lake. Large quantities of fish still remain to grow to a size wherein commercial fishing operations can again be conducted in this lake at a profit. The contractor undoubtedly will be on hand the next year to do the same thing--that is, remove a certain amount of fish from a certain territory.

Now, when it is necessary to follow the procedure I have mentioned to insure the balance of fishes as well as protect

vegetation so essential to migratory waterfowl, muskrats, etc., it is obvious, in my opinion, that neither this nor any other similar procedure will accomplish the desired results, and it will not meet with the approval of the bulk of conservation minded citizens. True enough, if the states view the carp situation from a commercial angle, all well and good. If their interests are solely in the amounts of money that can be obtained from each lake and stream each year, this undoubtedly is the wisest and sanest course to follow, as it relieves the state of all labor troubles, purchase of equipment, the sale of such marketable fish as they obtain, and the only active part that they have to play is that of proper supervision and the collection of their just amount of percentage from the fishermen.

But, if the states desire to improve game fishing and the food supply for migratory waterfowl, I believe the only solution to the control of rough fish lies in direct state operation with state equipment and personnel.

The state of Wisconsin started so-called state removal in the fall of 1934. Prior to that time the annual amount of carp removed from the inland waters of the state was approximately two million pounds. This amount did not include the fish taken by licensed fishermen from the Mississippi river and Lake Michigan, but solely to inland lakes confined within the borders of the state. Since the state's entry into direct removal activities the amounts removed since 1935 is nearly six million pounds a year, and I can assure you that by the fall of 1938 we will be able to say that game fish predominate in poundage in lakes that have been classed in the past by the public as carp farms, although a continued intensive program must be carried on to keep the ground that we have already gained.

Why shouldn't the state fish its own lakes when it wants to and where it wants to if seining activities are needed to insure better fishing conditions? If large fish are to be obtainedin one lake why shouldn't the state take them out and if they can be disposed of at a profit, do so, using the profits to remove fish from some other lake that needs attention or some lake infested with garfish, dogfish, sheepshead, etc. I think the fisheries division should include in its program funds sufficient to get equipment and hire personnel to conduct removal operations in all

its inland waters. True enough, a program of this kind cannot be accomplished over night, but by starting gradually and adding to this program each year, the day will eventually come when each state that now has rough fish removal problems to solve can take care of them without any difficulty whatsoever.

I believe I am safe in saying that prior to 1934 the conservation commission of Wisconsin spent at least 50 per cent of its time at its monthly meetings interviewing and discussing carp problems with people interested in rough fish removal activities in certain parts of the state. Since 1934 I doubt if it has been necessary to discuss rough fish removal activities, with the exception of three or four instances, and then as a rule only in a sense of commission policy or approval action relative to percentage or supervision, or seasonal activities where licensed fishermen still operate.

The people of Wisconsin have accepted state removal activities practically 100 per cent. It is interesting to note the change in public opinion relative to rough fish removal operations in certain territories wherein the state is now operating with its own equipment and personnel. Prior to state operations different localities opposed seining projects at any time of the year because of past activities by certain commercial fishermen. Many communities were also interested in having laws passed by the legislature to keep all nets out of their waters, which resulted in certainlakes being closed to commercial fishing for periods of from five to ten years. Now these same communities are demanding that the state operate in their lakes and streams because they realize that state activity is the most beneficial and honest program ever conducted in Wisconsin.

As an example, years ago licensed fishing operations were carried on in Lake Winnebago with pound nets. Because of the damage caused by commercial fishermen who had no thought of conservation other than the few dollars and cents they could obtain on rough fish taken, and because of the damage done to game fish during the course of these operations, this particular type of net was outlawed by statute in Lake Winnebago. The state now operates a similar net with gratifying results because we operate these nets in a systematic and conscientious manner, removing dogfish,

sheepshead, and eelpout during the winter months with no damage to game fish.

The public is also appreciative of the fact that after large carp have been removed from a lake and small fish appear the state uses a small mesh seine and removes these fish. We are now permitted, with the approval of the public, to trap carp in various sloughs and the bayous during the spawning season. We have even the fish and game clubs sending us donations with letters of approval, thanking the conservation commission for the activities that are carried on in their various communities.

We used to have 30 to 35 men under contract and, as I stated some time ago, these men removed an average approximating two million pounds a year. At the present time we have four men in the state under contract, and are operating ten state outfits.

I realize that the states which are directly connected with the Mississippi river have a problem on their hands inasmuch as rough fish of all species travel up these streams during each spring run, and if they have access to various lakes and streams, the problem is a serious one. We have these conditions in certain sections of Wisconsin. However, it has been the thought of the federal government that the carp in the Mississippi river were a commercial asset to the communities along the river, and if such is the case it undoubtedly should be treated as such, depending on the will of the states, but I do believe that in small lakes and streams intensive state removal operations should be carried on in order to insure the return of the game fish which once inhabited these areas. Many people are of the opinion that game fish will no longer thrive in areas containing immense amounts of rough fish. I wish to disagree with this thought inasmuch as I do not believe a concentrated effort has ever been made by very many states to cut the population of carp and other rough fish down to a minimum. I know that where intensive operations have been carried on by the state of Wisconsin in many of these heavily infested carp areas and by planting additional game fish fry and fingerlings in these areas it is gratifying to note that thousands of small game fish are now on their way to maturity and the public will again enjoy good fishing in many of these territories that were practically given up as lost by a majority of the citizens.

Some people believe that carp will thrive in polluted waters. We have found that this idea is without foundation, for a carp will die in polluted water and is unable to propagate any more than a game fish will under those adverse conditions. The trouble with the whole situation is that the rough fish have been allowed to get such an upper hand that the game fish have never had a chance. Unless these areas that are now regarded as suitable for nothing but carp are intensely fished, there certainly will be nothing but carp and other undesirable fish present in those waters.

At the present time we are utilizing small or unmarketable rough fish taken by our state rough fish crews by canning them at our state canning plant. We are furnishing this product to our various state fish hatcheries to be used as trout and bass food and also to various fur farmers throughout the state of Wisconsin as a food for mink, fox, raccoon, etc. We believe that we are using this type of fish to good advantage and at the same time cutting down the daily population of that species in our lakes and streams. We expect to can and dispose of by the end of this year approximately 1,500,000 pounds of small unmarketable fish.

It is apparent from investigation relative to the amounts of carp now being produced in various parts of the country such as Lake Michigan and the Mississippi river that the time is not gar distant when practically all the fish consumed by human beings in the United States can be obtained from these two points, as far as this section of the country is concerned. When that time arrives the states will find themselves with an increased population of carp and with absolutely no outlet as far as marketing conditions are concerned. It is apparent that the consumption of carp has fallen off so materially in the last twenty years that the day will not comeagain wherein large prices will be realized unless areas now heavily infested with carp are intensely fished and the population of this particular species of fish reduced to a minimum. True enough, it is practically impossible to consider that carp can be eradicated, but we in Wisconsin are firm in our belief that state operation is the only method to follow if rough fish are to be properly controlled

MR. O'CONNELL:

Is there any discussion on this paper?

MR. HUSTON:

Does Wisconsin require commercial buyers to post a bond with the state?

MR. GRAY:

We have done that, and in some instances the bond has been as high as $5,000. In other cases we haven't required it. We do require a certified check, and that certified check must be on my desk if they don't have a bond. If a bond is had we don't require it.

Q- Have you found orhad trouble with some discriminating against operations?

MR. GRAY:

They started to do that with us and we had to fight them from underneath. They started it first. The only way to offset that is for the state to get control of the fish. If you allow an individual through contract or license to get control of four or five thousand or a million pounds of marketable fish, he is in condition to dictate to you as far as price is concerned. By cutting out and reducing the population in intensely contracted areas and the state going in and picking these choice spots to keep ourselves, we are in a position then to make the buyers recognize us. They started out to put the skids on us, but we stopped that.

MR. JOHNSON:

You have shipped?

MR. GRAY:

Some but it hasn't been satisfactory. We don't consign fish in small lots, maybe 110 lbs.

MR. O'CONNELL:

It seems to me there should be some way we mid-Western states that border the Mississippi and Missouri should meet together to work out something definite with reference to these rough fish. Do you have the rescue of game fish along the Mississippi River?

GENTLEMAN FROM IOWA:

We do quite a bit of that in Iowa, rescuing them and

putting them back in the Mississippi. There has been a lot of time in the sumer when we put the carp back, the good carp and game fish. It seems to me we should get together and work out a program and bring the United States Bureau of Fisheries into our meeting and try to set up a real rough fish program. I think one reason for the establishment of this association is to work for uniform laws and activities. I think our problems are similiar. What is worry in Nebraska, is the same in Iowa and what is worry in Iowa is the same in Wisconsin. I would like to see Wisconsin, Missouri, Iowa, Nebraska and Illinois get together with the United States Bureau of Fisheries and work out a real sound rough fish program.

MR. GRAY:

Regarding the Mississippi River. If there is a decision made by states in the Mississippi Valley region relative to carp removable activity in the Mississippi River, I believe there should be an understanding of what should be done and then all the states follow the procedure. It it is to be commercialized I would say all do it in the same manner. * * * We no more than get our carp reduced to a minimun and from Illinois and Mississippi River comes a new crop. They go right over the dams. They can go over easily. It seems to me if the Mississippi River is to be treated commercially we should consider it from a commercial angle. If not we should take ways and means to at least stop the United States Bureau if Fisheries from returning small carp to water. We destroy the small carp. The United States Bureau of Fisheries take out the game fish in the same area and return the carp. In the report I think there were some 5 million it showed, head of small carp returned. We have men on our crews and if they bring in small carp we make them take them out. * * It seems to me there should be some discussion relative to what the Mississippi River should be classed at.

GENTLEMAN FROM IOWA:

I think that is right and would like to go into that problem.

MR. O'CONNELL:

The chair would suggest to the new officers next year that might be a good matter on the program and have a representative of the United States Bureau of Fisheries here to set in with the association.

GENTLEMAN FROM IOWA:

Most of the legislatures meet next January. I think if we could get together and thresh this out we probably could do somethin in the next session of the legislature. We have been trying to do that for several years. In Iowa the Supreme Court ruled against us and we didn't make much headway.

MR. McFARLAND:

Mr. President: I think under the circumstances most of the states have control of the fish and game and have control of the Mississippi River as well as inland streams. Under those conditions I don't see why we couldn't get the Federal Government to proceed in a different manner then they are with rough fish. We had some argument relative to planting fish. Under the old system they were planting the fish without consulting us. At a meeting in Minneapolis I demanded thatno fish be planted by the Government in the state of Wisconsin except under the supervision of the Department. They took issue with me. * * That is the way we handle game fish in our community - with the cooperation of the Government. We have gone to them and asked them regarding placing a carp back in the water after it is removed by refuge crews. I see no reason why we shouldn't at this meeting have a resolution asking Commissioner Bell to cooperate in this manner. * * * I think the states of Iowa, Minnesota, Wisconsin and likely Illinois should get gether, particularly for those rivers, and see what could be done in regard to taking care of rough fish situation. We have a very fair uniform legislative in the State of Minnesota. We are hoping to accomplish the same forms of regulations with Iowa, and would have done it before if it was not for your court. If we are going to do anything we have to get after it. * * I will be glad to attend any meeting that might be organized and arranged by the states concerned.

MR. ADAM:

I agree with what Mr. McFarland says. The International Fish Commissioners Association might also be working. I believe all of these states are set up under this. There are others who know more about that set up than I do.

MR. MARTIN:

That organization is a cooperative body in the fish commissioners and United States Bureau of Fisheries. We have several different zones. Nebraska, Minnesota and Wisconsin are in zone 4.

That meeting is held in connection with the International Fish and Game Association at Ashville and I believe something could be workedout down there. I think the second day of our conference at Ashville, North Carolina is devoted to fish commissioners.

MR. O'CONNELL:

I will now request our resolution committee to bring in a resolution on the subject, especially expressing the views of the association on the planting of carp, and also request the new officers to take the lead and call the states together before the legislatures meet next year.

MR. GRAY:

I would like to mention this, that none of us know what the future holds as far as game and fish propagation in the Mississippi River, and there may come a time when all types of fish will increase in the Mississippi River where there may be commercial fishing for what we now class as game fishing, along with the carp and buffalo. Minnesota and Wisconsin have allowed the limited taking of a certain amount of cat fish under supervision. It seems to me if the Mississippi River is to be a commercial area there should be an attempt made to get legislation that would insure the states some revenue from this area to carry on the states activities. They will be many in the next few years. Reports of my men are that they see on warm days small carp jumping in these pools and large hatch of croppy and pike. It may be a year for pike and pickerel, and for a hatch. Those things happen sometimes. I believe that the thought of supervision should be seriously considered by each one of the states at the present time. The way it is now the states can't afford to supervise for they will not get the fishermen. In Iowa I believe you allow the taking of cat fish with bate nets yet?

