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P R O C E E D I N G S

Twenty-First Annual Meeting

ASSOCIATION OF MIDWEST FISH & GAME COMMISSIONERS

July 8, 1954
Statler Hotel
St. Louis, Missouri

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KANSAS FORESTRY, FISH
AND GAME COMMISSION
No.

...The Twenty-First Annual Meeting of the Association of Midwest Fish & Game Commissioners was called to order at 8 o'clock a.m. July 8, 1954, in the Daniel Boone Room, Statler Hotel, St. Louis, Missouri, President I. T. Bode, presiding...

PRESIDENT BODE: This is the opening of the Twenty-First meeting of this group and I want to welcome all of you. I want to welcome the Federal representatives that are here from various Federal agencies and certainly we are gratified to see the representation we have from the province of Ontario, Canada, to the north of us. I want you all to feel at home; there is nothing formal about the meeting.

The program was organized with a sincere attempt being made to develop the type of program that you fellows wanted. You remember early in the game we sent communications to all the states in the Association with several alternatives proposed, and the program we have today is the result of the return from that request.

In taking up this part of the program I am going to turn it over to Tom Kimball of Colorado who is chairman of the resolutions committee. He will present the material they have prepared; we will discuss it and dispose of the resolutions as near as we can.

Many of these resolutions relate to legislative matters; bills in Congress and things of that sort. Carl Shoemaker, whom you all know, has kindly consented to meet with us and I am particularly glad of that because if there is anybody in the United States who has his fingers on the status of things in the United States, it is Carl. He can guide us in our discussion, help us avoid a lot of discussion that is not necessary; if we are resoluting on something that is perfectly useless, he can tell us so.

Let me emphasize this: I have already made more remarks than I should. Let's do some thinking about our remarks. We are not going to have time for a lot of long speeches. Let's do some constructive speaking. Let's not get off on long speeches and say things that don't contribute to anything very much. With that introduction I will turn it over to Tom.

THOMAS L. KIMBALL (Executive Director, Colorado Game & Fish Department): President Bode and Members of the Association: Your committee on resolutions has corresponded by mail and has met prior to the meeting this morning and has gone over a number of resolutions. Your committee has approved them for presentation at this meeting this morning. We have 10 of them and I think perhaps it would be better if we delay passing them, President Bode, until perhaps the business session. I don't know just how you wanted to handle them.

PRESIDENT BODE: I hoped we could dispose of them as they came up and get them out of the way. However, I think there are more of the administrators that ought to be in on it. Before we close we'll take the resolutions up for vote. There will be more of the administrators here then.

MR. KIMBALL: Resolution No. 1 concerns the unappropriated balance of the Pittman-Robertson Fund. By way of explanation, before we get into the actual resolutions, I have here a report from the Conservation News and I will read just a portion of it.

"Congressman Clifton Young of Nevada has introduced HR 9510, a modified version of the earlier bills by Congressman Homer Angell of Oregon and Melvin Price of Illinois. It authorizes appropriation of some $13,500,000 of surplus Pittman-Robertson Act funds in the Federal treasury. Mr. Price is expected also to introduce the new bill, which was drafted to meet technical objections raised by Comptroller General Lindsay C. Warren.

"In the report on the earlier Angell-Price bill the Comptroller General questioned the need for such legislation and suggested the $13,500,000 might properly be transferred to the general fund of the treasury instead of being made available for expenditure by the states. This is exactly what the sportsmen of America, who contributed the funds through an excise tax on their guns and ammunition, have feared might happen to the money.

"Sportsmen heartily supported Pittman-Robertson law and willingly paid the 11 per cent tax because they understood the money was going to the states for wildlife research and game restoration projects. Congress needs to be reminded that it has a moral obligation to make the unappropriated $13,500,000 available for the intended purpose."

It is a fact that here for the first time we have on record a high official of the United States who has recommended that the Pittman-Robertson surplus fund be turned over to the General Treasury for expenditure for other purposes than those provided in the Act. Hence, this Resolution, No. 1.

(Here Mr. Kimball read Resolution No. 1.)

The reason the resolution calls specifically to the attention of the House Merchant Marine & Fisheries Committee to hold hearings on the bill is because this session of Congress is just about over; and we have been advised that hearings should be held on this particular bill and it would be reported out if we are to make any progress. Now, in that respect, I have been in contact with our representatives in Congress and urged them to contact the chairman of the House Merchant Marine & Fisheries Committee where this bill is now located. The chairman of that committee is Weichel of Ohio. I understand he is ill and that Thor C. Tollefson is now the acting chairman. This is a letter which was written by the acting chairman to Congressman Hill of Colorado in solicitation of a hearing on this bill.

The acting chairman said: "This is a meritorious measure and we are endeavoring to schedule hearings on it before our House Merchant Marine & Fisheries Committee. You have talked to me about the subject matter of this and similar measures and I know of your intense interest in them. The committee workload has been so heavy that we have not been able as yet to schedule hearings upon these measures. We hope to do so before the end of this session."

Now, I think that is another good reason for passing the resolution and insisting that everyone at least write his delegation to urge that hearings be held

on it. I think they are right on the brink now of holding the hearings, and with just a little bit of urging we can probably put it over.

Carl, do you have any late developments on this?

CARL D. SHOEMAKER (Conservation Consultant, National Wildlife Federation, Washington, D. C.): On Tuesday I checked on the situation and found that the Fish and Wildlife Service finally has reported upon the bill. The Interior Department, Fish & Wildlife Division, favor the bill but they think it should be integrated through the Pittman-Robertson Act. I didn't read the report but that is what I had from the clerk of the committee. I assume what their report means is that they want the money to be shoved through the Pittman-Robertson channel and then the states would put up a certain percentage of the money.

MR. KIMBALL: As I understand, the way the bill now reads is that the money would not be on a matching basis.

MR. SHOEMAKER: That is the reason for the bill. The budget reports that this would be a duplication of the Pittman-Robertson allocation and therefore they are unfavorable to it. The Treasury reports "we have no comment" but if the bill is to be considered they recommend certain technical changes which are now in the Young bill. The Comptroller General - you have already read what his report was. The Fish & Wildlife Service report has been finally received: it came in last week. Tollefson was waiting on that final report. Now he expects, within a very short time (within the next 10 days) to call a hearing on this bill. Of course, there is no chance of getting it passed this year, but the important thing is to get a hearing on it and enough comment and discussion so that next year when it is reintroduced, it can go through with a whoop.

MR. KIMBALL: Are there any questions on this resolution No. 1?

PRESIDENT BODE: I have just been checking and in order not to have any carryover, and in order that we not keep too many things on our mind, I think we should

vote on this resolution. I believe most of the states are represented here, and I believe we can dispose of the resolutions as we go along.

You have all heard the resolution. Is there any further discussion on it? You have heard Carl's remarks with regard to it. What is your pleasure?

CHARLES A DAMBACH (Chief, Ohio Division of Wildlife): I move we accept the resolution as read.

FRANK D. BLAIR (Director, Minnesota Department of Conservation): I second the motion.

C. KABAT (Chief of Research, Wisconsin Conservation Department): Will this bill conflict with the original bill? The Service feels the money should be channeled through the regular Pittman-Robertson channels, which would mean backing money from the states would be involved.

PRESIDENT BODE: No, this resolution is on the basis of the Young bill which does not have that provision in it. Speaking for Missouri I am in favor of it the way it stands. If they put it through the other channels, it's going to make a bigger load on the states that otherwise would use the money.

MR. KABAT: If you have the backing of the Young bill, and the other group backing the method through regular channels, wouldn't that be a contradiction?

PRESIDENT BODE: I would prefer to see the thing passed the way it is, and we can iron it out before it comes up in the next session of Congress.

MR. KIMBALL: Would this be an instance where the Comptroller or Legislative Committee would say: "they don't know how they want to use the money, so just let it set" ?

MR. SHOEMAKER: The only way to get the bill through is to stick by your guns. You have had it through two sessions. Let's go through with it.

MR. BLAIR: Is there any state that is not in favor of the bill? I think the feeling is unanimous for the way it's drawn up. The commissioners urge the Congress to go through with this. The thing is unanimous.

PRESIDENT BODE: I hear no further comments. There is a motion before the house. It has been seconded we adopt the resolution. All in favor signify by saying "aye;" contrary? Resolution No. 1 is adopted.

MR. KIMBALL: Resolution No. 2 deals with the use of the duck stamp funds. (Here the Resolution No. 2 was read.)

By way of explanation of the reasons for this resolution, I want to read to you a statement from the Secretary of Interior's explanation of his budget estimates for the Fish and Wildlife Service to the appropriations committee last January: "Secretary of the Interior Douglas McKay said while explaining the budget estimates of the United States Fish & Wildlife Service to the appropriations committee last January, 'the program for fiscal year 1955 will be at approximately the same level as during the current year, since the reduction in direct appropriations will be offset by a greater use of the permanent appropriations for management and investigations and by a reduction in the land purchase programs.'

"Duck stamp funds are one of these permanent appropriations. Many believe that the Bureau of the Budget cut the regular appropriations of the United States Fish & Wildlife Service with the explicit thought of forcing the Service to use the duck stamp money for routine operating expenses. Interior Secretary McKay's statement to the appropriations committee bears out this belief. This policy is inconsistent with the sportsmen's intended use of the duck stamp money." Hence, we feel the need for this resolution. Further, I have here a copy of the Congressional Record with certain exerpts from the House discussions over the appropriations bill, and specifically the using of $1,200,000 of the duck stamp fund for what we feel are normal operating expenses of the Service. Specifically, I want to mention

the statements made by Congressman Metcalf of Montana. He says in the Congressional Record of Tuesday, April 6, 1954: "Mr. Chairman, I wish to call attention to a situation which disturbs me greatly and which I feel is totally unfair to the millions of sportsmen of the United States. I refer to the severe reduction in the appropriations proposed for the Fish & Wildlife Service. I want to go on record as stating I believe the appropriations committee was entirely too severe in its treatment of the Fish & Wildlife Service.

"This is the Federal agency which deals with the valuable and popular fish and wildlife resources of the country, and the appropriations contained in this bill will determine how well or how poorly that agency can carry out its responsibilities for managing those resources. While the demands for hunting and fishing are increasing as more and more hunters go afield with rod and gun, the Federal government is actually decreasing its financial support to this great American industry.

"In particular, I am disturbed about the ability of the Fish & Wildlife Service to continue with the waterfowl-management program. This is a federal responsibility under treaties with Canada and Mexico and one that cannot be lightly cast aside. Yet, in the face of more and more drainage of private agricultural land which is taking more and more nesting grounds out of production, and in spite of an increasing number of duck hunters going out each year, we find here that severe cuts have been made in the funds appropriated for this purpose.

"Only five years ago, the sportsmen of this country, through their own organizations and with the strong backing of Congress, had the so-called Duck Stamp Act amended to double the income to the Service for waterfowl-management purposes."

Most of you directors will remember that when this duck stamp increase was proposed we certainly did not envision that the increase, along with the original dollar duck stamp money, was going to the Service for their normal operating expenses. Had we known that they intended to use these funds for normal operating

expenses and that the refuge program was going to bog down, I am sure we would have been just as much in opposition to the increase as we were in favor of it at that time.

"These sportsmen on their own iniative recommended, and the Congress adopted, an amendment increasing the price of the duck stamp to $2.00, all of which is appropriated annually to the Fish & Wildlife Service to buy more waterfowl areas, to improve the refuges acquired with these moneys, to do a better job of law enforcement, and to carry on basic research into management problems. Now, just as funds are beginning to be available for a greatly expanded refuge purchase and development program, as a result of that law, we find the Bureau of the Budget and the appropriations committee reducing regular funds to the point where these new sportsmen's dollars must go into maintaining the program which was financed by appropriations prior to that time. I have investigated the details of this situation, and I find the budget actions are a long way from those which the American sportsmen thought were going to happen when they voluntarily assessed themselves another dollar for the privilege of helping the duck situation. The Bureau of the Budget, in preparing next year's budget, lopped off of last year's amount $652,000 from the refuge item; $110,000 from essential river basin studies designed to help locate land and water for refuges; $100,000 from law enforcement; and $101,000 from research in the problems of wildlife management. That comes to $963,000 taken out by the Bureau of the Budget. Now, the committee recommends a further reduction in the management item of $463,000 below the current budget. Taking a fair share of around $125,000 out of this cut and applying it to the waterfowl management program, we find that in a single year, the Bureau of the Budget and the appropriations committee combined proposed to reduce the waterfowl program by about $1,200,000.

"My point is this: The only way the same level of administration can be attained in the fiscal year 1955 is for the Service to take that $1,200,000 cut out

of the sportsmen's kitty, just to keep going on an even keel. This, I am sure, is not what the Congress intended when they increased the price of the duck stamp from one dollar to two dollars at the request of the sportsmen themselves.