GENTLEMAN FROM IOWA:

Yes.

MR. GRAY:

You have a 15" law?

A- Yes.

MR. GRAY:

Up the river a few miles they don't allow you to take any cat fish at all. That doesn't make sense as far as a

general conservation program is concerned. I believe that the supervision should come from the office if it is going to be commercialized.

MR. O'CONNELL:

All of the states are very much interested in the new State aid law known as the Robertson-Pittman Act. Mr. A. M. Day, Assistant to the Chief, Bureau of Biological Survey, was kind enough to come out from Washington to give us a talk on this subject. I am very glad to present to you at this time, Mr. A.M. Day - Mr. Day, --

MR. A. M. DAY:

Mr. Chairman and members of the Mid-West Association of Fish and Game Commissioners: I am very happy to have this opportunity of meeting with you and again discussing the provisions of the Pittman-Robertson Act. While this legislation does not become effective until next July 1, we have already discussed many of the preliminary details at meetings with the representatives of the Game Departments throughout the country. This is the eighth such meeting, and at each the State people have expressed their views, criticized our proposals, and advised us with references to the various angles of the program. THese suggestions have been incorporated in a policy outline which has been changed materially from the one distributed last November. The international meeting at Asheville, North Carolina the latter part of June will again offer an opportunity for a full and frank discussion of this subject, after which we can definitely adopt procedures which will meet with the approval of the majority of the Game Departments. When the program becomes effective on July 1, we should be able to move along quite rapidly with the minimum of friction and misunderstanding.

The present Agricultural Supply Bill contains an item of one million dollars to carry out the purposes of the Act and stipulates that the funds will be made available as they accrue from the tax on arms and ammunition. For this reason the full one million dollars will not be available until about October 1, but since it will take some time for the States to prepare their programs we feel that no Department will be delayed because of lack of Federal funds.

In making the apportionment of funds to the States we have found it necessary to deduct $140,000 for administration the first year. This may seem a rather large amount but we have reached this decision as much out of consideration for your interests as those of the Federal Government. It is expensive to set up a new organization. There are many questions which can not be answered at this time, and many problems which must be solved jointly in the field. If we start with an inadequate force of personnel, we will be unable to act on your proposals quickly, and also run the chance of approving projects which would later cause trouble in the General Accounting Office. In that case the States would suffer. Since you must depend upon us to place the projects in line for approval and clear the funds for the payment of the Federal Governments share, it is highly essential that we have an organization that can take care of your needs. We think it better to deduct a sufficient amount the first year to assure that when a project is approved by the Department of Agriculture, there will be no question further along the line. Our present plans are to employ six field inspectors for the nine regions. With six men we think we can give you reasonable aid and assistance this year.

There are some States which will be unable to qualify the first year until remedial legislation is enacted to meet certain requirements of the Federal law. For those States the apportionment of funds will be set aside in the Federal Treasury to the credit of the States and held until June 30, 1940 before it well become available for expenditure in connection with the Migratory Bird Conservation Act. This will provide ample opportunity for such States to correct their laws at the coming session of the State Legislatures and be in line for the benefits of the Act with only a few months' delay. In the meantime proposals may be submitted from those States, and our men will examine them the same as though funds could be expended immediately. Projects can be ready for approval as soon as the legal requirements have been met, and Federal expenditures made shortly thereafter.

Under the law, States must first submit their proposals to the Secretary for preliminary approval, and if they meet with his approval, detailed Plans, Specifications and Estimates must be prepared which will show the various expenditures proposed by the State. When the project is finally approved, our Bureau personnel will assist in seeing that the expenditures are made such a way that there will be no

question of reimbursement. This will include the examination and appraisal of lands to be purchased for refuge purposes, inspection of structures such as dams and dikes, and technical assistance in the administration of projects covering wildlife research. All field work will be handled by our regional organizations.

We realize that, at the present time, this Act is not perfect, and that it may have to be amended as we discover some of its defects. In looking at your program, I see that Oscar Johnson has some changes in mind and feels that the law should be amended. Should he overlook some of the defects we have already discovered, perhaps we can help him be adding to his list of suggestions.

Some of the most difficult requirements from a standpoint of administering the Act came about due to changes made in the rush of its final approval by Congress. When the Bill was first introduced, it contemplated setting aside the 10% tax on arms and ammunition and making that definitely available for Wildlife Restoration. It was later changed to a mere authorization for an appropriation, although some of the lawyers tell us that the receipts covered into the fund as a result of the tax can be used for no other purpose. Because of this last-minute change Congress must make annual appropriations as it does for practically all other purposes.

The tax amounts to about $3,250,000 a year, and although Congress appropriated only $1,000,000 this year, we feel quite optimistic that the entire authorization will be made available by the next Congress. When this item was up for discussion in the House, members of the Appropriation Committee indicated the feeling that the $1,000,000 was for the purpose of getting the program under way, and that appropriations totaling the full authorization might be made July 1, 1939.

As I have said, there are several requirements in this law which make it difficult to administer, and some amendments may be advisable as time goes on. We feel, however, that it would be most unwise to attempt to amend the Act now until we give it a fair trial and are in a better position to go to Congress with something definite instead of merely our own ideas. There is also danger, when an Act is being amended, that some member of Congress will add his ideas which may cause further trouble. For instance, an amendment was introduced this year by the representative of Puerto Rico which would have included the District of Columbia and all territorial possessions the same as any State in so far as the Pittman-Robertson Act is concerned. While we have no thought

that Puerto Rico should not be given consideration, the wording of the amendment made it almost impossible for practical application. There are 27 territorial possessions, some of them islands of only 200 acres, and many of them have no Game Departments, hunting license fees, or anything to hunt. Strictly speaking, it would be impossible to make an apportionment of funds on the basis of these proposed amendments as we must divide the money on the basis of land area and the number of hunters.

We have been hearing certain rumors of the intentions of the Biological Survey in connection with the administration of this Act, and I would like to make our position clear that our sole intention is to first advise and then assist as much as possible in completing a Wildlife Restoration program with the States. We have no thought whatever of taking over the administration and management of the State Game laws and organizations as some seem to feel will eventually happen. This is the first time the Biological Survey has had an opportunity to assist in an Upland Game program other than through research or the administration of wildlife matters on Federal lands. We will have plenty to do to work out a suitable program under the Pittman-Robertson Act without attempting to tell you fellows how to run your own Departments. I want to assure you that we have troubles enough of our own without taking on yours. Our interest is to see that Federal money is expended wisely for a long-time restoration program.

We have also heard that the Bureau, because of its long efforts to establish waterfowl sanctuaries would expert pressure to see that the States spent their allocations for additional migratory waterfowl projects. This is entirely wrong. We hope that some States will submit projects to benefit wildlife, but we have no intention whatever of urging them to do so. The program will be largely what the States want to make it, and from present indications most Departments will use their allocations for research and to benefit various species of upland game rather than wildlife.

In so far as research is concerned, we will insist that any research program undertaken by States be correlated with existing studies being made by other institutions or agencies. We do not want Pittman-Robertson research projects to duplicate investigations under way in State colleges or other branches of the Government as this would be a foolish expenditure of public funds. We will insist that research findings be published, as we do not want research workers to withhold their findings from the public.

It is our honest belief that this is one of the greatest opportunities ever presented in the history of wildlife conservation to do something constructive for our wild animals and birds, if the States and the Federal Government together are wise enough to use the funds for permanent worth-while undertakings. State Fish and Game Departments collect about $10,500,000 a year from the hunters for the protection and propagation of wild game. If the full authorization under the Pittman-Robertson Act is appropriated, it will increase the available funds by about one-third. By placing emphasis on research and permanent restoration units, we should be able to really do something constructive for wildlife.

MR. O'CONNELL:

I think we had better have Mr. Johnson's paper and then proceed with the questions. Mr. Johnson will speak on "Some Proposed Changes in the Pittman-Robertson Act" - Mr. Oscar Johnson from South Dakota --

MR. JOHNSON:

Mr. Chairman, Gentlemen: I want to ask one question. I noticed a newspaper squib about 10 days ago to the effect that this Revenue Act of 1932 automatically went off the Statutes on July 1st, that is the Revenue Act assessing 10 per cent on arms and ammunition.

A- That only includes certain articles.

MR. JOHNSON:

And left Section 610?

A- Yes.

MR. JOHNSON:

Until we know more what is out on July 1st, some of the points I raise will not be to the point. To start with I wish to make it clear that I do consider the Pittman-Robertson Act has a lot of merit. I wish to make it clear that my criticism is directed at the Act itself and not at the Secretary and the Bureau. * * I have utmost confidence in Mr. Gulbranson to make this as workable and practical as possible, and the criticism which I direct at the Act itself are without anything other than with the thought of constructive criticism. I believe changes should be made, in fact I am convinced they must be made. This thing is a good deal like a sign in the western dance hall "don't throw anything, the musicians are doing the best they can." That is the way I feel about this thing. * * I also wish to make it clear, we don't want you to feel we are talking politics. - We are talking facts.

In discussing provisions of the Pittman-Robertson Act and the Biological Survey's tentative rules and regulations for its administration, we should think in terms of permanency. Long time planning must replace the "hand-to-mouth" policies which have in the past motivated and guided our Federal and State agencies charged with administration of wild life resources.

Chapter 899 of Public Laws No. 415, 75th Congress, First Session, commonly known as the Pittman-Robertson Act, provides in Section 1 for allocation to the several states, all monies derived through the imposition of a 10% tax on sporting arms and ammunition. To qualify for participation in these monies, a state must give itse assent to the provisions of the Act "and shall have passed laws for the conservation of wild life which shall include a prohibition against the diversion of license fees paid by hunters for any other purpose than the administration of said State Fish and Game Department." Such provision, all of us who are interested in the administration of state Conservation Departments will readily agree, is highly desirable, but as a "diversionist" I believe the Federal Government "leads the field" and as an example to states leaves much to be desired.

Title 26, U. S. Code, Annotated, Chapter 20 of the Revenue Act of 1932, known as the "Temporary Excise Tax," provides the funds for the administration of the Pittman-Robertson Act, specific reference being made to Section 610, which reads as follows:

"Tax on Firearms, Shells and Cartridges. There is hereby imposed upon firearms, shells and cartridges, sold by the manufacturer, producer, or importer, a tax equivalent to 10 per centum of the price for which so sold. The tax imposed by this section shall not apply (1) to articles sold for the use of the United States, any State, Territory, or possession of the United States, any political subdivision thereof, or the District of Columbia, or (2) to pistols and revolvers."

Section 609 of the same statute provides for a 10% tax on a number of commodities, including the following " * * fishing rods and reels * * * and all similar articles commonly or commercially known as sporting goods." Under the terms of this section a tax is imposed upon a host of other paraphernalia that goes to make up the equipment of a hunter or fisherman. Just to name a few, we might call attention to duck boats, waders, all types of fishing lure and tackle, trap and skeet equipment, clay targets, etc; no part of which tax is allocated to the states under the terms of the Pittman-Robertson Act.

Section 4 of the Act provides that "not to exceed 8 per centum of the revenue covered into said fund in each

fiscal year as the Secretary of Agriculture may estimate to be necessary for his expenses in the Administration and executionof this Act and the Migratory Bird Conservation Act shall be deducted for that purpose."

Section 8 of the Act reads as follows: "To maintain wildlife-restoration projects established under the provisions of this Act shall be the duty of the States according to their respective laws."

Inasmuch as the responsibility of the U. S. Department of Agriculture ceases with the completion of projects resulting from the use of these monies, all will agree that Congress was extremely liberal in providing administrative funds and just why somewhat similar provisions were not made in behalf of the states that are not only burdened with the preliminary expense incident to such projects, but must assume the burden of perpetual care and maintenance, it is difficult to understand. To us, it seems that in this respect the Act will foster and promote short-sighted policies and rather than encourage State Conservation Departments to set up a long time program, it will encourage the reverse.

It may be reasonably assumed that during the first few years the acquisitio n of refuge areas, particularly here throughout the Northwest, will receive special consideration. In fact, the terms of the Act itself and the tentative regulations of the Secretary of Agriculture apparently had this in mind. If refuges are going to serve as such, management, care and maintenance are fixed overhead charges thatmust be borne by the state. If neglected, such areas will in the course of a few years becomemonuments of mal-administration.

To properly safeguard the funds and insure their wise use, we would not recommend that any portion of the same be made available to the state for expense incident to preliminary surveys, investigations, etc. Such provisionmight encourage consideration by the states of too many projects of questionable merit. However, once projects were completed, it would not be inconsistent with sound administration to provide states with monies for their management and control.

Section 6 of the Act vests the Biological Survey with broad and almost unlimited powers to direct state conservation programs. In the duck breeding areas, we may anticipate that much of the early development resulting from these monies will be in the interest of waterfowl restoration. For guidance in the selection of areas

and their development, the Billogical Survey can render valuable service.

I believe all states induck producing areas recognize their responsibility in the permanent restoration of waterfowl production and sportsmen generally will concede to the setting aside of breeding areas even though such areas might encroach upon their favorite shooting grounds. That the Federal Government must assume responsibility for the management of migratory waterfowl is recognized, but when it comes to native game, it is my opinion that state administrative authorities, as well as sportsmen generally, will justly resent usurpation of authority which rightfully belongs to the state. Not to exceed 30% of the states of the Union may be classed as "duck producers," hence it is to be assumed that in the remaining 70% these funds will be used in the development of upland or native game resources and just why such states should relinquish their rights merely to gain possession of funds that rightfully belong to them, inasmuch as they are paid into the general treasury by the people, may be rather difficult to explain.

In a careful analysis of the Pittman-Robertson Act, we see a veiled effort at further centralization of authority. Most Conservation Departments operate on rather definite financial limitations and in the course of years overhead expenses involved in the administration of projects resulting from the expenditure of these funds will exceed department resources. When this occurs, several things may happen. The first would be a neglect of refuges and other facilities. Second, might be anutter breakdown of the state set-up, which, in the minds of advocates of centralization, may be the aim.

Forest Service Regulations G-20A, which, so far as we know, is still in the Montana State courts, and about which little, if anything, has been heard during the past two years, has as its redeeming feature "brutal frankness." Unlike the Pittman-Robertson Act, it held forth no lure to pacify the public.

There is a growing feeling that a tax on sales should replace property tax, as a means of distributing the cost of government to all those who enjoy its benefits. States sales taxes, due to lack of uniformity in state laws, are

discriminatory and expensive of administration; thus increasing the tax burden rather than relieving it. To eliminate this, tax experts and political economists advocate the collection of all sales taxes by the Federal Government and the allocation of the proceeds to states on the basis of sales within the state; an absolutely sound and practical system if it were not for the fact that for such service Congress invariably links with it further centralization of authority and, as above pointed out, a diversion of too large a portion of the revenue to purposes other than those for which they are collected.

Many functions of the Federal government that recognize no commonwealth boundaries must be supported. To name a few, we might call attention to the Federal Bureau of Investigation, the Bureau of Navigation under the War Department, the Biological Survey's waterfowl regulations, etc., and in order that this authority may not only be preserved but may be broadened as the occasion demands, unnecessary encroachment upon state rights should be avoided lest there be a swing to the other extreme which would curtail and hamper legitimate functions of many long established and essential Federal agencies.

It is generally conceded that the cost of a fishing or hunting license is the only inexpensive item incident to the sport. Most state authorities have been too modest to attempt to raise fees on the theory that there is an economic deadline above which taxes or license fees cannot be raised without loss. States have beencontented to sit back and "mark time" until the return of a more prosperous era and in the meantime our Federal government has "stolen a march." I wonder just how many sportsmen that pay $1.00 for the privilege of taking feathered game within their own state realize that if they buy a duck stamp and one case of shotgun shells during the season, they pay the Federal government $2.50 for the same privilege. One wonders how far a State Conservation Department would get in charging a license fee for trap or skeet shooting. The facts are that a sportsman who shootsone full program of an A.T.A. registered trap shoot, which involves 250m rounds of ammunition and a like number of clay birds, has paid into the treasury of the United States approximately $1.25.

It is conceded that the cost of government must be borne by its beneficiaries and with the increase in the

Federal government's responsibilities, especially during the economic crisis through which we are passing, a larger percentage of America's tax dollar must of necessity go into the United States treasury. The December, 1937 bulletin of the Federation of Tax Administrators reveals that in 1932 America's tax dollar was split as follows: Federal Government 23%; state government 20%; local authorities 57%. In 1937 the dollar was divided as follows: Federal government 44%; State government still 20%; and local authorities 36%. We are of the "school of thought" that considers this economic depression as temporary and contend that emergency legislation should be designed accordingly.

To summarize our views with reference to the Pittman-Robertson Act, we would suggest that it be so amended that there would be allocated to the states not only all monies derived under Section 610 of Title 26, U.S. Code, annotated, Chapter 20 of the Revenue Act of 1932, but also sums derived from fishing and hunting equipment covered in Section 609 of the same Act. Congress could then consistently prohibit the diversion of state hunting and fishing license fees.

Section 8 of the Act should be amended to provide care, maintenance and administration funds for the state commensurate with funds made available to the Secretary of Agriculture under the provisions of Section 4.

As a demonstration of the fact that government controlled sales tax is more economical and has distinct advantages over states sales tax, Section 6 of the Act should be amended so that in order to participate, states need not relinquish virtually all of their rights of self-government.

We donot wish to appear as "jittery" about our loss of authority, but unless states do evidence a greater interest and guard more zealously their inherent rights, we may expect more "government by remote control."

In this respect, I am reminded of the federal waterfowl hunting regulation which prohibits the use of live decoys. I am wondering if lobbyists in Washington who, directly or otherwise, are being supported by the sportsmen and who no doubt had much to do with the framing of the Pittman-Robertson Act, do not fall inthe same category. The waterfowl decoy talks the language of his wild brethren and

innocently lures them to their destruction. I am not so sure but that the Pittman-Robertson Act "sells" the fraternity of sportsmen" down the River."

Those are my views, and I am glad Frank has accorded me the right to state them. Thank you.

MR. O'CONNELL:

That is one of the things that makes the Mid-West Association great, we allow everyone to state their views and give every point of view consideration.

MR. DAY:

May I say, Mr. Chairman, I hope that I may have a copy of that paper because it gives us a lot of ideas I have never had before.

MR. JOHNSON:

I would be very glad for you to.

Q- How would $150,000 be made available to Alaska?

A- The money is based on the relationship of area and the number of hunting licenses. The actual ratio of Alaska on the three and a half million would be more, but the law provides they couldn't receive over $150,000. * * It is based one-half on the hunting licenses and one-half the area.

MR. JOHNSON:

Personally I can see no fair way of allocating the funds to the respective states as set up. Texas under the full amount of three and a quarter million would get $148,000. Minnesota would get $105,000.

GENTLEMAN FROM MINNESOTA:

Minnesota purchases about 10 per cent of the duck stamps sold in the country. We lead I think.

A- Yes.

GENTLEMAN FROM MINNESOTA:

The different states represented in this association would like to know where they stand, how many are in line right now that could take advantage of it.

MR. DAY:

The apportionments are:

Nebraska:	Federal	- $20,388
	State	6,796
	Total	27,184
So. Dakota:	Federal	15,323
	State	5,107
	Total	20,430
No. Dakota:	Federal	11,725
	State	27,283
	Total	39,008
Minnesota	Federal	30,479
	State	10,759
	Total	41,238
Wisconsin:	Federal	23,308
	State	7,769
	Total	31,077
Illinois:	Federal	28,187
	State	9,395
	Total	37,582
Missouri:	Federal	19,794
	State	6,598
	Total	26,392

MR. JOHNSON:

The question was raised here, do you know now how many of these states failed to qualify.

MR. DAY:

We got an opinion back from the solicitor and he made a study and reported back to us there were several that looked as though they couldn't qualify at the present time. Three states are definitely out of the picture - and Washington, because of diverson of funds by the legislatures. * * Nevada is out of the picture because they use money for other set-ups, and not the state fish and game departments. North Carolina could not qualify because they are using money to buy school books for the kids. There is some question at this time about Wisconsin and South Dakota. In South Dakota because some of it is used for administration of the State parks.

MR. JOHNSON:

Our law reads now they are awarding $25,000, which may be used for "like purposes." Our Supreme Court says that is enitirely discretionary with the Game Commission as to how it may be used. It is administered by the Park Board.

GENTLEMAN FROM WISCONSIN:

What is wrong with Wisconsin?

MR. DAY:

I can't tell you about that. We have had some correspondence with you on that.

GNETLEMAN FROM WISCONSIN:

There is a clause in our Act that says any funds left in the Conservation Fund after administration of fishing and game laws is completed in one year, can be used for the purpose of forest lands in the state. No money has ever been used for that purpose in the state.

FROM THE FLOOR:

In the case of Mr. Body in Missouri, the law says that the Fish and Game Commission are an agency of the state for the purpose of receipt of the hutning fees and it shall not be converted. However, Mr. Bode had a session with the lawyers, and I think your problem can be taken care of by the legislature.

GENTLEMAN FROM WISCONSIN:

Why couldn't we do that in Wisconsin?

MR. DAY:

I think you could.

MR. JOHNSON:

Does the solicitor suggest how the state law should be amended so they might qualify. I am thinking of the situation in South Dakota.

MR. DAY:

You can do anything necessary for game management as long as you obtain administrative control of the funds. After you transfer to the Board, that is diversion of funds.

GENTLEMAN FROM MINNESOTA:

There is $45,000 that may be used by the Forest Service for fighting fires - is there some question like that?

MR. DAY:

If you lose control of it.

GENTLEMAN FROM MINNESOTA:

We in a way don't lose control, although the state law says it may be used.

MR. DAY:

If it may be used under your administrative control there would be no diversion.

MR. JOHNSON:

All state land, all park land, etc. publich shooting grounds, any forestry land we might support from the fund would be in the nature of areas for hunting purposes and the like. I rather supposed from the information I had from your agency, also the idea of the agency to make certain purchases of land from the state, was for the idea of bettering the conditions in the state.

MR. DAY:

Yes. We think by the purchase of any land you would be performing the same services you would be under the Act.

Q- Would it be possible under this act to secure land under long term leases for this purpose?

A- So long as you don't put any permanent improvements on the land, dams, etc.

MR. DAY:

There is one question - in Minnesota thereis a law whenever an area is purchsed for refugree purposes, one-third must be kept open for public shooting grounds.

GENTLEMAN FROM MINNESOTA:

I think we wrote you, that all our areas are refugees

unless there is enough game to be shot off. Almost all of our hunting grounds is a refuge now. It is closed and will be closed until there is enough game to shoot.

MR. DAY:

We know there are refuges and are trying to change your projects. As long as the management recommends it that is all that is necessary.

GENTLEMAN FROM MINNESOTA:

If it goes too far as refugres, there wouldn't be any place to hunt.

Q- How can you call a dam a permanent improvement?

A- It might not be permanent, but it would be so classed under Federal improvements.

MR. SWIFT:

Why should distribution be based on the areas? Isn't it an indication that states that sell the most licenses have the greatest opportunity to promote this work and restore wild life. Wouldn't it be a wider distribution of funds if based on the opportunity they have to promote this work.

MR. O'CONNELL:

The amount of acreage in square miles is a great feature in the production of game. Many of the Western States have a great many licenses sold, but have a small area for production of game. I think the set-up on that is as equitable as it would be possible to do.

Q- The Biological Survey, do they propose to set down any hard and fast rules or regulations for the purpose by which these funds are going to be used. Can you use any portion of this money for administrative purposes?

MR. DAY:

Our thought is a portion can be used for preliminary incidental purposes only on the projects approved. We are making the forms for the preliminary quite in detail. When they come in they go through the plans and specifications and are approved by the Secretary. * * We are leaving also a place in there for items of supervision of personnel for that project against each individual project.

MR. PROHASKI:

What portion can be spent for administrative purposes?

MR. DAY:

We have set no figure on it.

MR. PROHASKI:

Why don't you?

MR. DAY:

We don't know what to set.

GENTLEMAN FROM MINNESOTA:

For example, we set up a project of establishing a game farm which is going to cost us $100,000. We put up $25,000 and receive $75,000 from the Government. You approve that project and maybe there is a lot of money that will be used for administrative purposes, and for the administrative purposes of the project. What is to prevent a state from spending any amount for administrative purposes?

FROM THE FLOOR:

Suppose a projedt was sent in for approval for say $50,000. The actual project itself would probably amount to say $15,000. What is to prevent whether you spend $35,000 in administration before the project is under way?

MR. DAY:

Nothing is to prevent, but you wouldn't get it back from the Federal Government. Whenyou send in a preliminary proposal we will ask how much for supervision. So if you send in $50,000 - $15,000 for land and materials and $35,000 for supervision, it will come back and we couldn't do it. We want a fair and reasonable supervision.