"Just a few days ago, both the Senate and the House refused to touch other earmarked funds put aside to benefit the sportsmen of the country. The original bill cutting excise taxes proposed to reduce the 11 per cent tax on sporting arms and ammunition to 10 per cent. Representatives of the arms and ammunition industry, together with those from sportsmen's groups, asked that the 11 per cent be retained for the benefit of wildlife restoration by the states. An amendment was submitted to the bill while it was under consideration on the floor of the Senate, and it passed without a single dissent. The House agreed to the amendment in conference, with the result that the state game departments may continue to aid the millions of sportsmen of the Nation on the same basis as before. I wish to take similar action with regard to the proposed cut in the Service budget, and am submitting herewith an amendment for an increase of $1,200,000. This is the amount which will otherwise have to be taken from duck stamp funds if the Federal government is to carry out its obligations to the millions of duck hunters and nature lovers who want this work continued in an efficient manner."

Now, this same Congressional Record goes on and Representative Thompson of Texas, who was the man who introduced the increase in the duck stamp funds, stated that he was in agreement with the amendment to increase the money and further at the time he introduced the increase in funds he assumed that the money was going to go for the waterfowl refuge program. So we can see from the Congressional Record that at least a portion of the representatives in Congress and those who specifically had to deal with this particular law, were of the opinion that the duck stamp money should be spent for the refuge acquisition program for waterfowl. Yet this amendment, the proposed amendment to increase the Fish & Wildlife Service fund, failed in the House. It didn't receive enough support, and I think the sportsmen

of the state and some of the state fish and game departments perhaps should take a little blame for it not having enough support to get through.

I also have here a chart on "Where Your Duck Stamp Money is Going." I don't know whether you can see it, but right here is the date in '51 when the duck stamp was increased from one dollar to two dollars and you will note here that this top line represents operation and maintenance expenditures of the Fish & Wildlife Service which is usually their normal operating fund. This broken line represents actual development of refuges, by that I mean creation of ponds and levee work and that sort of thing designed to improve waterfowl conditions. This dotted line represents the land acquisition program of the Fish & Wildlife Service. You will notice since the $2 duck stamp this dotted line has gone down to an estimated less than $200,000 a year proposed for the year 1956, while the maintenance and operation expenditures have gone up to $2,300,000 of the duck stamp fund.

Hence the need for this resolution, and the resolutions committee is very sincere in its efforts. If the Fish & Wildlife Service does not receive this money to be spent for land acquisition and development of the refuge program, I feel that we should initiate steps to see that those duck stamp funds are turned over to the states and specifically earmarked for that purpose.

I might say in that connection, in some people's opinion of what the Congress is doing, that what the appropriations committee is doing with the duck stamp fund may be actually illegal under the law. But I don't know who is going to do anything about it.

PRESIDENT BODE: Is there anyone now who does not understand the resolution? I will ask Carl if he has any guidance.

MR. SHOEMAKER: I can give you some information. A week ago Monday and Tuesday a subcommittee of the Interior and Insular Affairs Committee of the House held a

hearing on this duck stamp situation. The two-day hearing was not long enough to bring out anything except a statement by myself, being the first one on the list, and Chester Wilson, Harry Ruhl and Gutterman, all of them along the same line. Now let me make it clear in the beginning that the Fish & Wildlife Service has not been doing anything illegal. They are spending this money legally but not clearly within the intent of the Congress nor according to the expressed desire of the sportsmen who built up this fund.

Now, on the 27th of this month there is going to be a further hearing which will give the Fish & Wildlife Service the opportunity of presenting a plan for future action and bringing in a report in line with the resolution passed by the Western Association out at Las Vegas early in May. That plan will be presented, Mr. Farley told me, at the International Association in Seattle in September. So, following the discussion the other day, or last week at the hearing, a number--well, at least two--of the members of the committee present constantly referred to the fact that none of you have produced any recommendations. What do you recommend? What is your solution to this problem? We all took the viewpoint it was up to the Fish & Wildlife Service to bring in some kind of a plan and that is what Mr. Farley said he was going to do at the next meeting. Following that, however, there will be presented a number of alternatives in the shape of a bill or representation or argument in favor of the bills. You have a new slant in your resolution of asking Congress to appropriate all of the money that has heretofore been spent. I assume you mean money other than that which has already been spent for acquisition. Only about $3,200,000 of the $35,000,000 has ever been spent for acquisition anyway, so it wouldn't make very much difference. If Congress would be asked to return to the Fish & Wildlife Service for the acquisition program the moneys already spent, there probably would be about $32,000,000. The Fish & Wildlife Service is going to present a plan which will envision the amount of money that will be necessary to complete the refuge program. Now how long that program will last, is also another question that has been asked of them. How long would it take?

Where are the particular areas that you hope to acquire? That is a multiplicity of information that the Congress wants to get in order to next year present some program to the Congress itself for carrying out the desires of the sportsmen expressed in their first law of 1934, in backing up that law, and subsequently in the increase (of the price of the duck stamp) to $2.00.

MR. KIMBALL: Let me ask you this: I wrote Mr. Farley asking him the plans of the Fish & Wildlife Service in regard to this land acquisition program, and according to his report they had proposed to spend in '55 and '56 well over a million dollars for new land acquisition during those periods. Yet I find that somewhere either in Congress, or somewhere along the line, that the proposed land acquisition is dropped from over a million dollars to less than $200,000 for those years. If the Congress intent is going to be that regardless of what plans the Fish & Wildlife Service submit they are not going along with it, then I think it's time to take some other approach.

MR. SHOEMAKER: That is what the Congress wants to do. They want to find out what the Service is contemplating, and I think you will find the Fish & Wildlife Service will come up with a plan on the 27th of this month which will carry forward for a number of years an acquisition program which was not envisioned when that chart was made up on the basis of a financial report on the duck stamp fund, going on into a number of years, I think '57 or '58.

MR. KIMBALL: '56.

MR. SHOEMAKER: Where now actually the land acquisition program has been reduced to $200,000. That is correct. I am satisfied from the talks I have had with Farley and others that they are going to have a different report available on the 27th of this month, and also for the International Association.

MR. KIMBALL: What would your suggestions be as to our resolution?

MR. SHOEMAKER: I would pass a resolution of some kind, you bet your life. That is good stimulation.

MR. KIMBALL: If they think the states might get it, (the money) it might stimulate action a little bit, don't you think?

MR. SHOEMAKER: Yes, sir, it sure would.

PRESIDENT BODE: Anybody else have any comments in regard to this resolution?

J. S. McGUIRE (President, Fairfax Engineering Company, Kansas City, Kansas): I am an outsider. I don't think there is any money thrown away in fish and game departments in any state, including Missouri, but for some reason or another our taxing bodies have seen fit to avoid or neglect some of the greatest sources of potential revenue for fish and game development over the entire country. We take the funds under your Pittman-Robertson Act levied on firearms and ammunition, but all other hunting accessories are exempt. Certain types of rods, reels and lures are taxed and all other types of tackle are exempt. If we could spread or add the same tax load to all types of hunting and fishing gear we could greatly increase the amount of funds available and I see no reason, as a manufacturer, why the load shouldn't be spread to all parts of the industry to provide funds for the perpetuation of that industry.

WILLIAM B. BARNES (Federal Aid Coordinator, Department of Conservation, Indianapolis, Indiana): I notice that all through your resolution you stressed land acquisition. What about the development of these areas after they have been acquired? In one place you said "acquisition and restoration", but where is the development cost in the past: where would that have been included under your maintenance and operation charge?

MR. KIMBALL: Yes. It was our contention that, for instance on the Federal Aid Act which binds the states, we are limited to a maintenance cost not to exceed 25 per cent. And yet in the expenditure of their own duck stamp funds the maintenance and operation fund is a thousand per cent as compared to what has been spent on land acquisition. It isn't consistent in the Service's own regulations.

MR. BARNES: There is a difference between development and maintenance. Maintenance is for maintaining your development. Now, development is carried under operations.

MR. KIMBALL: I think some development is included in maintenance and everything else, according to the expenditure chart. Just about every operating expense in the Service has been included in that "maintenance and operation" expenditure.

PRESIDENT BODE: One point I think you don't want to lose sight of is this: I don't interpret it as a censure of the Fish & Wildlife Service. I interpret it as failure of another part of the program which forced them into a situation which they probably would not choose and this entails, as I see it, an obligation not only in regard to the duck stamp money, but on the part of us in the states, to see that the funds are made adequate so the Service won't have to use the duck stamp money except for its intended purposes.

MR. SHOEMAKER: That is one of the questions brought up at this hearing, the question on the failure on the part of the Congress to meet the obligation of maintenance and operation which prior to the duck stamp was taken up by appropriations. The Fish & Wildlife Service has to dip into this (duck stamp) fund. There wasn't any way out of it. They had to do it. I think sometimes they didn't fight hard enough in the olden days to secure their point about the maintenance of this fund, but nevertheless no matter what the reason was, Congress didn't go along and give the necessary money so the Service dipped in the duck stamp fund to develop,

maintain and operate the refuges. I think the theory the men had when they asked the questions was "Has Congress been doing its job? Has it come forward with the necessary appropriations each year to maintain and operate these refuges?" I am satisfied Congress has not done that and on the theory that when a Congress furnished the necessary fund to buy a military establishment for instance, or a post office site, and they built the post office thereafter, Congress comes through each year with the necessary appropriations to maintain and operate those facilities and that is exactly what ought to happen with the refuge program. It's up to Congress to do it.

PRESIDENT BODE: It's quite a long resolution. I think we have had quite a good discussion on it. Does anybody have anything he wants to add or request?

MR. DAMBACH: I move the resolution be approved as read.

DAVE LEAHY (Director, Kansas Fish & Game Commission): I second the motion.

PRESIDENT BODE: If there is no further comment all in favor signify by saying "aye"; contrary ? The motion is adopted.

Mr. KIMBALL: Resolution No. 3 deals with the financing of recreational facilities on the national forest areas and the improvement of wildlife habitat thereon. (Resolution No. 3 was read at this time.)

Most of you are familiar with the efforts in the past years to obtain a little more consideration from the National Congress in appropriating funds to the Forest Service to take care of the camp grounds and to develop additional areas on the national forest and to maintain them. This bill has been introduced I think in the last session of Congress, and even perhaps in the one before that, and we have been unable even to get a hearing held on it. Hence, this resolution.

MR. SHOEMAKER: Well, I checked on this on Tuesday. Whenever Congress has a bill the committee sends out to the department which is affected a request for a

report. This Baker bill has been pending now, as you say, for two sessions of Congress. A report was asked of the Forest Service early this year, and I want to say that up to Tuesday of this week no report had been received from the Forest Service on this particular measure. That has delayed a possibility of a hearing until such a report is received. Until a report is received, no hearing will be held. Forest Service officials have in years gone by constantly appealed to the sportsmen, the Wildlife people, and Conservation groups to come forward and urge the Congress to give them more money for the particular purpose mentioned in your resolution. Now that a bill has been introduced, the Forest Service has for some reason or another -- I can't give you a reason, I don't know -- has failed to make any favorable report or any kind of a report on the situation.

Now, if they weep on our shoulders next year because they don't have enough money to carry out the objectives of the recreational program I don't know what we can do except re-introduce the bill and urge them to make a report as quickly as possible. Until such a report is received, Congress is not going to act.

PRESIDENT BODE: I wonder if it wouldn't be well to entertain a resolution urging the Forest Service to get their report in order to expedite consideration of their bill.

MR. KABAT: Before a motion of that nature is made, I would like to ask Mr. Shoemaker this question: Would such a bill take from the present Forest Service operating funds, the 10 per cent to be used for recreational facilities? Is it just a shifting of 10 per cent of the money they get to operate their program? Could this be construed as finally evolving a 10 per cent increase?

MR. SHOEMAKER: Only a five per cent. Out of the forest receipts, I think they have 25 per cent now that goes to the states or counties; 10 per cent for some other purpose, not recreation, and this would be an additional five per cent.

That would make 40 per cent of the receipts the Forest Service receives from its operation of the various forests going to special funds. That is one of the real reasons why the Forest Service has not come forward with a report. The Bureau of the Budget is very much opposed to earmarked funds and they do not like to tack onto the receipts that go into the general fund any earmarked provision. But that should not influence you gentlemen in what you want to do with reference to this resolution because they've got many many earmarked funds in the United States today, and another five per cent out of the forest receipts is not going to jeopardize the program.

MR. KABAT: That would divert five per cent. That five per cent may now be used directly in the Forestry program for production of timber.

MR. SHOEMAKER: No. These receipts are not used. These receipts from the operation and sale of timber and grazing permits and recreational use go to the general treasury now.

MR. KABAT: That answers my question.

MR. KIMBALL: Mr. President, I would like to propose an amendment to this resolution to read as follows: "Be it further resolved that this Association urge the United States Forest Service to make an immediate favorable report to the appropriate committees."

PRESIDENT BODE: You have heard the amendment. If there is no discussion of the amendment, we will take a vote on the amendment. All those in favor of the amendment signify by saying "aye;" contrary. That then puts the resolution as amended on the floor. Is there any further comment or discussion on the resolution as amended? If not, all of those in favor signify by saying "aye;" contrary ? The resolution as amended is adopted.