Q- Don't you think that inasmuch as the law states that the Secretary of Agriculture can only use 8% per annum for administrative expenses that it would be wise for the

Survey to concur that 8% of administrative cost might be used and not to exceed that amount.

MR. McFARLAND:

In a few years we may be able to do that.

FROM THE FLOOR:

The C.C.C. and W.P.A. wouldn't be part of that project agreement?

A- It could be that the C.C.C. and W.P.A. were going to furnish labor.

FROM THE FLOOR:

I would like to see no state use any of the money for administrative purposes.

MR. DAY:

We started out with that idea, but several of the states said they couldn't go out and review projects and send in reasonable plans, etc. So we left it open. As to what you recommend that would suit me.

Q-FROM THE FLOOR:

You still reserve the right to pass?

A- Oh, yes, we will pass on every individual item.

FROM THE FLOOR:

I hope you don't have any scotchmen down there?

A- No.

MR. O'CONNELL:

Mr. Day, I thank you, and we appreciate the time you have given us.

The next paper is by "Ernest Swift" of Wisconsin on "Land Zoning, County Forests and Their Relation to Recreation and game in Wisconsin" - Mr. Swift -

MR. SWIFT:

I feel my paper will be rather tame, and that the preceeding discussion will be one of the high lights of this meeting.

Probably every person in this room has seen, over a period of years, the gradual decrease of public hunting grounds, coupled with the much faster increase of hunting enthusiasts. To those who have dealt with conservation problems for any length of time, it has been a subject of growing concern and even here in the midwest we are beginning to feel the pressure in our areas highly developed for agriculture and industry.

More and more we are hearing that hard-to-answer inquiry, "Where can I hunt?" Sportsmen who buy licenses believe that they are entitled to a place to enjoy their sport peaceably, without fear of becoming involved with trespass laws and threatened with arrent and fine. And they <u>are</u> entitled to such consideration.

Let us look at the other side of the question, however. Naturally the landowner has an argument, too, for when he tells you of stock being killed, gates broken down, fences cut and general destruction of property by some vandal in hunter's garb who entered by way of the back forty, he is not reciting a fairy tale. Although I personally feel and certainly hope that those responsible for such depredations are far in the minority, there is a sufficient number of them to make the farmer reluctant to open his acres to unrestricted use by outsiders. One or two cases of vandalism in a community may lead to the posting against trespass of hundreds of acres in the vacinity.

This condition is not helped any by the fact that individuals who take their sport seriously -- and expensively -- are buying or leasing some of the best available hunting and fishing territory. In some instances, they even profit from state game stocking efforts. That practice can very soon assume alarming proportions, and something more than saying that "there ought to be a law" must be done about it. Passive resistance in this instance is not effective, either to accomplish our own ends or to stem the tide of theirs.

States are attempting to solve this problem by various means -- rental of land, purchase, co-operative agreements between landowners and the state, co-operative agreements between the landowners and the hunters -- but it is still far from being solved, and in Wisconsin we feel the additional pressure year by year.

Of course, there are a good many hundreds of thousands of acres of state forests and other state and federal lands

on which game is a by-product, and where it may be hunted by any licensed hunter. The difficulty lies in the fact that much of this acreage is in scattered forties which are surrounded by privately owned lands -- often posted against trespass.

In this ever-tightening web of decreasing hunting areas, Wisconsin has found that her county forests and forest crop lands offer a tangible means of escape until we are more able to take care of it through financial means. Wisconsin has no appropriation for general fish and game activities, and they are carried on solely with the revenue from license fees.

I said a moment ago that game is a by-product on these forest areas. In a sense that is true, but in the case of many of them which are being scientifically managed to obtain the greatest possible return, the game crop is one of the foremost considerations. Plants and shrubs preferred by game birds and animals as food are being planted and coverts are being created or preserved. Refuges are being established and the predator population is regulated.

In view of the fact that this forest system is unique in the country, I should like to explain briefly the stages of development through which it has passed to reach the point where dividends are beginning to come in.

The county forests of Wisconsin are the product of a law as old as civilization. It is land that passed from private into public ownership when the owners ceased to pay taxes. This land lies principally in northern and central Wisconsin where alrge areas have proven to be poor agricultural possibilities and should be dedicated to the regrowth of timber.

There was a time when the forest covered property of Wisconsin paid all of the taxes assessed against it. Taxes were low, compared with the value of the property assessed. There were but few settlers, and their public wants were small. Capital values were too great to allow the land to be forfeited. Later when the timber crops were removed, and lumber companies foresaw the end of the operations and began to "drop their lands" for taxes, tax certificates against this delinquent land found a ready market. People said, and believed, that all of this once timbered land would become an agricultural empire. Cleared land, farm

buildings, prosperous farmers -- their tax dollars were just as valuable as any paid by the lumber companies.

How that well of tax income was finally pumped dry, due not to one but to many causes, is an old story. Now and more numerous roads, new and better schools, swelled enormously the cost of local governments. Each piece of property dropped from the tax rolls meant a heavier burden for the remaining taxpayers; and every time that burden increased, more taxpayers ceased to pay taxes on their land. By Wisconsin law, it was forfeited to the county. The counties of northern and central Wisconsin experienced this wave of tax delinquency in its most intensive form. Year after year, they advertised and offered for sale the certificates on tax-delinquent land, but there were few buyers, and the number of certificates, representing an ever-growing area, increased.

An ancient principle of taxation was in virtual collapse, but it dictated, through a provision in the law, a solution to counties desperately seeking other means of revenue. They took deed to the tax delinquent land which had been heaped in their laps, and thereby reduced the total tax base of the county. In turn, special state charges based on county tax rolls, were reduced.

The next concern of these towns and counties, burdened with the wreckage of a timber cutting tide, was to produce an income from the property to replace the unpaid taxes. A tax law on forest income was the corner stone of a new type of public forest domain. A law establishing co-operation between counties and the state was employed to transform county forests "on paper" into productive lands. Together, they constituted the best known approach to maintaining sound local government in a region while its people rebuilt and restored its most valuable resource--timber.

It was a forward-looking state legislature which, in 1927, enacted the Wisconsin Forest Crop Law. Based on a relatively new principle in land and timber taxation, it provides for a flat annual tax rate on land, while timber, as a product of the land, is to be regarded as income, and is taxed, like all incomes, only when realized. For forests, this means a tax is levied on timber only when it is cut. The annual tax rate on the land for the fifty-year period of the forest crop law contract is ten cents per acre, to be paid by the owner of the land. The state is required, under the law, to pay another ten cents per acre annually to the same tax districts which receive the landowner's

annual tax. In return for this extra tax paid by the state to the local governments, the state, according to law, receives the stumpage or timber income tax. Therefore, the total tax paid by the state and the individual and going to the local units of government, amounts to 20 cents per acre.

No sooner had this law been enacted, than the counties promptly inquired whether they as owners, might not have their tax-deeded lands classified as forest crop lands, and thereby afford help to the towns, the school districts, and to themselves. When the attorney general of the state ruled they might do so, and the next legislature provided that counties would be exempt from paying the owner's share of ten cents per acre annually, it appeared to answer to the problem of current income in place of taxes had been found.

One sound requirement of the law which gave it promise of being permanent was that lands classified under the forest crop law were to have on them a growing forest crop of reasonable prospective value. It therefore remains mandatory upon the conservation commission, under whose jurisdiction forest crop lands fall, to reject lands from forest crop which do not and cannot meet this requirement of a growing crop. This requirement of the law was primarily for private ownership; therefore for the conservation commission to accept the county woned land for forest crop classification, knowing that it was unlikely the county could ever meet this requirement, seemed most inconsistent.

The Wisconsin legislature promptly offered a means by which this impossible conflict of purposes could be avoided. For some years there had been on the statutes a law which permitted counties to engage in forestry operations on county-owned land. The legislature added to this simple law a provision that the Wisconsin Conservation Department would pay to counties, from its forestry funds, ten cents per acre per year, for each acre of county-owned forest crop lands within officially designated county forest reserves. In return for this additional state payment, the state is to collect a severance tax of 50 per cent instead of ten per cent as onprivately owned land, whenever any timber is cut.

Through the forest crop law, the state pays a form of tax to the local governments. Through the county forest aid law, the state helps rebuild the resources. The fifty per cent stumpage retained by the county is a form of rental for the use of its land. Hence out of the discard of lumbering's stock pile -- abondoned land -- is being fashioned a new domain that will furnish labor, create recreational values,

shelter wild life, and grow the raw materials for labor and a circle of new industries, which, guided by wise state legislation, will avoid the follies of the old.

The extent to which counties with much tax delinquent land have taken advantage of these two laws is shown by the total acreage of county forests. At the present time, there are 1,750,000 acres of forest crop land in 25 northern counties. In addition to their obvious purpose of growing a timber crop, county forests have many uses and many excuses for being established, and one of the foremost is for recreation. A very important provision of both the forest crop and county forest laws is the fact that one of the provisions of this 50-year contract makes such areas public hunting and fishing grounds. This is true on privately owned lands under forest crop as well as county forest lands.

To cite an example, Marinette county has one of the oldest systems of this type in the state. Up there on the Peshtigo river at Strong Falls -- which, by the way, is the last undeveloped falls on that famous trout stream -- there is being carried on a recreational development shich, in a few years, will be one of the best areas in northeastern Wisconsin. It is a direct attempt to satisfy varied wants along that line with a semi-wilderness area being made more accesible and more desirable to those who prefer that type of relaxation. It is being extended along the river as far as possible to provide public fishing opportunities and the county forest lands around the other three sides will serve as public hunting grounds. It is in effect a small island in the county forest proper, which has been set aside to be developed for extensive use by the public, with shelter houses, picnic facilities, etc. In a 10-mile stretch of river, all frontage on both sides, with the exception of three descriptions, is owned by the county. Almost the entire survey township is in the county forest and several small camping and picnicking sites have been developed to attract visitors to areas of low fire hazard instead of letting them go off joyfully into the brush to make trouble for themselves, the rangers, and everyone else concerned. The county does not, however, plan the erection of a roller coaster, a dance hall, and other Coney Island attractions which would spell the ruination of all their previous developments. Such things may have their place as means of recreation, but that place is not among the trees and waterfalls of the great outdoors.

Eau Claire county found itself burdened with tax delinquent lands, much of which lay along the Eau Claire river.

A dam, constructed on the site of an old logging dam, resulted in a beautiful lake in a territory where there are very few natural ones. Plans for the development of the shoreline property, all of which is now county owned, illustrate the safeguards which assure full public benefits on this land. There is to be a public camp ground reserved for each mile of shoreline. It would be expected, of course, that Eau Claire county would want to sell cottage and cabin sites on the new lake frontage, to realize income on the improved real estate through taxation; but this lake will never become one encircled with "No Trespassing" signs. Permanent public use is assured through the score or more public camp sites.

Wahsburn county citizens are becoming interested in setting aside for public use tax delinquent lands along streams to insure public access to these highly desirable areas. Recreation, as you know, is "big business" is Wisconsin and counties which are beginning to feel the pressure of demand for public play-grounds are acting on their own initiative to preserve some of the areas now under their jurisdiction. We are encouraging the counties to accept this responsibility, since the success or failure of a proposition depends on the favorable interest of the local people. Give the people in a community the chance to feel that this development is theirs, engender a personal interest -- in short, make the arrangement as democratic as possible -- and you are more apt to succeed in your attempts.

Hand in hand with Wisconsin's two laws enacted specifically for the development of forest resources goes the zoning ordinance, first passed in 1923 and amended in 1929, giving the counties the right to regulate the use of lands for agriculture, forestry, and recreation. While other states have recently enacted laws enabling counties to zone, only a few have given these units of government the right to do strictly rural zoning, and we as conservationists are more concerned with that aspect than with surburban zoning.

Zoning is a form of public control over the use of property in the interest of the general welfare. The courts of many states, as well as the Supreme Court of the United States, have declared the principle a proper use of the police power.

Quoting from an attorney general's opinion:

"The county zoning ordinance is undoubtedly in the public welfare. The cut-over areas of northern Wisconsin

speak as eloquently against haphazard development as any city condition. The spotting of these lands remote or abandoned farms, resulting in sparsely settled districts, with undufficient population or value to support roads and schools, or to afford the comforts of living that this day should give to all; the misdirected efforts to farm lands not well suited to agriculture, with resulting personal grief and social loss; the far-reaching economic ill-effects of stripping the state of timber; the fire hazard of cut-over lands and the fire hazard of human habitation in their midst, all cry out for planning, for social direction of individual effort."

". . . I believe the judicial tendency is going to be to recognize more and more the great social evil of uncorrelated and unrestrained individual and selfish enterprise, and hence to broaden its views of the power of government to plan the social and economical conditions of the present and the future."