FRANK BLAIR (Director, Department of Conservation, St. Paul, Minnesota): I would like to make a few remarks relative to that resolution. It may be a little out of order. I think some of the members of the Midwest will remember when the Forest Service had an idea for making a charge for entering a national forest for fishing or hunting purposes. I think this Association voted that down in Milwaukee. This Association should take action. We know that the Fish & Wildlife Service has charge of looking after the wildlife of the country, and that the Forest Service also wants to spend money for wildlife purposes. I do not think that our Associations have taken action (on such duplication of effort) or if they have taken action they have done nothing about it in the way of passing a resolution and working on it. It might take several years to consolidate various Federal units that are interested in conservation or that have to do with basic natural resources, and this Association might well go on record as favoring a department of natural resources taking in all the Federal units that have to do with conservation.

PRESIDENT BODE: Thanks, Mr. Blair. May I suggest that you keep that in mind and after we dispose of the resolutions as proposed by the Resolutions Committee then we will have time for additional resolutions if that is all right with you.

MR. KIMBALL: Resolution No. 4 has to do with mining laws. (Here Resolution No. 4 was read.)

Carl, do you have anything on this?

MR. SHOEMAKER: I think the Regan bill has a slight chance of passing at this session. The other bill, the Hope bill, none whatsoever. Both of them failing in this Congress, both of them will be reintroduced in the next Congress.

MR. KIMBALL: They have had hearings?

MR. SHOEMAKER: Not on the Hope bill. They have had hearings on the Regan bill. There is a slight possibility that that may go through, but I doubt it. It wouldn't hurt to pass this resolution.

PRESIDENT BODE: Any further comment on the resolution? Are you ready for the question? All those in favor of adopting the resolution as read signify by saying "aye;" contrary ? The resolution is adopted.

MR. KIMBALL: These next three resolutions, 5, 6 and 7, deal primarily with the policy of the government relating to reclamation and flood control and specifically to Public Law 732 and administrative directives which have come from the Department of Interior and from the Bureau of the Budget. (Resolution No. 5 was read at this time.)

We wish that in any reclamation projects or on any which have been authorized and on which construction has not been started, they be forced to comply with Public Law 732 and give consideration to wildlife benefits the same as if the project was authorized and the money appropriated after that time. Any discussion on that?

PRESIDENT BODE: Do you have any comments on that?

MR. SHOEMAKER: I checked on that on Tuesday too. The situation is this: The Public Works Committee is going to introduce next week the Flood Control Act of 1954. In that there will be many projects, new projects recommended for adoption. It is proposed and it's in the works right now to tack on something, some language similar to what you have mentioned there in your resolution, without actually coming out and amending the Coordination Act, sticking in that type of language in this Flood Control Act so that it will refer back prior to 1946. That is the stumbling block. The Corps of Engineers says it can't do anything because the Act was not adopted until 1946; therefore, no project which was approved prior to that time can come under its purview. Now, that is in the works. Whether or

or not it will get in I don't know. We hope so, but I think you ought to go forward with this because the Coordination Act itself ought to be amended.

MR. KIMBALL: How would it work if we make the resolution to read: "Now therefore be it resolved that the Association of Midwest Fish & Game Commissioners does hereby urge the Congress to take whatever steps are necessary to provide that the provisions of this Act shall apply to projects heretofore authorized, the appropriation for which has not been made or construction started." Any of their flood control acts or bills could accomplish the same purpose.

MR. SHOEMAKER: That is good.

PRESIDENT BODE: That amends the provisions of the resolution. Let's consider that as the resolution presented in the revised form.

THOMAS A. SCHRADER (Regional Supervisor, Fish & Wildlife Service, Minnesota) Is there any particular reason why you want to limit it to projects for which money has not been appropriated?

MR. KIMBALL: It says "appropriation for which has not been made".

MR. SCHRADER: Many of the projects I had to work on in the past year had some small amount of money appropriated for construction. I was wondering if it could be worded so we could get in on any project heretofore authorized.

MR. KIMBALL: That would hurt it. He is suggesting we strike the provision stating that Public Law 732 would apply only to those projects to which an appropriation has not been made, thus making it apply to all projects including completed projects.

MR. SCHRADER: No, not completed. Any project not completed.

MR. SHOEMAKER: I doubt if you could put that kind of language in it.

MR. KIMBALL: Make it say "provided provisions of the act apply to any projects heretofore authorized on which actual construction has not been completed".

MR. SHOEMAKER: I think the other language is better.

PRESIDENT BODE: Let me ask this question, Tom: This is one phase of acquisition; isn't there something else on the new policy of acquisition? Perhaps that will clarify this other point.

MR. KIMBALL: Yes.

GEORGE C. MOORE (Chief of Fish & Game Division, Louisiana Wildlife & Fisheries Commission): We can appreciate Mr. Schrader's remark down there because in the Flood Control Act setting up the work on the Lower Mississippi the Army Engineers have interpreted the Act to mean flood control along the main stream and any of the backwaters it might affect. That definitely affects all the rivers coming out of the Arkansas, White and Red. Consequently, they do not feel the Coordination Act affects the Red and White in Louisiana. We cannot get them to agree to go along on the Lower Red and some of the little rivers because they go back to the earlier Act affecting the main stream of the Mississippi. If the Act could be worded so it would affect the flood water areas of the other rivers it would help Louisiana a lot.

PRESIDENT BODE: I appreciate that. I appreciate the suggestion from Mr. Shoemaker. We regret, of course, the fact we didn't get that job done on some of the prior projects, but sometimes if we get too sweeping we jeopardize any chance we have for improvement. Expressing myself personally, my feeling is that if there is any chance of getting anything like that at all we will have a much better chance of getting it on the basis of the projects for which money has not

been appropriated or authorized rather than to make it retroactive on everything that has not been completed. I don't know how you fellows feel about it. Any other comment?

We are ready for the resolution as proposed by the Resolutions Committee.

MR. KIMBALL: I move the adoption of Resolution No. 5.

MR. BLAIR: I second the motion.

PRESIDENT BODE: It is moved and seconded we adopt the resolution as read. All in favor signify by saying "aye;" contrary "no." The resolution is adopted.

MR. KIMBALL: Resolution No. 6 deals with a new policy of the Department of Interior which has been made public under Order No. 2744. This deals with the subject: "Joint policy for land acquisition on reservoir projects, Department of Interior - Department of Army". I'll read you from that order Section 6, which is entitled "The Acquisition of Lands for Collateral Purposes.", and which reads as follows: "Except as authorized by law, no title to land will be acquired for purposes of preservation of wildlife or forests, restoration or replacement of such values destroyed by reservoirs or for creating additional values of like nature, or for recreational purposes." That is a new order from the Secretary of Interior on the joint policy for land acquisition on reservoir projects which include the Army Engineers and the Bureau of Reclamation. (Resolution No. 6 was read.)

Carl, do you have any information on that Order No. 2744?

MR. SHOEMAKER: Not very much except that we had a little meeting, a few of us in Washington recently, and we discussed this very thing - as a matter of fact, last Monday or Tuesday - but a serious effort is being made to get a revision of that particular section. You have to have more land on each side of these proposed reservoirs if you are going to safely take care of the wildlife resources

that may be indigenous to that particular locality. I think your resolution is a splendid resolution and it ought to be passed and sent immediately to the Secretary of the Interior and to the Corps of Engineers.

H. F. MOSBAUGH (Chairman, Missouri Basin Field Committee, Billings, Montana): As many of you know, I have been in the middle of this thing for a long time. Just two weeks ago at the Missouri Basin Inter-Agency Committee meeting held at Yellowstone National Park, of which I was then Chairman, we devoted a half-day to discussion on recreation and recreation resources. Referring specifically to the land acquisition policy, I think it is fair to say that in the past five or six years and in the Missouri Basin particularly, the Bureau of Reclamation of the Department of Interior was generous in obtaining land for various purposes. There has been considerable criticism of land acquisition for certain purposes, basically because it was taking the land out of circulation. I will not make any comment relative to the Corps. In the past year consideration was given to altering that policy, cutting down the take of land, and I might add it was the administration's policy to place greater responsibility on the states. In this case it would be the acquiring of land. Unfortunately in this new policy, the acquisition of land for wildlife purposes as such was hardly recognized. It was amended a little later to meet the requirements of Public Law 732. Now the Bureau of Reclamation and Acquisition has been basing the desirability of obtaining strategic lands on their value as overlooks and as certain areas which would provide added protection to the project. The Fish & Wildlife Service has been making recommendations that certain land be acquired. We have not been faced yet with the application of this policy on a project where it would be applicable. Land for wildlife and recreational purposes will be extremely limited. I expressed the opinion in the presence of the Assistant Secretary of Interior who has charge of fish and wildlife that in the past we have been too generous in taking lands which belonged to

private citizens. Now I feel we have switched to the other extreme. We are too conservative. I think there is a meeting-ground where we can obtain land actually needed for these purposes. If you are authorizing a project you can write into it authorization for acquisition of specific land. It will work, but I don't believe it's a logical solution. It's a problem we have to solve, unless the states accept a little more responsibility.

MR. KIMBALL: I would like to ask you a question. If you are familiar with this policy and with previous policies in regards to land acquisition, don't you feel that where a policy such as paragraph six under this Order No. 2744 is in direct conflict with Public Law 732, which says if you impound water and destroy wildlife value that that destruction or loss must be mitigated - if that calls for acquisition of land or the development of some type of restoration work, don't you think that is what Public Law 732 provides for?

MR. MOSBAUGH: A recent solicitor's opinion under the provisions of Public Law 732, is that the Fish & Wildlife Service and State Fish & Game Departments are authorized to recommend acquisition of certain lands for wildlife purposes. The Bureau of Reclamation in this case or the Commissioner of Reclamation is authorized to include that recommendation in the authorization of a project if the project has already been authorized: it's left to his discretion whether it's included or not. Now, there is no discretion exercised at the present time. And I think probably that unless Public Law 732 is amended and made a little more mandatory, the only solution is to include those recommendations in an authorization. Recreation is at present ruled out: there is no provision for acquiring land for recreation. Interior projects are limited to overlooks or areas for protection.

MR. KIMBALL: I am talking about mitigating a loss. Suppose we are agreed the construction of a project will result in a loss to wildlife and circumstances are such that the loss may be compensated for in the acquisition of land as a

development of some type of wildlife facility, would such acquisition be required then under Public Law 732, or would it still have to be made a part of the authorization?

MR. MOSBAUGH: As far as mitigation of losses of wildlife are involved I believe it's mandatory that the Commissioner of Reclamation recommend that land be acquired for that purpose. Then it's up to Congress whether they make the funds available.

MR. KIMBALL: It's mandatory they request that.

MR. MOSBAUGH: I might make one comment relative to the Corps. Seventy-five per cent of the returns or receipts from reservoir land that are leased for other purposes go to the local community, and this has been an influencing factor. In the case of Interior, the Bureau of Reclamation in several of the states in the Basin has seen fit to turn the inter-reservoir land over to a Fish & Game Department or a state park department if they desire to use it, with the stipulation that the receipts from that land should be used in the development and management of the specific area. If receipts are in excess of those needs it stipulated it should go back to the Federal agency.

M. O. STEEN (Chief of Fish & Game Division, Missouri Conservation Commission): I'd like to talk briefly on this subject and on the merits of it. We are attempting to justify here by discussion and by action a policy which says we shall not buy this land because an individual wants to use it for production of certain products, say agricultural crops. It seems to me that that is not justification at all in this day and age when we are up to our chin in surpluses and we are going to be over our head shortly. More than that we have a deficiency of recreational areas and in the other aspects of our social system that this acquisition policy we sponsor or advocate tends to cure. It seems to me it's in the

national interest to do these things and not to do the sort of things the Interior and Corps of Engineers set up under this policy. Finally I want to make this point. These lands we are talking about do not necessarily go out of production even though they are publicly owned. They may go out of the control of some particular individual. More than that; in most cases the type of land we are talking about is useful for recreational purposes only, so why let the private interests convert that land to recreational use to the exclusion of the general public. I don't think the Department of the Interior nor the Corps of Engineers are justified in their position at all on the basis of the merits of the case.

MR. MOSBAUGH: I want to add one more comment. There is another factor to be considered here and that is non-reimbursable charges to a project. In the case of irrigation, the water users themselves object to paying a portion of the cost for acquisition for a purpose of this kind. I won't argue the merits of that. I won't argue the merits of the portion of the project that is paid by the government; but on the question of non-reimbursable charges I think that both recreation and wildlife should be authorized by law as non-reimbursable items. Then you are going to remove some objection. I won't argue the point about who uses this land.

HARRY A. GOODWIN (Supervisor, Missouri River Basin Studies, Fish & Wildlife Service, Billings, Montana): I came here to listen. I don't propose to do much of the talking. The resolution that you just read, Mr. Kimball, was a little bit involved. I tried to make a note of a couple of points I think may be important while you were considering it.

First, I believe somewhere in the resolution you indicate that the order that you referred to is in opposition to Public Law 732. I think you will find such is not the case. I have examined that order very carefully because it's very close to my work. I believe you will find that the exceptions that it makes (which you also stated) except as authorized by law, is to provide for the requirement

included in Public Law 732, that lands may be acquired for purposes of mitigation. Then on the point that land may be acquired for purposes of mitigation the Burke decision to which you refer, Harold, says the Commissioner may, but does not have to, ask for appropriations to acquire land. There is nothing mandatory in it. I think those are two points you should consider.

Thirdly, I wonder if we are not getting a little bit away from the requirement of Public Law 732 into the area that we all have reached toward for these many years, but cannot obtain under the law. That is enhancement of fish and wildlife resources along with all other resources in the multiple purpose projects. Mind you, there is nothing in Public Law 732 which gives us or anyone else authority to enhance or develop fish and wildlife resources. We have only the one provision - to mitigate losses. That is as far as it goes.

PRESIDENT BODE: You may be right, and of course, that is the loophole through which the Department of the Army and the Reclamation Service have always crawled. However, referring to that part in conflict with the law, maybe it should read "in conflict with the intent of the law" because there were some things clearly intended when the law was passed, but because of technicalities the solicitors are crawling through the loopholes. I see a little bit red every time I hear the argument that even in the event of public welfare we can't acquire certain lands because private ownership objects to our taking land out of use. Neither the Reclamation Service or Corps of Engineers hesitates to take land and flood it with water. I don't know why wildlife isn't entitled to consideration on the same basis. We have our bellies full of projects without any protection for public use around the margins, which in a short time are being gobbled up by private interests and the public shut out. I am strongly in favor of a resolution of this kind which will protect the interest of the public.

MR. KIMBALL: I'd like to add one thing. Since Public Law 732 has been passed we have made some progress on recreation and wildlife projects. The reason

I think a resolution such as this is important is because under these new policies it appears there has been a retrenchment: they are excluding the multi-purpose projects by saying recreation and wildlife have no part; and we can't buy land or can't make any effort to do those things which heretofore have been done. Therefore it's in the public interest that the Association object to that sort of retrenchment, and tries to get them to consider again on all of these projects what is going to be the greatest good for the greatest number of people. If this takes a little bit of money, Federal money on a non-reimbursable basis, then I think they ought to spend it.

MR. MOSBAUGH: In attempting to apply Public Law 732 in the Basin here the Interior took the position on several occasions that although a part of the overall project had been authorized, and although parts of it had not been started, they were considered new projects. Therefore they would fall within the purview of Public Law 732. As such we acquired land for wildlife purposes. I think we were generous: it has been turned over to Bud Martin. We are being caught up short on that now. Also in regard to recreation - and this is particularly true on three projects in Nebraska - we wrote into the Budget request or into the appropriation bill a stipulation that certain amounts of money would be used for recreational development. It's legislation via budget procedure which was not done. Now, we are reweighing this and as Mr. Kimball pointed out we have your group interested in one phase of it. We have other groups interested in other phases of it. I didn't mention enhancement. I have always felt enhancement should be a part of this program one way or the other.

JACK E. STRAIN (Supervisor, Land Management, Game & Parks Commission, Lincoln, Nebraska): We have been quite involved in the situation: the Corps attitude has been explained to us by the District Engineer. He tells us Public Law 732 is a good deal like the Army retirement system. He is a colonel and eligible for retirement and the money is set aside for it. The policy is he shall not retire at 20 years,

but that he should have 30 years. Our problem is that Public Law 732 is just a national act, that we have no way to enforce. In specific relations, we have been quibbling over a very minor matter. I am talking around the corner about the State of South Dakota. In relation to a 16 or 17 million dollar project, there are 4000 acres we think would legitimately come under the Coordination Act for reasonable public use. Costs would amount to at the very largest guess, $200,000 which as compared to the total project cost we feel is very very small. Apparently the Corps does not see it that way. Also since the first of the year I have attended two of the so-called Army public hearings on whether or not land should be acquired for the uses we have been discussing here today. We have found without exception the public is absolutely and entirely for recreation and desirous that land should be acquired for it. They come right out and say "recreation". We have to say "limited public use". Both hearings were held in bad weather conditions and we had turnouts of about 300 in the South Dakota and Nebraska meeting. We have a landowners association and the only adverse comment we had was....(comment apparently omitted). I think the people at this meeting actually represented people in the bottomlands which will be flooded and they themselves want the land acquired for recreational purposes. All they want is a fair price for their land. We are making recommendations to that effect to the Corps. At both of these public hearings the people themselves, the people who owned the land, attended. I just wanted to bring that out.

PRESIDENT BODE: Is there any other comment directly pertinent to consideration of the resolution?

JOE B. DAVIDSON (Superintendent of Game Management, Department of Conservation, Springfield, Illinois): I would like to see legislation to clarify this matter. We have been attempting to get the Rock Island District (or Congress, more recently) to authorize to buy the land in the Sny District to mitigate the losses in the event

that losses result. I contacted the Rock Island Engineer this past week and I was advised that the solicitor for the Army and the solicitor for the Interior agreed that Public Law 732 did not authorize acquisition of land for mitigation. We always contended it did. The form of mitigation was not spelled out, but if the Fish and Wildlife Service believed that mitigation should take the form of acquisition, that is what was to be done. I learned in Rock Island day before yesterday that the Interior and Army agreed that land acquisition was not authorized under Public Law 732, and I think it's a problem. That is, I don't think there is any question but what we need land acquisition in connection with these projects and the only way the matter can be resolved would be by introducing legislation. As I understand this agreement, it's an executive agreement. It isn't a law.

PRESIDENT BODE: Now, this resolution is pointed at an executive order of the Department rather than Public Law 732 except as 732 influences the thing. So let's not get this mixed up with recommendations for revision of 732. Let's confine this to the resolution itself just for the sake of clarity.

MR. BLAIR: I move the resolution be adopted.

MR. KABAT: I second the motion.

PRESIDENT BODE: We have had a lot of time for comment. Is there any further comment?

MR. KABAT: If such a resolution affecting interpretation and policy of Public Law 732 does not have any influence on the interpretation that the Reclamation and Interior give to the law, then it would be in order for this council to make some other resolution which would say in effect that whenever lands are purchased for development of ground such as reservoirs, such other land must be bought for purposes of reclamation for development of wildlife or enhancement of wildlife? If it will be interpreted along the line that land should be enhanced for wild life,

land should be developed for wildlife. Then in language as strong as I have proposed, state that whenever land is purchased for reservoirs land must also be purchased for enhancement of wildlife.

PRESIDENT BODE: There is a motion before the house and it has been seconded. All in favor signify by saying "aye;" contrary -? It carried.

MR. KIMBALL: Resolution No. 7 deals with another executive order, this one by the U. S. Bureau of the Budget along the same lines. (Here Resolution No. 7 was read.)

We have discussed this pretty much under the other resolution, but this seems to comply with the general policy of the executive branch of our government to restrict the development of recreation. At least on a non-reimbursable basis as a part of projects of land acquisition, or expenditure of the fund for development of recreation as a part of those projects. Again I think that indicates a retrenchment on the part of the government and failure to fulfill their obligation to the recreation interest and wildlife interest which should be a part of those projects.

MR. MOSBAUGH: As I understand it, you have included plans for recreation and mitigation and enhancement of fish and wildlife losses, is that right?

MR. KIMBALL: The way the resolution read merely calls attention to the policy under Circular A-47 of the Bureau of the Budget which says the Bureau cannot report plans for recreational facilities on these projects.

MR. MOSBAUGH: My comment is this: The Bureau of the Budget has attempted to interpret the law in Circular A-47. Maybe they have gone a little beyond that. A-47 makes no provision for acquisition of land for recreationsl purposes.

MR. KIMBALL: This is just a report on the plan for recreational facilities. It doesn't mention land acquisition at all. All it says, the way I read it and

interpret it, under Circular A-47, is that if they want to plan for recreation as a part of these projects they couldn't do it under this circular.

MR. MOSBAUGH: I think that might be a misinterpretation; in the Missouri Basin here we have been submitting plans for minimum recreation facilities.

MR. KIMBALL: It's probably contrary to the Budget Bureau directive. If you are getting away with it, more power to you. Maybe we shouldn't even call attention to the fact.

MR. MOSBAUGH: You may be familiar with this: We have a package budget arrangement with the Missouri Basin project whereby funds are made a part of the construction and rehabilitation fund transferred to other agencies, fish and wildlife. Those funds are being used for preparing plans for minimum recreation facilities and I don't think it's contrary to the budget directive there or certainly we would have been called up on it before now.

MR. KIMBALL: Carl, do you have anything on that?

MR. SHOEMAKER: I have copies of the law and I also have proposals that will be put into an amendment of the Coordination Act next year. Recently Under-Secretary Douder has sent out a letter in which he makes this statement: he wants to amend the Coordination Act to conform with present executive policy, but in that letter he doesn't indicate what the present executive policy is. So we have directed a letter to the Under-Secretary asking exactly what is meant by the present executive policy.

MR. KIMBALL: It's pretty well indicated under this Circular A-47 and this Interior policy 2744 that recreation and wildlife interests are not going to be given much consideration.

MR. SHOEMAKER: There are proposed five separate suggestions in reference to the Coordination Act. And then, the Coordination Act, I think, is also pretty well settled on the matter whether or not land should be acquired. While it doesn't specifically say about acquisition, it does say that the Secretary of the Interior through the Fish & Wildlife Service is authorized to provide assistance to cooperate with federal, state, public or private agencies in the development, protection, rearing and stocking of all species of wildlife, resources thereof, and their habitat, and controlling losses of the same from disease or other causes and minimizing damages from overabundant species and providing public shooting areas, and in carrying out other measures necessary to effectuate the purposes of this act; to make surveys and investigations of the wildlife of the public domain, including lands and waters or interests therein acquired or controlled by any agency of the United States.

I assume if it's necessary to acquire the land to effectuate the purposes of this Act they will acquire it and I can't place any other construction on it; and yet that may necessarily have to be clarified.

Now, with regard to the other things that we are considering, with reference to an amendment to the Coordination Act or to make it retroactive to the projects authorized previous to August, 1946: (This may take some compromise because of delayed studies and project development) To make the Fish and Wildlife Service report on recommendations to realize fish, wildlife and recreational values a part of the basic report to Congress, rather than the present supplementary report which is edited by the construction agency; to implement the cost factors for fish, wildlife and recreation by appropriation authority for continuing operation; also to point up the factor of amending construction plans to incorporate fish and wildlife values; to provide for land acquisition around reservoir areas for recreation and public hunting; to provide that the subsequent operation and maintenance of a completed reservoir be so carried on as to amortize the values set up on a non-reimbursable basis for fish, wildlife and recreation, (In other words, if one-third of a project cost

is non-reimbursable for fish and wildlife, then one-third of the operation of such reservoir be subject to recommendations of the biologists to assure realization of the values); to assure that the Fish and Wildlife Service is brought into the earliest planning stages of a contemplated survey for a proposed project.

Those are the various things that have been suggested with reference to amending the Coordination Act, but I think specifically that there can be interpreted into this present Coordination Act the acquisition of land.

MR. KIMBALL: Further, don't you think that the expressed desires of the Under-Secretary of Interior to amend that act is not to make the language more favorable to wildlife, but to do the opposite?

MR. SHOEMAKER: That is why we inquired.

MR. KIMBALL: I would take it that in all the executive orders that came out in land acquisition saying it can't be done, they particularly want to clarify the Coordination Act so they don't have to do it.

MR. SHOEMAKER: That is right.

MR. KIMBALL: I think the time is now really ripe for action because there is going to be, in my opinion, a concerted effort to eliminate recreation and wildlife from these projects and if we don't get on the stick and make our wishes known that is exactly what is going to happen.

PRESIDENT BODE: I take it again this resolution is pointed at a specific order that has been issued on the basis of present legislation, and any consideration of amendments to Public Law 732 should constitute separate consideration and I am wondering, Carl, if you think this is the time for this organization to make any resolution for revision of Public Law 732 or if such is premature.

MR. SHOEMAKER: I think not.

PRESIDENT BODE: Let's take that up after the regular proposals of the committee.

MR. KIMBALL: If they are going to propose amending Public Law 732 I think it's in order for us to get our likes in, so that we can get the law to conform with our wishes.

PRESIDENT BODE: Consider this on the basis of the executive order. Any further comment on that basis? We'll have to keep moving along. I don't want to shut anybody off that wants to express himself. Are you ready for the question? All in favor of the resolution as submitted by the committee signify by saying "aye;" contray - ? The motion is adopted.

MR. KIMBALL: Just one thing, not in the way of resolution, only in the way of comment: there has been introduced, I understand, Senate Bill 3606 on establishing a national water policy, Carl, introduced by Martin of Pennsylvania and Butler of Nebraska, and I understand that as a part of that law there is a provision that on any of these Federal reclamation or flood control projects, if any features of the construction benefit wildlife or recreation that the state will be required to pay costs of that, that there will be no non-reimbursable items on those Federal projects for wildlife or recreation purposes. That is just hearsay. I haven't seen the bill. I don't know what is in it but they say that is included in that bill. Have you seen it, Carl?