The rural zoning ordinance law was passed because it was felt that the orderly development of northern Wisconsin and the need for reducing expenditures because of tax delinquency required that counties be given the authority to control development. As Dr. Wehrwein of the University of Wisconsin has stated: "The excessive and unnecessary cost of schools, roads, and other public services furnished the trigger that set off the zoning movement in northern Wisconsin." Counties should have the right to give every possible aid in agricultural zones with the aim of building up prosperous farming communities. But they should also have the right in sections of isolated and abandoned farms and heavy tax delinquency to set such areas aside as forest and recreation zones, and be empowered to control the construction of more roads and schools.

Let me illustrate how this law operates in Wisconsin. At Taylor Rapids in Marinette county, there were nine families living 18 miles from the nearest village by road. Six owned the land on which they lived, but the other three were squatters, and some of them were on relief. The assessed valuation of the school district serving these families was only $18,000.

Under the Wisconsin relocation plan, these people were moved out of the territory and given an opportunity to work out their own destiny under more favorable conditions and with fewer odds against them. A check-up thirty days after they had moved revealed that one family had gone back to the

state from which they came and all the other eight had employment of some kind. None were on relief. Without distinguishing between the various county, federal and state sources of support to that community, the savings to the taxpayers for snow plowing,roads, schools, and relief will in two and a half years pay the cost of buying out the six settlers.

You can readily see from these examples that the immediate economic aspects are the prime reasons for the practices established. It is fortunate that recreational and conservation aspects benefit as well and that therefore we are enabled to take advantage of these developments.

Forest crop lands have been in existence in Wisconsin some eleven years now, and they are well enough established to be legitimate illustrations. They are showing their true worth as water reservoirs and as weapons with which to fight soil erosion. From the lumbering standpoint, their commercial value is increasing each year, and their very definite recreational significance is growing simultaneously. They are lands in which the taxpayer of the state has some equity and are open to his lawful use. County forests are the answer to the crying need for public lands on streams and lakes, making continued public access assured. County forests, plus state forests, will undoubtenly in the future become more valuable and highly prozed by the people from a recreational standpoint, and without too much effort, one can visualize the time when such uses will outweigh their timber producing possibilities.

I thank you.

MR. O'CONNELL:

Is there any discussion on this paper?

(no remarks from the floor)

If not we will proceed to the next paper. This paper is on "Youth Education in Conservation" by George F. Walters of South Dakota - Mr. Walters --

MR. WALTERS:

Mr. Chairman and Gentlemen: Some years ago, after the situation had become alarming and after many attempts at diagnosing the case by proper authorities, it was found that in order to save for future generations some of our heritage of wildlife, and with the idea that we might restore certain species to a semblance of their former status numerically, the only safe solution to the problem was "Youth Education."

"As the twig is bent, the tree's inclined" was never more aptly stated, nor had a truer meaning than in this case of the efforts at halting the devastating waste of our wildlife.

We men of today little realized nor did we seem to care, just a few short years ago, what happened to our wildlife. In our boyhoodk at the first approach of spring or fall we were constantly on the alert for the first signs of wildlife migration and the first movement of ducks usually called for dragging out our death dealing weapons, hieing ourselves away to the first or favorite shooting place to deal destruction to whatever of birdlife that happened our way or suited our fancy, never once giving a thought to the fact that at some future day we would see the time when it would be necessary for someone in authority to step inand tell us, in our thoughtlessness we had so far depleted the ranks of wildlife, that it has become necessary to issue a mandate to stop the slaughter if we were to preserve for the future, any of the species which are so necessary to our well being.

There were times when we would take our atlas or other map of the North American continent and gaze upon that vast expanse known as Canada and vizualize in our mind's eye the countless millions of ducks, geese, snipe and other water fowl nesting in that great area, con-

cluding that their numbers were limitless and so long as their breeding and nesting grounds were not too much disturbed by the encroachments of mankind, there would be no danger but what we would have a bountiful supply of birds to provide us with our sport so long as we remained in the land of the living. But, something happened.

"Time marches on." We did not take into consideration the rapidly changing times. Instead of using a muzzle-loading musket, as I did in my boyhood days, guns were being revolutionized. Along came the muzzle-loading double barrel, and was it something? I'll never forget the thrill I got out of the first one it was my privilege to hunt with. Today it seems but a short space of time from the appearance of the first double gun until the breach loader made its appearance in the form of what we termed a Zulu. Next came the double barreled breach loader and right proud was I when I was able to walk down to the store and buy myself an L. C. Smith. Almost in the next breath, it seems, came the repeater or pump gun, and those who were fortunate enough to own one, looked on the rest of us with scorn. Inventive genius, never idle, was not to stop at the perfection of a repeater, but went a little further and produced the automatic, which revolutionized fire arms, and all but extingiushed wildlife.

Of what avail for a man to own and automatic or repeating shotgun if he was left to the old style method of getting to where game abounds? He might just as well have continued with the old muzzle loader or double gun, but that was not to be. The same inventive genius that provided man with the very latest model of firearm, was also busy alongother lines and means of rapid transportation were soon developed so that it was no longer necessary for us to remain close to our own Bailiwick, awaiting the arrival of the game, but we were able to take advantage of the rapid transportation facilitiesand go long distances, into remote lands to do our hunting, should we desire, and many did and do today, until we can now go in short order to any of the so-called wildernesses of the earth in search of game, and that vast expanse of Canada, which but a few years ago was but a vision to the sportsman, has had to yield to the these mans of rapid transportation until there are no longer wildernesses where game birds or animals are secure in their environment.

With these things entering into the picture, the ranks of wildlife have beendepleted until it was discovered that an alarming condition existed anddrastic action had to be resorted to in an effort to check this devastation of man's natural heritage, with the consequence that men of vision saw that quick action must be had or the end was near. But "What to do about it?"

Almost overnight laws were dassed and regulations set up everywhere, to curb the loss. Game commissions and other governing bodies were organized; sportsmen were banded together with a pledge to do all in their power to put a stop to the criminal waste, and in a measure they were successful, but the fact that a game warden would apprehend a violator here and there, take them into court and get convictions with penalties, was a far cry from the proper answer to the problem.

About this time, someone gave birth to the idea that in order to succeed, an appeal must be made to the youth of North America and thus was born the Youth Educational Program.

Game Wardens over the length and breadth of the land were called to their various headquarters and given instructions to go out and sell the Educational Program to the youth wherever they could find the opportunity, and they were eventually called upon to make the opportunity, as the situation was getting critical.

In South Dakota, we instruct our game wardens to go into schools, 4-H Clubs, Boy Scout gatherings and in any other place where they can get an audience with youth, to give talks and put on demonstrations that the youth may grasp the importance of the situation and they, in turn, go to their homes with a message that will carry an appeal where it is impossible for a game warden or other officer to make an impression.

From my observation in attending some of these warden-youth meetings, I cannot help but arrive at the conclusion that we are on the right track as the youth have invariablybecome enthusiastic and the deep interest shown by one and all convinces me that we should require our wardens to devote still more of their time to this program.

I think that I can safely say without the slightest fear of contradiction, that in every case where a warden has appeared and given his talk and demonstration before a gathering of youth, he has opened up an avenue of education out of the ordinary and the youngsters have, at

the first opportunity, plied him with questions that have taxed his ingenuity to answer and all most invariably have put the question "when areyou coming back, Mister?"

I amhoping to see the day, and believe it is not far distant when a course in wildlife management and conservation will be added to our public school systems wherein the Educational Program as we now have it, will not be a haphazard affair but will be an important part of the daily curriculum in every school. I like to think that our efforts in ~~ex~~ inculcating in the minds of the younger generations, a greater love of and respect for all species of wildlife, is getting results far beyond our fondest expectations, and which will prove to be a large factor in whatever measure of success we attain in our efforts toward the conservation and restoration of wildlife in America.

"As the twig is bent, the tree's inclined."

MR. O'CONNELL:

Thank you George. The chair has had a request that at the morning session we bring up the matter of the selection of a place for the next convention. If there is no objection we will now proceed to that. I have a letter from the Mayor of St. Paul, one from the Governor of Minnesota, from the Secretary and Manager of the Convention Department, St. Paul Chamber of Commerce. The floor will be given to anyone who wishes to extend any invitations.

GENTLEMAN FROM MINNESOTA:

Mr. Chairman, I might state that Mr. Weaver, Mr. Nelson and myself have to go away this afternoon and we would like to go back with the knowledge that the convention will hold the next convention next year in St. Paul. If there is no objection we would like to make a motion that the convention beheld in St. Paul.

MR. SWIFT:

I second the motion.

GENTLEMAN FROM WISCONSIN:

I would like to extend an invitation to the Mid-West Association to meet in Wisconsin next June. I leave it entirely to the judgment of the Association as to the place they would like to come.

MR. O'CONNELL:

The chair will rule that the motion is out of order and we will proceed to vote on the two places. If the chair is sustained we will go ahead with the vote? I hear no objection so we will proceed to vote for each state.

(The voting was as follows)

	State voting for
No. Dakota	Minnesota
South Dakota	Wisconsin
Minnesota	Minnesota
Wisconsin	Wisconsin
Iowa	Wisconsin
Illinois	Wisconsin
Missouri	Minnesota
Nebraska	Wisconsin

Total: Minnesota - 3
Wisconsin - 5

We will stand recessed until 1:30 P.M., to convene again at that time.

Meeting adjourned at 12:20 Noon.

THURSDAY, June 9, 1938

AFTERNOON.

MR. O'CONNELL:

The first paper this afternoon will be by Mr. Speaker, Superintendent of Fisheries of Iowa on "Fish Foods used in Hatcheries" - Mr. Speaker --

MR. SPEAKER:

The purpose of this paper is to briefly explain some of the feeding experiments in certain Iowa fish hatcheries during the past season. It is not intended that the results of these experiments should be established as a standard for hatcheries since we are of the opinion that considerably more work is necessary to establish the ideal hatchery foods for the various species of warm and cold water fishes.

Carp and other species of soft fishes have been well established in the nine central lakes states where conditions are apparently ideal for their perpetuation. Last season the State of Iowa removed over one and one-half million pounds of coarse fish fromthe inland lakes and streams.

Since the market price for this fishery product is comparatively low and extremely unstable, we were of the opinion a more profitable use could be made of this product if we could utilize a portion of it for food in our hatcheries. Accordingly we contracted with a local commercial cannery to put up approximately 6,000 pounds of canned fish at a cost of .03½ per pound.

The fish which was canned consisted of approximately 80 per cent buffalo (Megastomatobus cyprinella) and 20 percent carp (Cyprinus carpio)/ These fish were taken in the spring of the year in the advent of the spawning season. We calculated, therefore, that from 10 to 15 percent of the total weight was fish eggs.

The fish was prepared in tin containers which had a capacity of approximately one gallon. The pack was relatively firm and processed long enough to destroy all bacterial action.

Experimentally we added enough cheap flour to some of the cans to stiffen the product, but the greater portion of the fish was canned without the addition of the flour.

The fish was chopped in small pieces before being processed and the heads and ofal were used as well as the flesh.

W. W.Aitken, State Biologist, set up a feeding experiment at the Strawberry Point Trout Hatchery and R. B. Cooper, Fish Culturist, weighed and fed the fish.

Three separate feeding experiments were performed using one thousand advanced brook trout fry in each trough. The experiment was carried onover a 90-dayperiod. The fry weighed 1.5 grams each at the beginning of the period.

Trough #1 was fed on pure trimmed beef heart. Trough #2 was fed 50% cooked fish (which contained 20% carp and 80% buffalo) and 50% beef heart. Trough #3 was fed entirely on cooked fish.

A At the end of the experiment there was a loss of 57 fish fed on beef heart, 160 fed on heart and fish, and 464 fed on fish.

The total gain in weight per fish was 10.8 grams on heart, 5.9 grams on heart and fish and 4.5 grams on fish.

Exactly the same amount of food was fed in each trough by weight. A total of 60 pounds was used in each series. The experiment started using 44 ounces per day and was gradually increased to 140 ounces at the end of the period.

Trough	Pound of Food	Cost per pound	Fish pounds	Cost per pound of fish.
1	60	.10¢	24.3	.25¢
2	60	.06¾	21.5	.18¢
3	60	.03½	14	.15¢

In conclusion it will be found that although the cooked fish produced fish more cheaply, the fact remained that less pounds of fish were produced per equal number of pounds of food used. There was also a greater loss of trout which were fed cooked fish and the remaining fish in the troughs were very uneven in size. The cooked fish did, however, produce a highly colored trout.