MR. SHOEMAKER: No, I am not familiar with it.

MR. KIMBALL: It's a new bill but I would suggest that you write your congressman or someone in the Federal Government and receive copies of that bill and go over it rather carefully because I think you should be on the lookout for the provisions of the law that I mentioned. That is Senate Bill 3606.

MR. STEEN: I am familiar with that bill and that is what it provides for. It's rather ambiguous. In the next section it provides that non-reimbursable items can be paid for. So, I really don't know what the law says, but I do want to make this comment: I read the law and reviewed it and it is strictly slanted as a one-interest type of legislation - that is, irrigation or reclamation pure and simple. I want to comment, too, further: I want to go back to things I talked about previously, the merits of these things. I don't think an agency like the Corps of Engineers who develop a project with your money and mine, 150 million of us, for the primary and almost the sole benefit of a handful of citizens or industries that may have located themselves on a flood plain, is justified or has any merit in their position when they say they can't consider other values. I don't think the Reclamation Service or the irrigation industry are taking a very sound or very justifiable position in saying they can't consider other values when they are perfectly willing to take your money and mine and use it for 75 years without paying interest, and they are perfectly willing to build hydro electric projects and sell the power back to you and me and take that income to help pay for the irrigation. I don't think they are in a position to take the attitude they are taking. I want to add one more word. For every one objector they can find to the acquisition of land for the purposes we are talking about here, we can show the Reclamation Service or the Corps of Engineers at least 500 American citizens who would want you to do the things we are talking about. For every hundred objectors in the projects I will find you 50,000 or 100,000 Missourians who will say you ought to do what we are talking about.

MR. KIMBALL: Resolution No. 8 deals with the harvest of game on Federal refuges. (Resolution No. 8 was read.)

I think the resolution more or less speaks for itself. Some of these refuges are Federal refuges which were created, most of them primarily for waterfowl, and some are established refuges for the protection of big game and other game animals.

But they have taken kindly towards allowing a harvest of big game and upland game and fur resources on refuges and we think they should be commended for that and that a program be put in operation for management of species of game for protection of which refuges were not originally set up.

PRESIDENT BODE: I think the resolution is pretty much self-explanatory. Are there any comments one way or the other in regards to it? If not, all in favor of adopting the resolution say "aye;" contrary - ? The resolution is adopted.

MR. KIMBALL: Resolution No. 9 deals with another bill before Congress on the use of the national forest. This is perhaps more of a western problem than midwestern and I might say it's somewhat controversial. Some certain segments of the conservation people feel that this particular bill, and all similar to it, should be opposed. Others think that in the future that some type of legislation will be enacted relative to establishing a policy for the multiple use of the national forest. Therefore, this resolution is presented by the committee for your consideration and debate. (Resolution No. 9 was read.)

That resolution is more or less self-explanatory. It deals with legislation which has already been passed by the Senate.

TOM EVANS (Field Representative, Wildlife Management Institute, St. Paul, Minnesota): I believe you mentioned all objectionable provisions have been removed. One of the objectionable provisions was one that gave the right to the court to review the administrator's decision. That provision is still in the bill.

MR. KIMBALL: That provision is still in the bill but that court review does not include reductions which are made in the interest of watershed protection. I mean that is a segment of the bill which cannot be reviewed by the courts: if a section makes a cut in grazing allotments on the basis of watershed protection, that is not subject to review by the courts under this new law. Conservation purposes and watershed protection are two things which cannot be reviewed by the courts

under this law.

PRESIDENT BODE: Any further comment? If not, all in favor of the resolution signify by sayin "aye;" contrary - ? The resolution is adopted.

MR. KIMBALL: This last resolution, I am sure, meets with the approval of everyone concerned. It's merely commenting on the conduct of the annual conference. (Resolution No. 10 was read.)

In deference to you, Mr. President, I hereby declare that resolution is passed unanimously.

PRESIDENT BODE: You'd better wait until the convention is over. You may not feel that way.

MR. KIMBALL: Mr. President, that concludes the resolutions as prepared by the Resolutions Committee. Now, if you wish to take up any resolutions from the floor or this resolution on Public Law 732 we'll proceed with that.

PRESIDENT BODE: I want to thank you again, Tom, for the work that you did in getting this prepared for the meeting. I don't know how you gentlemen feel about it. It was more or less a departure on my part but it seems to me like we have had more sane consideration, better opportunity to understand what we are doing than we usually have on resolutions. I think it has been successful so far as I am concerned. I think we all know what the resolutions are and what they accomplish.

I want to ask Ernie Swift to make an announcement.

ERNEST SWIFT (Assistant Director, Fish & Wildlife Service, Washington, D.C.): Mr. President, I just wanted to extend greetings from Mr. Farley who definitely intended to be here, but due to the fact the Secretary of the Interior called a meeting for yesterday and today he was unable to come so I came in his stead.

While I am on my feet, though, as a previous member of this organization from 1935 to 1954, and as an old "state's righter" and still one, I have an affection for this organization, Mr. Bode, and I want to compliment you and the officers on the procedure that you have had this morning in taking up these various important matters. I can remember when this group was first organized. They were striking out on some of the same type of things that you are today. There was considerable emotionalism at times and not always too effective. I think that anybody that fought the battle of G-20-A is kind of dated, Mr. Bode. I was asked last night if my face would be red if the record was read back on the stand I took. I think I would still stand on the record. Conservation transcends state lines and it shows a maturity of judgment and a better appraisal and every one, both state and federal employees, is becoming better informed. I sincerely hope that over the years these waterfowl councils, which are more or less a pioneering effort today, will take the same approach that the Midwest is taking on some of the broader subjects. As far as I am concerned my only hope is I can achieve some closer coordination between the organization and the Service, and that is going to be my aim. (Applause)

PRESIDENT BODE: I also want to thank Carl for his coming. I don't believe there is anybody here that realizes more than I do the value of what Carl gave us in taking up these resolution. He probably kept us from doing something that would have been foolish. There are two suggestions that came up for resolutions. One is your suggestion, Mr. Blair. I believe we are in a position now where we can consider that.

MR. BLAIR: Mr. President, I think we can all realize after the resolutions that have been passed here today that we do not have cooperation between the various governmental units that have to do with conservation. We have in the Department of Agriculture one unit that is paying the farmers to drain their land and on the other hand they use those lands to produce more crops; and then we have another unit

that is paying them subsidies because of the surplus crops. We have in the Department of Interior one unit that seems to go hogwild in doing what they want to do. I am talking about the Reclamation Service; and on the other hand here we are dealing in our organization primarily with the Fish and Wildlife Service that I think has done a wonderful job. They are not always able to agree. We know, everyone of us, that we are losing our basic natural resources. We also know because of the game and fish license fees that we have a lot of money to spend for game and fish conservation work. In fact, we are spending more for that than for the basic resources to conserve them. I think we should have a resolution to carry forward to the International, urging our congressmen from the various states to work for legislation that would establish a department of natural resources, taking in all the units of the Federal government that have to do with conservation.

PRESIDENT BODE: Any other comments with regard to this Association's passing a resolution of that nature?

MR. KIMBALL: What is the ramification of government reorganization in establishing a department of natural resources as compared to the one transferring certain functions from certain departments to others? I know that was suggested in the past and there are several congressional committees as well as appointive committees that have looked into it. You can probably advise us on that, Carl.

MR. SHOEMAKER: I don't think there is a Chinaman's chance of having established a department of natural resources for a long time to come, but I do believe the Hoover Committee, which is presently surveying again the governmental functions, may have something to say with reference to the various conservation activities. Outside of that I don't know of anything that is really clicking on it.

MR. KIMBALL: Do you think a resolution of that type would be helpful?

MR. SHOEMAKER: I don't think so at this time, no. I really don't. I think it might be indicative how this particular group feels. It wouldn't do any harm,

certainly, but the committee is examining into this proposition now. At the present time it is going over the water resources, particularly in the midwest.

MR. KABAT: I certainly endorse Mr. Blair's suggestion even though it may not be gainful to make a recommendation that Congress immediately or in the near future attempt to develop a natural resources department; but I would certainly like to see a resolution which would request Congress to recognize that there are many overlapping problems between the agencies on which the only ultimate solution would be for these problems to become the responsibility of each present natural resource agency, and this could be accomplished only by conversion to a natural resources conservation program. We are seeing the same thing in our states. The program I worked on, and my training, was in agriculture. At least my early training, and I have had an opportunity now to work back with those organizations I formerly was with. It's much simpler if you are a part of them, rather than a separate entity. You can meet on field level strata or administrative strata and there are unsurmountable barriers; but if you are a part of them you can solve the problems. I'd hate to see a natural resources department developed in our state like that. We would be so confused we would get no place. I suppose many of your states have a governor's natural resources committee as we have, and that committee meets and functions by law and considers these various problems of the different agencies. I think that is the first step. The next step would be inter-departmental.

PRESIDENT BODE: In order to get this crystalized and disposed of are you making the motion, Mr. Blair, that this Association pass a resolution favoring a department of conservation?

MR. BLAIR: I'd be glad to make a motion to that effect.

MR. KABAT: I second it if he amends it.

PRESIDENT BODE: If that is the sense, if we have a resolution of that nature then I will have another suggestion to make. All in favor of a resolution signify by saying "aye;" contrary - ? I suggest then that Mr. Blair and Mr. Kabat get together and draw up a resolution which can be put before the meeting before we adjourn this evening for final adoption. We'll ask you to do that if you please.

Now, there was one other suggestion that came up during the morning that you may or may not want to take action on and that is with regard to revision or amendment of Public Law 732. I think we had just as well give that consideration now on the same basis. It's the sentiment of the group to pass a resolution of that sort and we'll ask the Resolution Committee to present one before the group adjourns this evening. What is your pleasure on that, gentlemen?

H. R. MORGAN (Commissioner, North Dakota State Game & Fish Department): I'd like to ask Carl Shoemaker whether or not he thinks such an amendment might be timely.

MR. SHOEMAKER: As a matter of fact, I am discussing a matter with my good friend and I didn't hear what the discussion was about.

PRESIDENT BODE: Remember, Carl, a little bit earlier this morning a suggestion was made we recommend amending Law 732 along the lines you presented. My suggestion was if that is the sentiment of the group we have a resolution prepared on it for final adoption. I was asking for the sentiment of the group and Mr. Morgan is directing the question to you.

MR. SHOEMAKER: I think that is fine.

MR. MORGAN: You think it would be timely?

MR. SHOEMAKER: Yes, the more pressure you put on a situation of this kind - nothing will be done till next year. Next year we have commitments from quite a

number of strong influential members of the Senate and a number in the House who are willing to go along with the amended Coordination Act and I think it would be timely if this organization would adopt a resolution of that kind.

MR. MORGAN: As far as I am concerned I don't believe Public Law 732 has ever done the job it was intended to do and I believe now is the time very definitely to amend it so there will be some clarification, and so it will have some teeth in it; so we can go to the Bureau of Reclamation and Corps of Engineers and establish that they do have a concern so far as development of recreation is concerned. And by bringing out some of the other features of the bill that are hinted at in the present law but have never been established, we'll really be accomplishing something. I would go on record as favoring such a resolution.

PRESIDENT BODE: Would you make a motion?

MR. MORGAN: I would be happy to place a motion that the resolutions committee be instructed to prepare a resolution for further consideration later in the day.

MR. DAMBACH: I second the motion.

PRESIDENT BODE: All in favor of the motion signify by saying "aye;" contrary - ? The motion is carried.

That is as much as I have on my list. The floor is open for consideration of any other matter in the nature of resolutions.

MR. EVANS: I was asking about the watershed bill and I was wondering if it was too far along for this group to do something about it.

PRESIDENT BODE: I find that I have a comment here on it, a summary that just came out this week which says that it will have some crippling amendments tacked on by the committee and I have a note to ask Carl first of all whether or not that

would be passed; whether it was time to take consideration of it or what the status of the legislation was.

MR. SHOEMAKER: The bill is now in conference and the Senate committee has reported on the bill and I am sure that it passed the Senate and has gone into conference. I am not entirely certain about that, but I think it's too late to do anything in connection with it at this particular time.

MR. KIMBALL: The latest thing I have, the Senate Committee has cleared it for the floor, on the amendment version of the Hope bill and I assume they passed on it; and because they put some additional amendments on it, it had to go back to conference. Although some of the objectionable amendments proposed by the subcommittee have been modified or deleted, others have been inserted by the full committee. One amendment was the watershed plan be submitted for approval (to___?) or in its absence, to the Governor. This would actually require a state body to act on the application without field guidance on the advisability of such a project. Withdrawn was the subcommittee's sponsored amendment giving the departments of Army and Interior veto power over water storage over a thousand acre feet in capacity. In its place there was a provision that would require congressional approval of water storage of 2,000 to 5,000 acre feet. This provision was made to placate the Army Engineers and made possible a whole host of actions which could delay the projects. Yet the Army Engineers or reclamation need specified permission to build such small impoundments. The full committee supported the recommendation that the Department of Agriculture not be permitted to handle contracting. Few watershed groups now have authority to let contracts. Long delays would be experienced before any states could enact permissive legislation. Here again discrepancy exists. The engineers and reclamation are permitted to make contract arrangements. I assume that was approximately the way the bill was finally passed and is now in conference committee.

PRESIDENT BODE: This may help clarify it. This was a communication received over the signature of Guttermuth, in the emergency committee on natural resources, dated June 21. I won't read the whole communication. The version of the Hope bill was cleared on June 10 for floor action on June 10. This was passed the house without a dissenting vote. The recommendation is that while attempting to satisfy the usual objection of the engineers the Senate Committee has accepted amendments to HR 6788 which could delay it. The conservation organizations throughout the country believe the best approach to this desirable program is the Hope bill as it passed the House unopposed and unamended. That may be a guide to our consideration of it and the thing we want to do. That came from Guttermuth.

MR. KIMBALL: We couldn't possibly get that now if it's in conference.

MR. SHOEMAKER: I don't think so.

PRESIDENT BODE: Is it the desire of the organization to review the information we have before us or take no action on that at this particular time?

MR. KIMBALL: We might resolute that we are opposed to the crippling amendments and urge reconsideration of the Hope bill maybe for next session of Congress.

BRUCE F. STILES (Director, Iowa Conservation Commission): How would you get it back into consideration?

MR. KIMBALL: You would have to wait until next session and revive the original one.

PRESIDENT BODE: A resolution at this time would put this Association on record, so if the bill comes up they would know the wishes of the Association and could go ahead. It would have that advantage.

MR. EVANS: I think a conference committee can be reached to support the House version of the bill. I think that would be a reasonable compromise to work for. Isn't that possible, Carl?

MR. SHOEMAKER: Yes.

PRESIDENT BODE: Shall we handle that like we have others in view of the discussion and have the resolutions committee get in touch with Mr. Shoemaker, Tom Evans, or any others and prepare a resolution on that? If there are no objections that is the procedure we will follow out.

Now, are there any items that should come up?

MR. SCHRADER: I would like to call to the attention of this group one other objectionable amendment tacked on that seemed to have escaped everyone. That is the amendment to incorporate drainage as an authorized type of activity under this small watershed project. We have had experience with that already in one of the projects in Minnesota and I am afraid with that amendment that the small watershed program can be perverted in the states of Minnesota, North Dakota and South Dakota to take on and accomplish a lot of large drainage projects which heretofore had been impossible because small groups couldn't undertake them. If any effort is made to do anything about this bill that should be taken out.

PRESIDENT BODE: The simplest direct way to handle what we want to express as suggested by Guttermuth is go along with the Hope bill as it passed the House. We just simply build the resolution around that statement. With that in mind I think the resolutions committee can present a simple resolution that won't occupy much time to pass. Is there anything else you gentlemen have?

MR. KIMBALL: Just one thing I should mention, President Bode, and that is there is an urgent need for these resolutions to be in the hands of the member states immediately and I would like to suggest that your good secretary immediately after this conference have those resolutions mimeographed and mailed out with instructions from you to make the necessary contacts and take what action is recommended, in order that we might accomplish some of the purposes.

PRESIDENT BODE: We'll undertake that.

So far then as I have any information, that concludes the part of our program which was to deal with resolutions. Now, the following part of the program was organized, as you probably recall, from the correspondence you had in the following manner: We sent out and requested from all the states topics they thought they wanted to hear discussed. We accumulated from that correspondence a list of suggested subjects, which was again sent out to the states in order to find out if they had any priority preferences. The subjects on the program (and I believe they are listed in the printed program) are the ones that the states voted on in the order in which we received priorty expression. With that in view, we will start on this part of the program and we will carry it just as far as we can. Maybe some of the subjects will require a little longer discussion than others. We can get into one subject and never end it. It's pretty difficult to assign any amount of time or to put limits on it so we will cover all of this part of the program that we can, and what we don't get covered we'll just have to leave undone. I'll try to limit the discussions to about 20 or 25 minutes - if it requires that long. I have asked each state who made the original suggestion to take about five minutes to introduce the topic so that we understand what it was about and what it was intended to discuss. With that explanation we will pass on to that part of the program. We still have about 30 minutes. The first topic was the desirability of discontinuing special restrictions on hunters and anglers other than variations in permit fees, including consideration of a system of tagging to give non-residence proof of legally taking game. I don't remember who submitted that one. That may be in a little different form than the original subject. Wasn't that one of your suggestions, Bud?

MR. MORGAN: The latter part of it was.

PRESIDENT BODE: Probably there were two there. Suppose you tell us what you had in mind with your part.

MR. MORGAN: We have a problem up there which occasionally warrants consideration by other states. I don't know how applicable it is to other states, but we have two Canadian provinces bordering us on the north which annually carry on seasons on big game and migratory waterfowl, and our good North Dakotians go over there to hunt. Some of the provinces have a possession limit greater than North Dakota and, although Federal regulations provide that our hunters cannot have more of any species than they legally can have in possession in the State of North Dakota, nevertheless, it's sometimes a little bit difficult for our enforcement division to determine what the origin of the game in possession may be. We run into it even to a greater extent in the big game seasons, where very often the Canadian provinces and North Dakota have big game seasons the same time of year: and unless there is some proof of where that big game originated it's very often embarrassing to our enforcement agents. We have another situation in regard to South Dakota: in some years, not very often, pheasant shooting is a little better in North Dakota than other states, also some non-residents come to North Dakota to hunt migratory waterfowl, and they like to store them in North Dakota. We have printed our licenses in such a way that there is a tag for each species of game. The North Dakota license provides a tag for each daily bag and possession limit for upland game. We make it mandatory upon the hunter to attach the tag and keep it attached to the game until it reaches its final destination. In other words, if sharp-tailed grouse are taken in North Dakota by either a resident or non-resident, or transported to South Dakota during a period when he wants to do hunting there, there is proof of the fact the grouse were taken in North Dakota. This is not always true when game if brought into North Dakota, and I merely made a suggestion to this group in hopes it would simplify some of the problems we have during these seasons. I think definitely there should be proof go with the game; proof that it has been taken legally. I am not interested in where it was taken: I think proof should go with it to show it was taken legally.

PRESIDENT BODE: I think that presents the problem clearly enough and I don't imagine there are many of us who haven't had experience and do not know what the gentleman is talking about. The problem is whether or not we can arrive at anything that can solve the difficulty, and I would like to ask a question: With your tagging system, if a non-resident has a year-round permit and he makes more than one trip to the state, how does he provide himself with the necessary tags?

MR. MORGAN: I am glad you brought that up. It's a question that has been a little hard to determine and resolve. We provide that he can use those tags only once. I will give you an illustration. Say we have a tag for a possession limit of pheasants. We have a lot of people from Minnesota who come over the line and hunt pheasants. We provide they may have a current day's possession on tag, but otherwise the tag must accompany the game while it's in storage or in transit within the state. That means, of course, that a man who comes in on the first day of the season may put his birds in a locker plant in North Dakota with the tag. The tag must be attached while they are in the locker plant. He can go out and have a current day's bag in possession. He is either going to have to dispose of that second day's limit, or stop hunting. We allow a two-day bag in possession. He consumes it in the state or gives it to friends before he can hunt any more. If he does dispose of that second day's bag then he can come back and hunt another day and as long as he disposes of the second day's bag limit he is entitled to come back and hunt for the duration of the season. When he leaves the state he takes the entire possession limit with him and the assumption is that tag stays on the birds until he reaches his final destination.

PRESIDENT BODE: If he comes back the second time, does he bring the tag back with him and put it on the second day's bag?

MR. MORGAN: No, the assumption is he still has a one day's bag tag in a locker plant in North Dakota. Otherwise the assumption is he comes in and takes his possession limit and takes them out of the state and he is done hunting in the State of North Dakota for that season.

THE FLOOR: He could hunt but he couldn't take more than one day's bag out of the state.

MR. MORGAN: That is right.

PRESIDENT BODE: A non-resident coming to North Dakota during the season can export only one possession limit?

MR. MORGAN: That is right: taking migratory waterfowl and upland game birds, it could be 45 to 55 birds.

PRESIDENT BODE: What would be your idea about some state that has non-resident hunting but couldn't possibly stand that large a take?

MR. MORGAN: I am not interested in what limits they make, but what I am interested in is having some proof of the fact those birds were legally taken whether it means issuing several tags or merely one as we have seen fit to do in North Dakota. It's simpler with big game. Our big game license is provided with a tag for the head, one for the carcass and one for the hide.

JACK B. STRAIN (Supervisor of Land management, Nebraska Game and Parks Commission): Can a non-resident hunter purchase a number of permits; can he purchase a permit and take a bag out and purchase another permit and do that day after day?

MR. MORGAN: No, I am glad that question came up. In the past that was true. We used to wholesale permits at 25 cents apiece and it just encouraged meat hunters. We have also seen fit to curtail the shipping privileges of residents to ship game

out of the state because we found out they were making quite a racket of that. And I am not talking about the good sportsmen who are always welcome in North Dakota. I am talking about the meat hunter who would buy a $1.50 resident license, and the waitresses used the license to ship the game out of the state. We have the machinery I think to determine the tags will not be abused, and during periods of low population we do use it.

PRESIDENT BODE: Any other comments or questions?

MR. BLAIR: It looks to me as a matter for each state to decide. In the State of Minnesota, our law is such that any game coming into the state has to be properly tagged or the owner be able to identify it and prove that it has been legally taken. I think it's a matter for each state to have laws whereby any game brought into the state must be legally tagged or identified.

MR. STRAIN: I just want to say we have been through the thing Morgan brought up. We have discontinued tags for non-residents as being unenforcable. We restrict the non-resident to the same possession limit the resident has. He can take out one legal daily bag or possession limit. We found with the tags that they would hunt up to the time they were checked and then put the tags on and say "we are just leaving" and then go on and hunt.

PRESIDENT BODE: That is for taking game out of the state? What do you do in recognizing legal game that comes in from other states?

MR. STRAIN: Our statutes require us to recognize legal bag or possession from any other state. Whatever their laws are, are legal in Nebraska.

PRESIDENT BODE: Any other experiences that might help us?

C. H. D. CLARKE (Assistant Chief, Division of Fish and Wildlife, Toronto, Ontario, Canada): In connection with Bud Morgan's difficulty I should say there is

a federal law in Canada, a game export act which requires that any game exported from any province should be accompanied by a permit certification that it had been legally taken and was legally exported. That was designed to control the fur, actually, but it applies to all game taken across the line so anybody coming from Canada should have a provincial certification. Perhaps you should take that up with your neighbor.

MR. MORGAN: I am glad to get that report from the provinces and I have every reason to believe that is done by the provinces. However, it isn't carried out in the way that it was intended and there seems to be some question on the part of the board's officials as to whether or not that tag should be picked up at the point of entry or at the point of exportation. Consequently we spend a great deal of time in the fall of the year trying to find out where the game was taken and whether it was taken legally.

PRESIDENT BODE: Does the group want to let this rest with discussion for individual study or do they want to try to bring it to some head through study by a committee to get a unified system?

MR. MORGAN: I might make this comment: It wasn't my idea to force any action on this group. I think it would be a healthy topic for discussion, so that in our own individual case we could give consideration to this problem at the time we set up the license regulations in an effort to simplify the enforcement in the neighboring states and provinces.

PRESIDENT BODE: Any further comments on this particular topic? There was another part in this: The desirability of discontinuing special restrictions on hunters and anglers, other than variations in permit fees.

And the next one is on maintaining harmony between the various divisions of a department.

MR. KIMBALL: As I recall, this first topic, the desirability of discontinuing certain restrictions, came from one of the other states. I merely sent letters out asking what you directors thought should be discussed here in this meeting so whichever state requested that question, I wonder if you would start out the discussion on this particular topic. I take it at this time there are states which place some special restrictions other than just a larger license fee on the non-resident hunter or angler.

H. D. RUHL (Chief of Game Division, Michigan Department of Conservation): We are guilty. We have a rule that people who have cottages on the southern Michigan lakes can fish in the summer and can't fish through the ice in winter. That came about because the people from Indiana and Ohio were good fishermen and some people thought they would catch them all. In spite of our recommendations non-residents can't hunt raccoon. That happened when we didn't have many, and now that we are wondering what to do with them, I still can't get the restriction off. The Southern Michigan Coon Hunters Association were afraid of competition because the Ohio people were too good hunters, I guess, but partly because they were afraid of the trespass problem. We have another one, that non-residents can't trap. We don't believe they are valid restrictions. We don't feel there is any biological necessity for them, but we still can't get them off. I think our feeling would be that if the group as a whole perhaps would take some attitude or make some policy statement, it would help keep the situation from getting any worse, and maybe the rest of you can help us get the restrictions off.

MR. KIMBALL: Any other states have any special restrictions?

MR. DAMBACH: We have one. It goes back to 150 years ago when there was enough fur to attract outsiders to trap. We have restrictions that limit outsiders to 25 traps.