* * * * * * * * * *

A second experiment was performed by Aitken and Cooper using the same foods on fingerling Brown Trout weighing 1 1/2 ounces per fish.

One hundred fifty fish were used in each of the three troughs and were fed 12 ounces of food per trough daily pver a period of 90-days.

The fish gained 2.6 ounces on beef heart, 2.3 ounces on beef heart and cooked fish and 1.5 ounces on cooked fish only.

Complete information on these experiments will be published shortly in the Iowa Journal of Science.

* * * * * * * *

An experiment using fresh ground carp in combination with other food stuffs was carried on at the Strawberry Point Hatchery by the writer and Mr. Cooper.

Three troughs were used in 200 Rainbow Trout per trough. Eight ounces of food was fed daily in each of the three troughs. The fingerling trout weighed one ounce each at the start of the experiment. They were fed over a period of 98 days.

At the end of the experiment the rainbow fed on beef heart gained 2.2 ounces; those on 50% beef heart, 30% ground fish and 20% Egg-Glo-K" gained 2 ounces; and those fed on 50% ground fish, 25% beef heart and 25% Egg-Glo-K" had gained 1.2 ounces.

The experience of this feeding experiment was very comparable to those performed by Aitken later in the season.

Other experiments will be carried on from time to time this season with fish of different age classes using meats, fish and dry food stuffs.

* * * * * * * *

At the Decorah Trout Hatchery fresh ground carp was used exclusively in 1936 for fish of all age classes.

According to report of Mr. Moe, Fish Culturist at that station, the cost of packing house products was approximately $125.00 per month at the time the ground carp was first used at his hatchery.

Two earth ponds with an area of one acre each were used. One pond contained yearling Brown Trout and the other yearling Rainbow Trout. 3,000 pounds of ground fish plus 300 pounds Red Dog flour and three gallons of cod-liver oil furnished the sole food supply for the 30,000 fish for a period of three months.

Another experiment was carried on at the Decorah Station using cooked canned fish (80% buffalo and 20% carp) on one-inch fingerling Rainbow Trout. These fish weighed 800 per pound at the start of the experiment. 12,800 were stocked in a one-acre earth pond on April 24.

At the start of the experiment the fish were fed 20 pounds of cooked fish daily. As the season advanced the food was increased to 45 pounds daily.

During the winter months feeding dropped off and only 26 pounds daily was used. The following spring the fish were distributed to the streams. They had made remarkable gfowth, were fairly even in size and very highly colored.

Apparently both cooked and raw fishery products are suitable foods at this station.

Ground fresh carp have also been fed to small-mouth bass and other species of warm water fishes. Although it has beenour experience that small-mouth bass will take ground carp without the addition of other foods, they seem to make a more rapid growth if packing house products, such as beef heart, liver, or hog melts are added to the diet.

It usually requires several days to acquaint the bass with this type of food, but within a week they take it readily.

It is the concensus of opinion of the Iowa fisheries men that cheap foods, such as fresh ground or cooked carp and buffalo, can be introduced into our hatcheries with favorable results, but with one exception we have found it necessary to use it in combination with other foods in order to produce maximum results.

Q- At 3½¢ per pound what does that represent?

A- That is the canning cost. We estimate the cost 1¢ per pound to collect and get to the cannery. That is just the cost of canning.

Q- And the container?

MR. SPEAKER:

And the container.

We have done quite a bit of feeding blue gills, croppies and large mouth bass on this ground carp, but have not been able to produce at Decorah very even fish. It is a cloudy water station. Possibly they will take the food better in a clear water station. At Strawberry Point we had to fee 50% beef heart and some packing house products in order to get even fish.

FROM THE FLOOR:

Between the canned carp and the fresh ground carp which do you prefer?

MR. SPEAKER:

Personally I like the fresh carp. That is just imagination probably. I think they are missing a bit on the carp proposition by grinding the entire fish. In the experiment we had 60 lbs. of food in each of three series. When you stop to consider 50% of the carp is waste and you are only feeding 30%.

FROM THE FLOOR:

Is Beef heart 100% - does your beef heart represent 100% food?

MR. SPEAKER:

Yes.

MR. O'CONNELL:

Are there any more questions? If not we will proceed with the next speaker. Mr. J. M. Merritt will give a paper on "Catfish Hatcheries" - Mr. Merritt --

After all the discussion of ducks, geese, beaver and deer, the subject of catfish may seem rather unimportant, particularly to the gentlemen of Wisconsin and Minnesota. But extremely important it is to the states of the two banks of the Missouri River form boundary lines of more than two hundred miles between the states of Missouri, Iowa, Kansas North and South Dakota and Nebraska.

This vast stretch of boundary water together with the many tributaries of the River comprise the very heart of the habitat of the channel catfish in the Missouri River basin.

The most important catfish water begins at approximately the point where the Missouri River enters Nebraska from the South.

This vast stretch of boundary water together with the many tributaries of the River comprizes the very heart of the habitat of the channel catfish in the Missouri River basin.

The history of wildlife in the prairie states has been one instance after another wherein market hunters and fishermen have been allowed to deplete many species to a point which threatened extinction before restrictive laws were enacted or enforced or artificial propagation undertaken.

We have now definitely reached the point where the channel catfish should be placed in the same catagory and be accorded the same protection as other game fish such as the bass, trout, crappie, etc. So far as the Missouri River and its immediate tributaries within this area are concerned, the river fishing is gone when the channel catfish is gone.

Most observers agree that the catfish population has been reduced 60% within the past 20 years, largely because of the commercial fishing and abetted by pollution, stream obstruction and lack of artificial propagation. The average annual take of this river of approximately 10 million pounds in the Mississippi Valley has been maintained by taking more and smaller fish. The comparatively small revenue collected hardly more than pays for law enforcement.

Up to the present time at least, the channel catfish in the Missouri River has been a sort of an orphan. Each state collects what revenue it can by licensing hoop nets, trammel nets and seines along its boundaries. Because of its migratory habits and confusion of jurisdiction of the several states and the Federal Government in the river waters, no one has assumed responsibility for this species.

However, protection in the Missouri River is vital in any plan to perpetuate and protect the catfish in the tributaries within adjoining states.

The spring migration from the Missouri River extends for hundreds of miles upstream to spawning grounds in these tributaries and the thousands of pounds trapped and sold from the Missouri each year are a constant drain on the spawning stock.

In October, they return, seeking slow, deep water which will afford protection during the dormant winter period.

Channel catfish readily lend themselves to artificial propagation. The states of Kansas, Oklahoma and Nebraska all propagate, although this is one of the minor activities.

The eggs are collected from small barrels or kegs placed in about 30 inches of water in ponds preferably supplied with water from a creek or river.

Spawning usually begins in early June and continues for a month. The eggs are collected each day and placed in toughs under mechanically operated agitators which lift and lower the egg mass constantly to provide aeration and prevent the accumulation of sediment.

The eggs vary greatly in size and number in each spawn. A liquid ounce may contain from 600 to 1,000 eggs and the number in each spawn may be from 2,000 to 20,000. The eggs are attached by membrane into a tough, solid mass.

Movement is noted in the egg on the fifth day of incubation and the fry emerge on the eighth to the tenth day. They are extremely active and are ready to take food at the end of a week if water temperatures are high.

They feed first from the surface, swimming rapidly to and fro and at this time must be fed floating foods ground very fine. The commercial "egglo", a hydrated milk or one of the many trout foods on the market have given suitable results.

As they become larger they take submerged foods of boiled and grated livers, raw livers and canned carp. The feeding period is approximately four months and a growth as good or better than that attained under natural conditions can be expected.

They may be shipped long distances and little loss is experienced during distribution.

Varying results have been obtained from plantings in nursery ponds. Plants made in large ponds or those having

a constant inflow of water have been satisfactory. Especially good results have been gotten from plants made in small streams and in those which flow into lakes or ponds.

The percentage of hatch and survival at the Gretna station is considered good. 80 or 85% of the incubated eggs are hatched and subsequent loss of fry is substantially less than that usually experienced with trout fry,

Our work at the Gretna hatchery has convinced us that the artificial propagation of channel catfish is entirely practical and a study of the status of this species in the Missouri River and its tributaries seem to indicate that a concerted effort by states and Government to propagate and protect them should be undertaken at once.

Here in Nebraska, Kansas, the Dakotas and Iowa the channel cat fish is by far the most important stream fish we have in those streams immediately adjacent to the Missouri River. If we lose that revenue gotten from that source it will be a very serious loss. Are there any questions in regard to propagation?

MR. SPEAKER:

In the streams stocking channel cat and where they are already native, what other fish do you have, -- do you have any small mouth bass?

MR. MERRITT:

We have no small mouth bass at all in this state.

MR. O'CONNELL:

The next paper on the program is by F. T. Schwob, Chief Fish & Game, Iowa, entitled "Is a Game Farm Worthwhile?" Mr. Huston will read the paper as Mr. Schwob is gone. -- Mr. Huston --

MR. HUSTON:

In trying to answer this question, I want to state that the conclusions reached are the result of experience gained from our Iowa game program and information gathered from surrounding states.

In thinking about this subject, several questions came to my mind.

First: What is the function of a game farm? It seems to me the real need for a game farm is to supply seed stocks

to areas that have suitable environment where the seed stocks have been nearly or completely exterminated by accidents such as severe winters, unfavorable nesting seasons, over-shooting, heavy predator populations, disease, etc.

Second: In Iowa, we have concluded that in addition to the need for seed stock as explained above, there is another very important reason and that is to help stimulate active personal interest on the part of sportsmen and conservationists.

Iowa has been without a game farm since 1932. The reasons for its discontinuance were:

1. There was ample seed stocks of Pheasants and quail in their respective ranges or where suitable environment was present.

2. The game farm was in fact not a game farm but more of a show place. The cost of operation was extremely high.

3. The recommendation was that the game farm be discontinued and the seed stocks present be helped to multiply by improving living conditions.

4. Additional stocking without improving living conditions would not produce results.

5. The seed stocks necessary should be purchased from game breeder.

Our Commission agrees with the above recommendations at the time they were made.

Now, let's see what has happened since that time. We find that we have had a series of very unfavorable conditions that instead of having ample seed stock in our pheasant and quail territory, we have areas that are almost birdless.

The severe drought years of 1935 and 1936 together with the severe winter of 1935-36 just after an open pheasnat season with heavy losses to fox reduced the seed stock on the land to a very low point. The season of 1936-37 was kept closed because of the scarcity of birds and the stock present in the spring of 1937 seemed ample to build a shootable population if natural reproduction was normal. This nesting season proved to be the poorest we have experienced

for years. The wet, late spring deprived the birds of much nesting cover that was usually available in lower marsh areas because they were filled with water. This forced the birds to nest in farmed fields and very few were successful in bringing off broods because the fields were harvested before the birds hatched.

There is ample seed stock of pheasants in much of the pheasant territory where there is good winter cover and nesting cover. The balance has very few birds and seed stock would materially speed up the comeback providing the winter and nesting cover is provided at the time the birds are stocked.

Much of the quail territory, especially in southwestern Iowa, is almost quailless because of drought and severe winters. The cover and food has been restored by nature but it will take several years for these areas to become stocked from the natural spread of quail from ranges that now have quail and the planting of seed stocks will materially speed up the comeback. So we find that there is real need for seed stocks.

The next question is whether to buy these seed stocks from breeders or rear them on our game farms.

We have had difficulty in securing birds for stocking purposes. In 1937, no birds were purchased because the game breeder with whom the Commission had a contract sold the birds to another because he was offered a better price. Some birds purchased since 1932 had been crowded, were feather picked, were not strong, healthy birds and were not capable of taking care of themselves when released to the wild.

Our experience purchasing birds has not been satisfactory or dependable. I do not mean to imply that we do not have dependable game breeders. We have! But under our state law, we must let these contracts to the lowest bidder. One breeder gets the bid one year and another the next. Where we need twenty-five or fifty thousand birds per year, none of our game breeders can afford to keep the breeding stock and equipment unless they can be assured of the business each year. Another thing -- we believe we can produce better birds for less money.

Therefore, in order to insure good, healthy, deseasefree birds at reasonable cost, reared properly to insure

their being able to survive in the wild, we believe a State Game Farm is necessary. We also need a place where pheasants can be held that are trapped in January and February around our State areas which have been developed for maximum production. If these heavy populations are left, crop damage occurs to farmers living near the areas.

We believe these surplus birds should be trapped, sent to the game farm and held until the critical period of winter is over and then released in territory where additional seed is needed.

During the year, our officers pick up birds and animals that have been crippled or taken from the wild by persons sho think they want pets. We need a place to hold this stock until it can be released to the wild.

The above are reasons why we believe a game farm operated properly is necessary, but in addition, there is a more important reason than any given above. We believe we must set up programs that will actively interest sportsmen and farmers in their own game problems. Without active, personal interest and the full cooperation of sportsmen, farmers and the Department, the annual production of shootable crops of game on privately-owned land will always be accidental and not dependable and cannot maintain upland game hunting.

We believe one of the surest ways to bring this about is to set up programs that will give the sportsman and farmer an active part in the program. For example, if sportsmen and farmers can have the care of pheasants and quail -- help rear them to maturity, provide winter cover, nesting cover and food at critical periods, this active interest will materially reduce law violations, will develop the proper management of this crop, especially provide winter cover, stop over-shooting and will point to the necessity of proper predator control such as the fox at the present time. In other words, if people in a community are sufficiently interested in game, they will, with the help of the Department, do the things necessary to insure success.

This year, we expect to supply from the game farm 25,000 pheasants and 5,000 quail to cooperating sportsmen's groups who will rear and stock them. We expect to produce these birds at a substantial saving. By having our own game farm, we will not be depending on someone else and can produce the type of birds best suited to our state.

In addition to the above reasons, a game farm properly set up and managed gives opportunity for sceintific investigation into the life habits of birds and animals by supplying tame stock with which to experiment.

It also gives opportunity for selective breeding. A case in point is our southern Iowa pheasant problem. We have been stocking pheasants in southern Iowa for almost thirty years. To date, these plantings have not been successful except in a few areas. In our Chariton River bottoms, we apparently have pheasants established. There has been no stocking for several years and the population has increased probably to the carrying capacity of the area. It may be that over this thirty years of stocking, we have developed a bird that will live and prosper in southern Iowa. By having a game farm, we can obtain some of these birds or eggs and try to develop this strain of pheasants which apparently does well in that southern Iowa environment. We could not carry on such an experimental program without our own game farm.

One argument we always hear against game farms is the high cost of operation.

Wisconsin, according to Director McKenzie, has been able to produce strong, healthy birds at very low cost and we are confident that a farm properly managed and provided with latest approved equipment and free from politics will produce satisfactory results.

The Commission has been paying about 60¢ each for eight-week old pheasants and the cheapest quotation received on quail is $1.00 each for eight-week old birds. It is apparent that the Commission, in the future, will not be able to purchase the type of bird desired at this price.

I do not believe birds or animals can be produced on game farms and shot the same fall. They must be used as seed stocks and at least one reproduction period passed before shooting is allowed. I cannot see how we could release pheasants that cost 60¢ to produce and shoot them the same fall. Our hunting license fee is one dollar. Each hunter is allowed three birds per day. He would take $1.80 worth of birds for $1.00 and I don't see how we could stay in business that way.

So whether or not a game farm is worthwhile depends upon whether or not a sound, sensible game program has been set up and whether or not the farm is properly equipped and managed and the entire program executed without political interference.

If we have a sound, sensible program and a farm properly equipped and managed, we have the advantage of:

First: A dependable supply of healthy, desease-free birds, selectively bred for the particular environment in which they are to be released.

Second: The game farm provides a place and tame stock with which to carry on scientific investigation into the life habits and requirements of birds and animals.

Third: The game farm provides a place for holding birds and animals trapped in winter from areas which are overpopulated until the critical winter period is over and they can be released on areas needing stocks.

Fourth: It provides a place where birds and animals confiscated by Conservation Officers can be held until matured or recovered so they can be again released to the wild.

Fifth: It provides an economical source of supply of birds and animals to be delivered to sportsmen's groups to stimulate active, personal interest which will lead to development of proper environment and management.

MR. O'CONNELL:

Are there any questions?

MR. McFARLAND:

How does he intend to produce birds on a State Farm cheaper than they can be produced on a private farm?

MR. HUSTON:

Well, for one thing we will be so situated that we will produce the majority of the feed there on the state owned land. We have several thousand acres of land which is farmed on the state land share basis. The state can use any amount of that needed in making feed for game birds. In the second place we think we have

this game farm set up so it can be operated with very little help, probably not as much help as the individual would have to use. We have modern equipment where one man can care for a great many thousands of birds himself.

MR. McFARLAND:

Is this the first year Iowa has had a game farm?

MR. HUSTON:

Yes.

MR. McFARLAND:

What is it going to take to raise 8 week oldbirds?

MR. HUSTON:

I don't know, I think less than 50¢. I can't tell you that yet until we go through the first year.

Q- When you had a game farm how much did it cost you?

A- I expect some of them cost $5.00 a piece. If I remember right last year the operating cost was something like $32,000. I don't recall the number of birds produced.

MR. McFARLAND:

What do they do with the crops on those lands now?

MR. HUSTON:

Use what they need for state work. The rest is sold and used for buying fence, to fence off our land so as to keep stock out so as to provide a nesting cover for ducks and pheasants.

Q- (FROM THE FLOOR)

Have you worked out a good program working with the farmer and sportsman?

MR. HUSTON:

Yes. At this time we have in about 50% of the counties county conservation committees set up. The committees are made up of representatives of all the

organizations in the county interested in any phase of conservation. For example we have county agents scout groups, women's clubs, garden clubs. Everygroup interested in any phase of conservation whatever. Because for this reason, we feel inorder for any program to be a success it is going to take the concerted effort of everyone interested in it. In the past we have had groups like the Isaac Walton League, who have done good work. They are only interested in one phase. If we can get people interested in every phase it makes it much easier for us to work with them. As a county group we ask them to select three members, so they are the only people we need to contact in the county. It is only necessary to contact the three to find out what is going on. Heretofore it has been necessary to go to every little hamlet and town and find out the wishes of each. These county committees have in a number of counties already appointed a committee to take charge of rearing of game birds. There will be other committees who will have charge of stream improvement works. Their duty will be to get easements along streams for public access. That is one of the troubles in Iowa, they have so much water people can't get to without trespassing.

Q- (FROM THE FLOOR) In game raising do you propose to take the 8-week old birds or will they try to hatch the eggs?

MR. HUSTON:

We will do all the hatching. We will send them out two weeks of each other to those that have the necessary equipment. They agree to furnish brooders, etc. We will send a two-weeks supply of food with them. We think in that way they will be started along in life in such a way they will be able to make it. Of course it is an interesting experiment and we will know more about it next year?

MR. O'CONNELL:

Is there any further discussion on this subject?

(no answer from the floor)

That completes the papers. We are now coming to the time when we hold our business session. Charles do you have a report? We will now have the report of

our Secretary-treasurer, Charles McFarlane of Minnesota, -- Mr. McFarlane --

Mr. McFARLANE:

(reads following report)

TO THE OFFICERS AND MEMBERS OF THE ASSOCIATION OF MIDWEST FISH AND GAME COMMISSIONERS:

I respectively submit the following report concerning the receipts and disbursements of the Association of Midwest Fish and Game Commissioners for the year 1937-1938:

RECEIPTS:

Balance on hand June 10, 1937 received from John R. Foley, Secretary-Treasurer -		$31.09
North Dakota -	$5.00	
Nebraska -	5.00	
Wisconsin -	5.00	
Iowa -	5.00	
Illinois -	5.00	
Minnesota -	5.00	30.00
Total receipts - - - - - - - - - - - -		$ 61.09

DISBURSEMENTS:

August 8, 1937 - 2500 letterheads. McGill & Warner as per attached receipt - - - - - - - - - -	21.50
Balance on hand as of June 8, 1938 -	$ 39.59

Respectively submitted,

/s/ Charles McFarlane

Charles McFarlane, Sec-Treas.
Association of Midwest Fish & Game Commissioners."

MR. O'CONNELL:

Thank you Mr. McFarland. What will you do with this report?

MR. JOHNSON:

I move the report of the secretary be accepted.

MR. McKENZIE:

I second the motion.

MR. O'CONNELL:

The motion has been made and seconded that the report of the Secretary be accepted. All in favor signify by saying "Aye" - Opposed "naye." (unanimous response "aye.") The motion is carried. The report will be accepted and filed.

Is there any unfinished business any member desires to present? Is there any new business?

MR. JOHNSON:

One thing the Resolution Committee didn't write into a resolution, but I am going to move the conference give Frank O'Connell a rising vote of thanks for the program arranged by the Nebraska Conservation Department, and Mr. Storz and everybody else a rising vote of thanks for the entertainment. I make this as a motion.

MR. McFARLANE:

I second the motion.

MR. JOHNSON:

It has been moved and seconded that we give the Nebraska Conservation Department a rising vote of thanks for the convention and entertainment.

(Assembly rises)

MR. O'CONNELL:

It has been a pleasure to us and we hope you enjoyed it as much as we enjoyed having you.

MR. HASKIN:

Mr. Chairman --

MR. O'CONNELL:

Mr. Haskin --

MR. HASKIN:

I didn't hear anything said about the dove situation.

The Biological Department has taken over the department, * * but I believe it would be a good idea to get the feeling from each state as to how they feel on this dove situation. I think the dove should be included in the game bird. I think we should let the Biological Department know about the opinion on the dove season. Last year they had more controversy on the dove season than anything else. I would like to hear some discussion.

MR. O'CONNELL:

Is there any further discussion on the matter?

MR. JOHNSON:

South Dakota laws make the dove a game bird, it is classified as a game bird and the game commission can legally declare an open season. Unless the sentiment of the commission changes there never will be an open season on doves in South Dakota. It was discussed a few years ago and one of them sarcastically said "Hell, lets make it robins." We feel the shooting isn't sport. The sport of dove shooting is flying between feeding grounds and the roost. Really dove shooting in South Dakota couldn't be sport. They don't fly like they do in the South. I presume the Survey left it to the individual state. If the state expressed a desire the Survey granted an open season. That is what happened in South Dakota. We told them we didn't want an open season on doves.

MR. DAY:

If the group here wishes to make an expression and have it ready for Ashville, I am sure it will be appreciated. We want to do it as a group and individually it won't make any particular difference. But if you state you have ideas in mind before you go to Ashville the bureau will consider all of those things at that time.

MR. McKENZIE:

We are much in the same condition as South Dakota. I doubt if the people would shoot doves if the season was open. They have been song birds for years. I

personally would hate to advocate an open season.

DR. SULLIVAN:

There are 28 states that have an open season on doves. I think probably the biggest breeding place for doves in the State of Nebraska. If they claim them as a game bird and we raise them and send them down south for them to shoot it is nothing more than seasonable then we should have an open season on them ourselves. For that reason I wouldn't like to go on record for a closed season unless the other states would be for the closed season. They class them as game birds and Nebraska I think raises more than any state. Why should we close our season and not shoot them and send them down for the sportsman down south? I wouldn't want to make a motion or resolution, but Nebraska should have something to say about the dove season because of raising them. I wouldn't shoot a dove, but if we are going to raise them and send them down south we should take cognizance of the fact we raise them, and could shoot them up here. I wouldn't like to see an open season in Nebraska, but the fact there are 28 states having an open season I wouldn't be in favor of closing the season in Nebraska. As much as I would like to protect the doves I hesitate to agree with Minnesota and Wisconsin where they don't raise them. * * I think that Nebraska with her population shouldn't go on record as being against the shooting of them. I think the Government made a mistake when they classed them as game birds. I will say I don't think they are game birds. I think they are song birds. I hate to say we go on record for shooting doves. We are not against shooting doves.

MR. O'CONNELL:

We will now have the report of the resolutions committee, - Mr. Johnson, Chairman -

MR. JOHNSON:

On the fire lane discussion that took place here yesterday the following resolution was drafted and submitted for your pleasure:

"Resolution No. 1

WheREAS the Federal Forest Service in the development of National Forests has constructed innumerable fire lanes and truck trails throughout said National Forests

making such areas more accessible, and

WHEREAS such fire lanes and truck trails are open to unrestricted public travel, and

WHEREAS such unrestricted public travel on said fire lanes and truck trails is working to the detriment of wildlife by making wilderness areas accessible to legal and illegal hunting, and naturally increasing enforcement problems. Now therefore be it

RESOLVED, By the Association of Midwest Fish and Game Commissioners duly assembled at Omaha this 9th day of June, 1938, that said fire lanes and truck trails in National Forests of the eight states of the association be closed to public travel except by permit for legitimate use and be closed at all times for vehicles of hunters and fishermen; and that a copy of this resolution be sent to U. S. Secretary of Agriculture and Chief of the Federal Forest Service at Washington, D. C."

I move the adoption of this resolution.

MR. McKENZIE:

I second the motion.

MR. O'CONNELL:

Is there any discussion? Are you ready for the question? All in favor signify by saying "aye" - opposed "naye." (Unanimous in the affirmative) The Resolution is adopted.