MR. STILES: We have some restrictions and some of our neighboring states have some that have been very disquieting. I don't know what could be done about it. It's possible that some action on the part of this organization might influence the legislature. These restrictions are all covered by state laws and not by regulations of the commission. It's rather interesting how it came about. South Dakota, as you recall, prohibited non-residents from shooting migratory waterfowl. Well, the chairman of our fish and game committee in the Senate had a duck marsh up in South Dakota so he couldn't hunt ducks on his marsh and he introduced, and succeeded in getting through a bill, providing for a reciprocal fee on licenses - that the State of Iowa would charge whatever was charged the hunters in other states. But in any instances where another state limited Iowa residents in any manner beyond the limitations placed on their own residents we refused to sell them a license. As a result of that, they had a lot of Sioux Falls residents who had cottages in Iowa and they were sufficient in number to have a lot of influence. They had cottages at Lake Okaboji. When they found out they couldn't fish, they asked the Attorney General of Iowa for an opinion. He decided that the restriction didn't apply to fishing. Then we found out we have a law that prohibited the sale of trapping licenses to non-resident commercial trappers. We have a commercial trapper license, so we were limiting other states more than they were limiting our residents. At the last session we opened a season on deer and prohibited non-residents. So, at the present time we are in a state of confusion as to what to do with that law and it would be highly desirable as far as we are concerned if we could get it repealed. I merely offer that as the experience of one state with that type of law.

MR. BLAIR: In regard to what Mr. Stiles says about Iowa, our legislature had a bill up which they called the "tit-for-tat bill" against South Dakota. Most of our sportsmen decided that two wrongs didn't make a right and the bill was killed.

In Minnesota we do have a law that prohibits non-residents from trapping. I think there is a reason (there are different states that have that law): where there is financial gain involved in taking some wildlife species, like coming in to trap and making money off the wildlife, there may be some reason for it; but there doesn't seem to be good reasons why one state should prohibit residents of another state from fishing or hunting. We are glad to have them come to Minnesota to hunt and fish.

Way back years ago they made non-resident hunting licenses on big game mostly, and people didn't want to pay it. The fee was $50.25 to hunt deer, and we have a $25 license to hunt small game. If any of you gentlemen want to come to Minnesota to hunt you get a license for nothing.

WILLIAM B. BARNES (Federal Aid Coordinator, Department of Conservation, Indianapolis, Indiana): We have a restriction on deer hunting, deer hunting being permitted only to residents of the state. That was brought about by restricted range for deer and it was the concensus of opinion that we did not have enough deer to go around. At first we considered a lottery system whereby our residents would be restricted to a particular number of the permits.

MR. MORGAN: Like Mr. Barnes, although we don't have any law that specifically is pointed at the non-resident, it has been necessary in a lottery antelope season, or it was deemed necessary by me primarily, to restrict that lottery to a drawing by North Dakota residents only. That was because the area which is frequented by antelope is restricted to parts of five counties and the maximum amount which has been taken in the last five years will be taken this year - 2,000 animals will be harvested. Other than that, I am happy to extend the same privileges to non-residents and think it should be that way.

We have one problem, that is the problem established by law whereby any landowner or anyone residing permanently with him shall have the right of taking or of

getting a free big game license by merely applying for it and giving us an affidavit as to the legal description of the land which he owns or operates, and it hampers us terrifically. It seemed impossible so far for us to open a lottery system on deer. Our deer population is not homogeneously distributed over the state and in many of the areas practically all of the licenses issued would be gratis licenses on the basis of that law.

MR. KIMBALL: I would like to relate some of the interesting things in connection with Colorado law. Colorado is a great tourist state. I think it's because of the flatlanders in the midwest: that is the first mountains they hit going west, and we sell in the neighborhood of 125,000 non-resident angling licenses each year which contributes a considerable amount to the state fish and game department's finances. Also, we have since found that the non-residents do not do as well as our residents in angling for trout. Maybe it's because they don't know the locations as well; but the state, both through the chamber of commerce and so on, have welcomed that business. The business people recognize it as a business. Another interesting thing; the non-residents in big game hunting contribute more in actual money to the game and fish department than do the residents and yet they form only 15 per cent of the total number of people hunting big game. Last year we took in in the neighborhood of $700,000 from non-resident deer hunters at $40 apiece and the resident deer hunters only contributed six hundred some odd thousand dollars to the game cash fund. There you have 85 per cent of the people doing the hunting actually contributing less than half of the money to the game and fish department funds. So we are very interested in encouraging the non-residents to come, because we wouldn't know where to obtain the revenue to operate our department if the non-residents would stop all of a sudden, particularly on our big game license. And yet we have restrictive measures too, because the legislature failed to include a non-resident license on one big game species, antelope. They are limited to the

eastern part of our state and drawings must be held each year for the limited number of permits issued, and while the legislature didn't outright say non-residents couldn't hunt antelope, they left it out of the law. The same on big-horned sheep: again the law does not provide for a non-resident big-horn sheep license, though it doesn't specifically say they can't hunt. And the same way on turkey: there is no provision made for a non-resident turkey license. I see no reason why they shouldn't provide those permits for non-residents. The next thing, to crystalize the thinking: what do we want to do about it? Do we want as an Association to recommend that all of these special restrictions on non-residents be lifted, or do we want to specifically exclude instances, say the trapping, where profit is involved, or what do we want to do?

PRESIDENT BODE: I promised we would adjourn promptly at 11:45. We'll continue the discussion at this point and recognize Mr. Stiles as the first man immediately after lunch promptly at one o'clock.

(At this time the noon recess was taken.)

AFTER THE NOON RECESS

(The meeting resumed at one o'clock p.m., President Bode presiding.)

PRESIDENT BODE: Bruce, you were the next man to comment on discontinuing restrictions and you had some comment you were ready to make on it. Let's go ahead with it.

MR. STILES: The record will show the comment anyway. I am not satisfied in my own mind what I have to say is of importance or something that might be worked out, but I am sure that everyone is aware of the impact that the Midwest Association, Western Association, International Association have had on the national legislature, and we have cooperated in getting desirable legislation through on a national basis. But it seems to me that when it comes to the problems that each individual state has in dealing with its own legislature, that regardless of the difficulty they get into, we stand back on the side lines and sympathize and watch the fight with a great deal of interest, but as far as I know, we have done nothing about it. And this particular problem that has come up on the agenda, dealing with uniformity of laws, I don't know exactly what could be done, but it seems to me there is a possibility for doing something inasmuch as this is a group of professionals having some impact or influence on state legislative bodies. I have thought that it would be possible to appoint a committee to study the matter. I know that the various restrictions are so different in the various states and the provinces that if we made any recommendation to state or provincial legislative bodies it would have to be pretty well thought out, and one suggestion that I had was that we might possibly appoint a committee to contact the various states and provinces and find out what their problems are as far as restrictive legislation is concerned. This committee might contact all the states, make a review of the problem and possibly find out when their legislature is in session, who is chairman of the fish and game committee in the house and senate as it might be, and present to them the attitude of the Midwest Association.

There is another possible approach. I know we have all had what we felt was good support in the Wildlife Management Institute and the Sport Fishing Institute. There is a possibility that we might ask the Wildlife Management Institute to contact the states, find out what their problems are and what the possibilities are of better uniformity of regulations. Maybe they would undertake contacting state legislators. I know that there have been times in Iowa when we were in trouble with our local legislature. I know it happened in Missouri, and probably in almost every state, and if we could perfect some sort of a plan we may be able to accomplish quite a little. It has been my experience in attending these meetings that, in instances where the commission or department itself had the power to make a regulation, we have been working towards uniformity; but in instances where the legislature had that power or in laws where the commission had no say in it, it seems to me there has been a greater divergency and I merely pass that on for anything it might contribute.

PRESIDENT BODE: Are there any other comments any of you wish to make with regard to that. I suggest this, Bruce: That when we get into the business session we take up the matter of the appointment of such a committee for the ensuing year. I will make a note of that and if I forget it, will you bring it up?

MR. STILES: All right.

PRESIDENT BODE: With regard to the problem we have been talking about I have a comment or two to make. This matter of no restrictions on non-residents, I think, is going to have to be applied with some variations. For example in our own state we don't permit the taking of deer by non-residents. It's not because we didn't want the non-residents in, but up until the present time at least the deer herd wouldn't stand the additional pressure. If we let down all restrictions, we would be in difficulties. We permit trapping only by residents for the reason

we feel there are not enough fur-bearing animals to permit the non-residents to trap. I think there are problems of that kind that have to be taken into consideration when we talk about letting down restrictions or having no restrictions on non-residents as compared to residents. In the State of Missouri there is a policy that nobody carries a free hunting or fishing license. If any of you gentlemen come in we'll render you the courtesy of going hunting with you. We don't issue free hunting or fishing license to residents or non-residents. We have adopted that policy and adhere to it rigidly. Any comment on that particular item?

Now, the next subject listed was the matter of maintaining harmony between the various divisions of a department. I wish Tom were here: Maybe we had better pass this one over. I think the subject is so important that with your permission I will hold it over until a little later in the session because I think we will all be interested in discussing that particular thing.

There is another subject which the State of Ohio proposed. The next topic that was up for discussion was pitfalls in acquisition and management of public hunting and fishing areas. Needs for financing, control of activity, agricultural operations and other problems.

Now, I don't know just what was in mind there but I know there are those problems. We have faced them in our own state and I have an idea a number of other states have faced the same problems. I think we can get into a lot of deep water if we are not careful, not only in the matter of acquisition, but especially in the matter of management. The matters of needs of financing and control of the activities are different. Now, just to start the discussion off, not that I want to eulogize the State of Missouri at all, but we, as a sort of fundamental policy, come to this conclusion: the nearer we can come to making any areas of that kind self-sustaining - fishing lakes, public hunting areas, especially waterfowl - the more of them we can give to the people. So on all our major areas, as we set them up, we set them up under the plan of management whereby the man who enjoys the

special facilities that are offered on that area pays an additional price for the additional advantages he gets on that area. We started on that policy with the first area that we established. The people in the state have accepted it very gracefully because they have gone on those areas and recognized they have had special advantages. Once in a while we get a complaint from somebody who has to pay a special area fee but it's very, very rare.

A concrete illustration is the August A. Busch Memorial Wildlife area; on that area we have multiple activities, one of the principal of which has developed into fishing. We don't have a large fishing lake. We have a large number of small lakes; you might call them ponds. They have furnished the people a tremendous amount of fishing during the past three years. We make a special daily fishing charge on that area. In our three trout parks in the southern part of the state we do the same thing and our trout program at the present time is carrying its own weight in the matter of finances on special daily fishing fees. We do the same thing with our waterfowl hunting areas. I think if those areas are set up by a plan of that type we can multiply them, whereas if we had to bear the entire cost it would probably be a prohibitive thing. That is our viewpoint on special financing and special setting up of some of these areas. That is all the speech I want to make. I'd like to know if anybody else has anything to contribute to that phase of the work program. I'd like to ask this question. On our special areas we don't hesitate to make special regulations fitting the area itself. They may be uniform on all the areas; they may be regulations suited to that area only. I'd like to ask what the experience of this group is or what their opinion is with regard to specialized regulations of that kind? I don't seem to get much response to that.

MR. BARNES: We have developed two public hunting and fishing areas. We are now developing a third and we have special regulations on some of our areas like the Willis Game Preserve. We don't permit any motorboats there, any motors of

any kind. We like to think of it as a place for the quiet fishermen and we initiated that rule and we have not had too much trouble with it. I think that one thing to consider is whether we should have a larger number of smaller areas or whether we should devote our efforts towards the creation of a smaller number of larger areas. There again you get in the matter of the economics.

PRESIDENT BODE: If you have a place like the Busch area, that might be small but where you might have a good attendance to make it self-sustaining, that would be something to consider. But our way of thinking is that the area should be large enough to carry its own. If you have a number of small areas you still have to have a man in charge of each to administer it. So, our question is, should you create large lakes or should you create a number of small lakes, 35 or 40 acres, or should you have one of an area of 500 acres? So far, our thinking has been towards the creation of a fewer number of larger lakes in most instances. The Busch area itself is quite an extensive area, large enough so we can put in an administrative unit. The bodies of fishing water, each one in itself is comparatively small, but there is an aggregation of small units which in a sense takes the same place that the larger lake area would take, and in addition it's adaptable to other activities outside of fishing: so I think I would agree with you that you do have to have, if you are going to administer it, a large enough unit to set up administration on it.

Here is another thing we have been thinking about. We are thinking of classifying our efforts in defining those areas into two classes: One, the first class, the larger units which are fewer in number, and which we can administer under control under special regulations. The second classification is one under which we will assist in developing a large number of smaller units. They will be public areas that will just be there for the public to use. They can't expect us to give them special privileges as far as parking areas and so forth are concerned. They will be managed under good fisheries management, but they will not receive any

weekly, daily or monthly stocking. What administration they get will be under local officers. That way we think we will be able to serve a larger part of the public without having to go to the expense of establishing a large number of large units under costly administration. I'd like to hear the experiences of someone else in that connection. I would like to hear their opinions and ideas.