MR. JOHNSON:

Regarding the undesirable rough fish problems discussed this morning we submit the following resolution:

"Resolution No. 2

WHEREAS, problems involved in the control of carp and other undesirable rough fish is each year becoming a greater burden to the conservation departments in the states of the upper regions of the Mississippi basin,

AND, WHEREAS, certain practices by U. S. Bureau Fisheries and by State Departments adds to and increases

the problems involved;

BE IT RESOLVED that the Midwest Association of Fish and Game Commissioners in regular session assembled at Omaha, Nebraska on this the 9th day of June 1938 voices its objections to the artificial rearing and/or propagation of carp or other undesirable rough fish by the U. S.Bureau Fisheries for release in the waters of the Mississippi river or any of it's tributaries.

ALSO, objection is made to the return to such public waters of any undersized or unmarketable carp or other undesirable rough fish taken by any state or by the U. S. Bureau of Fisheries in its rescue or other fishery operations.

BE IT FURTHER RESOLVED that a copy of this resolution be spread on the minutes of this meeting and a copy sent to Dr. Frank T. Bell, Commissioner, U.S. Bureau of Fisheries."

I move the adoption of this resolution.

MR. HASKIN:

I second themotion.

MR. O'CONNELL:

If there is no discussion, all in favor signify by saying "aye" - opposed "naye". (Unanimously in affirmative) The motion is carried, the resolution is adopted.

MR. JOHNSON:

The following are recommendations to Ira N. Gabrielson, Chief, Bureau of Biological Survey, Department of Agriculture:

The resolutions committee has adopted the following recommendations for ducks and geese for the eight states composing the association of Midwest Fish and Game Commissioners, subject to the approval of the association, and further recommend that upon final adoption said recommendations be forwarded to Biological Survey at Washington, D. C.

The regulations for 1938 are as follows:

DUCKS

;th of season--45 days continuous

ting hours--30 minutes before sunrise to 12:00 .ock noon daily.

es - Dates

;hern zone, including Wisconsin, Minnesota, North South Dakota, October 1 to November 14, both dates lusive.

thern Zone, including Nebraska, Iowa, Illinois and souri, October 15 to November 29, both dates inclusive.

limits--10 birds per day.
session limit--10 birds; not more than 3 of which may canvas backs, red heads, ruddy or buffaloheads or any all of same combined.

tected species--Not open season on wood ducks.

.ting and decoys--artificial baiting or the use of re decoys prohibited.

GEESE.

ason--45 days continuous.

Shooting hours--30 minutes before sunrise to 12:00 noon daily.

Zone--dates.

All eight member states October 15th to November 29th, both dates inclusive.

Bag limit-- 4 birds per day.
Possession limit
Protected species --same as 1937 regulations.

Baiting and decoys--artificial baiting prohibited. Not to exceed 5 live decoys per blind.

Inasmuch as the 1937 regulations of the U.S. Department of Agriculture pertaining to migratory birds provided for an open season on rails and gallinulis prior to the opening of the season on ducks and geese, we feel justified in recommending a later season on geese than on ducks.

That is our recommendation, how would you like to have it handled?

MR. O'CONNELL:

I think we should move the whole thing be adopted. Are there any questions or any controversy we can act on?

MR. JOHNSON:

The length of the season 45 days continuous?

MR. O'CONNELL:

Is there any discussion on that?

MR. O'CONNELL:

Is there is no discussion on the matter before the chair, we will proceed.

MR. JOHNSON:

"30 minutes before sunrise to 12:00 o'clock noon daily."

MR. O'CONNELL:

Is there any discussion on that?

MR. SULLIVAN:

I am going to vote for the resolutions as brought in. I still say it is a mistake to wait an hour to shoot in the morning. It is a handicap to the hunter and to anybody except the outlaw. Whenyou say half an hour before sunrise, up here the fellow is shooting and the fellow over here has to wait an hour.

MR. JOHNSON:

Not under this doctor. The sun governs here. The clock doesn't. The sun rises the same central time as mountain time. When we say sun-rise, we don't have that hour spread.

DR. SULLIVAN:

I still say it is a handicap to the hunter. * * I

think the resolution committee brought in a nice resolution, but I think they should fix the day and not the hour, and let everybody go out and get in the blind and still think they should just set the day and not the hour.

MR. O'CONNELL:

Is there any further discussion? If not we will proceed.

MR. JOHNSON:

"Northern zone, October 1st to November 14th."

"Souther zone, October 15th to November 29th.

MR. O'CONNELL:

Any discussion?

MR. JOHNSON:

"10 birds per day bag limit, and possession limit 10 birds, except protected species, not more than three which may be canvas backs, red heads, ruddy or buffalo-heads or any or all of same combined."

MR. O'CONNELL:

In other words this makes it possible to shoot that number while last year we were prohibited entirely.

Q- Is that one of each?

MR. JOHNSON:

You can have three canvas backs, 3 red heads, 3 tuddys or three mixed.

MR. O'CONNELL:

Is there any further discussion?

MR. JOHNSON:

"No open season on wood ducks."

"Artificial baiting or the use of live decoys prohibited"

MR. O'CONNELL:

Any discussion?

MR. JOHNSON:

"Geese - the dates set back 15 days later.

(MR. SWIFT TAKES THE PRESIDING CHAIR)

MR. O'CONNELL: (from the floor)

I don't believe that would be satisfactory for the shooters in Nebraska. We have quite a flight in Nebraska in the latter part of October and it would be much better for us in this part of the country if it was the same date as the ducks.

(MR. O'CONNELL TAKES THE CHAIR AGAIN)

MR. O'CONNELL:

The only states it would effect would be Iowa and Illinois. What do you think about it?

MR. HUSTON:

I would just as soon see it open the same time as the duck season.

GENTLEMAN FROM ILLINOIS:

From a shooting standpoint it would make better hunting. * * We get flight of geese quite large. It is more filled up by the 15th of November. * * * * I think it would be favorable as set up in the resolution.

MR. O'CONNELL:

I believe from the angle of enforcement it would be a mistake to extend the geese season 15 days after the duck season. Men are going to be shooting geese and shoot ducks.

If there is no further dicsussion we will proceed with the next paragraph.

MR. JOHNSON:

"4 in possession with protected species same as in 1937"

MR. O'CONNELL:

Any discussion on that?

MR. JOHNSON:

That is all. I move the adoption of the resolution.

MR. BAILEY:

Seconded.

MR. SPENCER:

I would like to move the regulation as proposed with the goose season running concurrently with the duck season.

MR. HUSTON:

I second the motion.

MR. O'CONNEL:

That would only apply to Nebraska, Iowa and Illinois.

MR. SPENCER:

That is the intent of the motion, - Iowa, Illinois and Missouri, and Nebraska.

MR. O'CONNELL:

All in favor signify by saying "aye" - opposed "naye" - resolution amendment adopted.

MR. O'CONNELL:

We will consider the report as a whole as amended - Is there any further discussion? All in favor signify by saying "aye" - opposed "naye".
The motion is adopted as amended.

MR. HASKINS:

I want to know what you think of the dove season and how about having it included in the resolution?

MR. O'CONNELL:

You will have to make a motion.

MR. HASKIN:

I move that this resolution include closing the dove season in the entire United States for the season of 1938.

FROM THE FLOOR:

Seconded.

MR. McFARLANE:

In the southern tier of the United States and below the Mason Dixon Line the dove affords wonderfully good sporting shooting. In the northern tier of states it doesn't mean that it affords any good shooting at all. In view of the fact that this association only comprises these 8 states, why not confine it to advocating the dove season in those states? I wouldn't like to see it closed over the United States, as all those people get down there is with their doves and quail good shooting. The morning dove isn't any more a songbird than the quail. They may be in that class here. In view of the fact the Biological Survey opens it all over the United States, I think it should be up to the individual Commissions.

MR. HASKINS:

Mr. Chairman, I will say I am not in favor of drawing a line on the migratory stuff. When you begin drawing a line you are discriminating and will get a complaint from this state or that state.

MR. O'CONNELL:

Is there any further discussion? If not we will vote.

All in favor signify by saying "Aye" - (very small "aye" vote) Opposed "naye" (large majority "naye" vote)

The motion is lost.

We will now have the report of the nomination committee.

MR. McKENZIE:

The report of the nomination committee:

President - Ernest F. Swift, Wisconsin
Vice-President - M. L. Hutton, Iowa
Sec. and Treas. - Geo. F. Walters, South Dakota

Directors.

D. W. Hulustrum North Dakota
Dr. M. M. Sullivan Nebraska
T. T. Bode Missouri
Thomas Lynch Illinois
H. C. Wenzil Minnesota.

MR. McKENZIE:

I move the adoption of the report.

MR. McFARLANE:

I second the motion.

MR. O'CONNELL:

Are there any further nominations from the floor?

(no response)

If not we will proceed to vote on the motion. All in favor signify by saying "I". Opposed "naye" - (unanimously in affirmative)
The motion is adopted.

The chair requests Mr. Swift to come to the platform.

MR. SWIFT:

I don't know what to say. I appreciate this honor bestowed upon me and I am glad to know the association is going to meet again in Wisconsin. I hope that the meeting this coming year will be as successful as I feel this meeting has been. I hope that the members attending will be able to stay long enough to see some of the activities Wisconsin is putting on, and if the meeting can be as successful as those in the past it will be very gratifying.

I think in behalf of this association I should take it upon myself to thank the Conservation of Nebraska for the fine time they have given us, the Mayor of the City of Omaha and the gentlemen that entertained us last night.

Is there any other business to come before the meeting?

MR. JOHNSON:

It is assumed the retiring president will convey our greetings to the Chief of the Survey.

MR. SWIFT:

Will you also convey this message to the gentlemen who entertained us last night?

MR. O'CONNELL:

Yes.

MR. SWIFT:

If there is no further business to come before the meeting the Conference will stand adjourned.

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Meeting adjourned
4:00 o'clock P.M.
June 9, 1938.

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P R O G R A M

Fifth Annual Conference

RECEIVED
MAY 31 1938
Chief Conservation Warden

ASSOCIATION OF MIDWEST
FISH AND GAME COMMISSIONERS

Paxton Hotel
Omaha, Nebraska

June 8, 9, 1938

Frank B. O'Connell, Nebraska
President

Ernest Swift, Wisconsin
Vice-President

Charles MacFarlane, Sec.-Treas.
Minnesota

RECEIVED
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Program

Wednesday June 8, 1938

9:00 A. M.	Assembly of Members Roll Call
9:30 A. M.	Address of Welcome
9:45 A. M.	Appointment of Committees and Announcements
10:00 A. M.	Address, Burnie Maurek, Regional Director, Bureau of Biological Survey
10:30 A. M.	What we Think of the Beaver
	Frank D. Blair - - - - Minnesota
	D. W. Hulterstrum - - North Dakota
	Ernest Swift - - - - - Wisconsin
11:00 A. M.	Report, Waterfowl, Spring Flight and Hatch
	D. W. Hulterstrum - - North Dakota
	E. G. Adams - - - - - South Dakota
	Harry E. Speakes - - - Minnesota
	Frank B. O'Connell - - Nebraska

NOON

1:30 P. M. South Dakota's Duck Count

E. G. Adams - - - - - South Dakota

2:00 P. M. General Discussion, 1938
Waterfowl Regulations

4:00 P. M. The Deer Problem

Ernest Swift - - - - Wisconsin

Oscar Johnson - - - - South Dakota

4:30 P. M. Illinois' Cooperative Bird Production
Plan - - Lewis E. Martin, Illinois

THURSDAY ~~TUESDAY~~ JUNE 9, 1938

9:30 A. M. Rough Fish Eradication As a
State Program - - - - Robt. A. Gray, Wisconsin

10:00 A. M. How We Interpret the Robertson-Pittman Act
A. M. Day - - Ass't to the Chief, Bureau of Biological Survey

10:30 A. M. Some Proposed Changes in the Pittman-Robertson Act

Oscar Johnson - - - South Dakota

11:00 A. M. Land Zoning, County Forests and
Their Relation to Recreation and
Game in Wisconsin - - Ernest Swift, Wisconsin

11:30 A. M. Youth Education in Conservation - - Geo. F. Walters
South Dakota

NOON

1:30 P. M.	Fish Foods used in Hatcheries Everett Speaker, Supt. of Fisheries of Iowa
2:00 P. M.	Catfish Hatcheries - - J. M. Merritt, Supt. of Fisheries of Nebraska
2:30 P. M.	Is a Game Farm Worthwhile? - F. T. Schwob, Chief Fish & Game, Iowa
3:00 P. M.	Business Session

Committee Reports

Election of Officers