I hate to pass these things over without adequate consideration. I'd like to ask another question: From the standpoint of trying to build those areas up to the point to where they will accommodate a maximum population of wildlife, upland game, fish or whatever it may be, how far do you think a state is justified in going in adopting an agricultural land use management plan with wildlife production as the dominant motive? Has anybody had any experience with that?

MR. RUHL: On this matter we started differently, probably because we started in the north with large acres of low quality land in public ownership where there are few people, and the developments in our agricultural areas came later. So we don't have special fees principally because we have four and a half million acres. We do have special regulations because we think it's necessary, but no special fees. As far as the agricultural development goes, I don't see any reason why we should hesitate to use agricultural development as our tool for game management. We do that with sharecroppers on a rotation system which is adapted to our purpose and the arrangements we have with the permittees is adjusted to the particular rotation we require of them. We insist they farm on a certain rotation in a certain manner and according to certain specifications, and it seems to me it's a perfectly legitimate tool. It has a good reaction from the local aspect. The people begin to feel a part of it and they are often our best salesmen.

PRESIDENT BODE: I take it then you think the sharecropping plan is better than the department trying to handle it itself.

MR. RUHL: We do have some special situations where we can't depend entirely on sharecroppers, and there are some other situations where we feel that it's necessary to do that.

MR. BARNES: We think sharecropping is a lot cheaper than for the state to try to do it, and wherever possible we sharecrop. If you have a particular use, like you want to plant a field entirely for geese and it wouldn't be to the benefit of the sharecropper, then I think you should consider doing that entirely with state funds. I think that agricultural practices are absolutely necessary on most of these areas because some of the older areas have grown up to the point where they have lost their value to wildlife, and if we wish to maintain them for the benefit of wildlife it's almost necessary to have some type of farming practices.

PRESIDENT BODE: Mr. Dambach, we are discussing a suggestion I think came in from you on the pitfalls in acquisition and management of public hunting and fishing areas: the need for financing. We did not at the time we started have the benefit of your thinking on that.

MR. DAMBACH: Thank you very much. I did send this one in and my reason was I felt that out of this group perhaps I could get some guidance that would be helpful to us in Ohio. I think most of you are familiar with the problem. We are a comparatively small state but have a comparatively high population and very little public land in the state, something on the order of 400,000 acres of all kinds of public land in Ohio. Something like a hunter for every half-acre of land. We have recently embarked on a public land program to alleviate that situation and we would like to have some guidance on it. Harry Ruhl very kindly came down a couple of years ago to give us the benefit of Michigan's experience and it helped us a lot, but even with Harry's very helpful guidance we ran into some snags and I daresay we will run into more. One we just ran into is one that related to the discussion

of sharecropping. We started out with that, too, and felt it was the most economical way. We ran into a state supreme court ruling which says in effect that if you permit sharecropping then you are permitting commercial operation of the land, which therefore makes it subject to taxation, and you are immediately up against a snag. That is one of the pitfalls we have run into.

Another problem we are running into very seriously, particularly in counties which are fairly close to the urban areas, is the local objection to the taking of land off the tax duplicate. I would certainly welcome the experience others have had on how you handle the particular problem of reimbursing local political subdivisions for land that is taken off the tax duplicate without going broke doing so.

MR. BLAIR: I may be able to help Ohio and some of the other states. In purchasing land, that is one of the big problems. All of the governmental units are short of money to operate and they hesitate about the state taking over lands, taking them off the tax roll, whereby the local unit doesn't get the benefit of those taxes. We are authorized under the law to condemn lands for game refuge or public hunting ground purposes but it has been our policy not to do so. If the land holder doesn't want to give us land we will let him alone, and eventually in a few years he will be willing to come along and sell it to us. Where we purchase those lands we may close it all up, but when we have a crop of game to be harvested we cannot keep closed more than one-third of the area: the balance surrounding it must be hunting ground. Five per cent of the gross receipts of these areas are paid into the county to distribute to the local units of government. Two years ago the legislature amended the law and made it optional with the boards of county commissioners whereby they could take 35 per cent or 15 cents an acre and take it off the tax rolls. It does not affect tax forfeited lands or what we call trust fund lands, but only the land we take off the tax rolls: on these they get 35 per cent of the total receipts or 15 cents an acre. Mr. Bode mentioned they have a

special fee here and they don't have too many fishing places. You know fishermen spend a lot of money and certainly we in the states up there should thank Missouri, Indiana, Ohio and other states because their people come up to Minnesota. I know they go to Wisconsin and Michigan too, but we collect a million and a half dollars from people in these states that come up and fish. That is where a lot of your money is going. We thank you for it.

PRESIDENT BODE: Maybe that is the reason you can issue free hunting and fishing permits. You mentioned one thing, Mr. Blair, I'd like to comment on. In the way of the pitfalls in acquisitions, we have had a policy for a long time, and I think it has been a wise one: we have the authority to condemn, but we have learned a long time ago that it is the last resort in acquisition. In several cases we have used it partly on the basis of friendly condemnation. We ran into one or two cases where there wasn't any way to clear the titles and both the seller and we as buyers concluded that the only way to get the thing cleared was by condemnation.

We had one place that was in a vital area and we had to have it. We had a purchase agreement on it but the vendor went back on his purchase agreement and we went to condemnation and got stuck. Nine times out of ten you will pay more through condemnation even if you have to pay someone a premium otherwise. To local juries the process of condemnation is always favorable to the vendor, and a state agency especially gets stuck. We believe condemnation is the last resort in acquisition.

It is a very interesting topic and I think it's rather new: although we have known about public land for a long time, the idea of using public land on a self-sustaining basis, especially as an aid to our increase in service to the public, I think is still in the trial stage. We are all trying methods whereby we can do it more successfully.

MR. DAMBACH: Any other states run into this problem of land that was used for a commercial profit being subject to taxation? The particular case in Ohio was over Toledo which bought land for an airport and then sold hay from the airport. Someone contested the tax-free right of the city to operate that land, and the supreme court decision that was handed down caught us right in the middle.

PRESIDENT BODE: We don't face that problem. We haven't had it come up.

WAYLAND OSGOOD (Deputy Director, Michigan Department of Conservation): I don't know how much time I should take to talk on this subject, but as far as Michigan is concerned the tax problem doesn't make any difference nowadays whether we use the land for commercial purposes or not. The last legislature has changed our law under which we used to pay taxes on the basis of 50 per cent of the assessed valuation on the south Michigan land. Now they have made it a hundred per cent. The saving factor there is the fact the valuation will be placed on the land by the state tax commission rather than by the individual tax districts and we think we will get fair treatment and it may not be as bad as it looks on the face of it. The improvements put on the land for conservation purposes are not to be considered in the valuation and I presume that the tax commission which arrives at these valuations also will recognize the fact that in a good many places we have taken buildings and structures off the land, so it will reduce the valuation to some extent. But we are faced with the problem of paying on the same basis as all privately owned land. For years we have been paying 10 cents an acre on upper Michigan land, which in a good many cases was twice as much as on similar land held in private ownership. We have been getting by since about 1946, which was the time the legislature put the 50 per cent of the assessed valuation in the law as the tax basis. The pressure came on when Harry went out and got some of this very nice high valued land over in the goose country. They didn't worry too much about the northern Michigan land but the goose land purchase pointed the thing up and it took big values off the tax rolls so we've got the problem now.

MR. DAMBACH: I am vitally concerned, and I would like to hear some more expressions from other states as to how they are coping with the problem. We are in this position now: shall we go to the legislature and propose something ourselves which would seem to be a reasonable means, or sit back and wait until somebody hits us with some situation?

MR. OSGOOD: When we started in with our southern Michigan heavy land purchases most of it was recreation land 50 miles from Detroit. That was park land and game land. They matched $1,000,000 of general revenue money with $200,000 license money and our commission at that time saw the handwriting and asked the governor to turn the problem over to a tax study committee. While the tax study committee did not come up with anything, it was a very handy thing to have when the legislature kept shooting at us, and we said "we have recognized that problem". We know it exists; all we are interested in is getting a fair answer and I don't think we are in too bad a shape. If we can afford to buy it we can afford to maintain it.

PRESIDENT BODE: Any other comments?

MR. KIMBALL: I might answer as far as our state is concerned we have in our state constitution a provision which prohibits the state from paying taxes on any of the land that it owns. Therefore we were placed in the position of having the county organization and municipalities opposing the purchase by the State Fish & Game Department of any lands where that land was taken off the tax rolls because they just didn't want to lose that source of revenue. So we went to the Attorney General and asked if there was some way we could pay something to the county government in lieu of taxes and we found out we had to amend the constitution before we could do that. However, we definitely feel if Colorado is to overcome the opposition we received from county governments upon losing revenue that there should be provision to pay something in lieu of taxes. In most instances where we found

out what taxes had been paid on the land we wanted, it usually doesn't amount to very much. If it does get to the point where it would be burdensome on the fund of the state to continue to pay those taxes, and you are required more to pay more and more, perhaps a law or change in the constitution to provide something in lieu of taxes on a reduced basis by contributing to the local government would be the answer.

PRESIDENT BODE: I think we will pass on to another subject and this is one we held over as one of our suggestions: Maintaining harmony between the various divisions of a department.

MR. KIMBALL: Of course, that situation has been one that I think has plagued most game and fish departments. It was brought in principally with the changes in organizational setups within the departments whereby the college trained technicians began to come into the picture to form a part of research and management divisions within the department. All that work heretofore had been done by the old game warden or the old employee who was more or less responsible for all the activities of the department in a particular community or district. I think however that in recent years strides have been made by changing qualifications and combining districts and so forth and alleviating any conflicts between the divisions. I think this is best brought about by the creation of new positions within the department, combining a number of field positions which heretofore existed as special ones in a particular field. I have in mind our state in particular: we had technicians, we had trappers, we had wardens, we had information and education people, all in separate divisions within the department operating in the field. As a result of the difference in background and difference in experience within the department, of course there were some disagreements and conflicts between divisions in the field. Most of you administrators know what I mean in that respect. So in combining a number of these field positions under one job title, whether you call it a conser-

vation agent or conservation officer or whatever you call it, but incorporating the many duties that were split in the various divisions under one title job at least, we found we are getting away from a lot on inter-division squabbles within the department. We specify in the qualifications for an employee for a particular position that he be qualified in the field of wildlife management, either through education or experience, to the point where he can handle information and education work along with his law enforcement duties; that he can assist research and even game management and surveys and investigations of a type that the commission needs for setting the seasons and bag limits. He more or less provides the work that had been done by various divisions before. It enables the department to cut down on the size of the districts that heretofore were covered by many specialists, and by allowing the man in that small a district to take care of all the functions of the various divisions, it has helped immeasurably.

PRESIDENT BODE: I'd like to hear the experience of other states in trying to overcome this problem. I think it's one that inevitably arises in other departments, and there must be a lot of devices developed in overcoming that.

MR. DAMBACH: We had a somewhat similar experience to the one related by Tom. It was particularly acute in Ohio in view of the fact I was a college professor when I came into the job, and the old experienced hands resented a highbrow coming into the organization. We too set up a general field title which we call "wildlife management agent" and required that a man aspiring to that job be able to do fish management and game management and enforcement regulations in his assignment and we gave him that authroity as well as that responsibility. We made it perfectly clear we did look to him to represent the state in the particular area of his responsibility, and in doing so we made him feel like a pretty important individual. An additional setup is a promotional system which gives him opportunity to rise from one level up a couple of grades: heretofore in our state a man who became what was

then called a game warden was at a particular salary level and stayed there and didn't have any place to go, whereas the technical people had some place to go. A wildlife management agent can now go as high as any technician can. I think that has improved morale. Certain of the men recognize they don't have the training and experience to take on the broad responsibilities and they are quite content to stay where they are, whereas others feel they have the native ability and by their own individual effort they can go higher. They are improving and I think it has helped. I am not called "that long-haired guy" any more.

MR. BLAIR: Do you have a department of civil service in Ohio?

MR. DAMBACH: Yes, sir.

MR. BLAIR: Some of the states have departments of civil service and in our state at least we don't have much to say about who is to receive the promotion. We would like to have it so we could promote those who merit promotions, but in some cases we are unable to do so. We have a veteran preference law whereby he gets five points and if he has disability he gets 10 points. That may pass them above the 70 mark, and if they had disability they go to the top of the list. So it's not easy to get the people you would like to have under those conditions.

MR. KIMBALL: Don't you have a possibility of promotional examination which is limited to employees within your own organization?

MR. BLAIR: Yes, we have promotional examinations. That means it's not a general examination, but those with disability will still go to the top. They may be good employees but maybe not the ones we would choose for the job. In the City of St. Paul, in the largest post of the American Legion, the system throws about 95 per cent of their men out because five per cent go to the head of the list. They themselves have said they would try to repeal the law, but nothing has been done about it.

MR. KIMBALL: We have a civil service board in our state and we have the same veterans' law. Five points for veterans and 10 points for disabled veterans, but in those promotional examinations there are possibilities of throwing a greater percentage of the grade into a merit rating setup, which is done by the department. In other words, if a man is a capable employee and he is the one the department supervisors would normally select to be promoted to a supervisory position, his merit rating and his ability would have more effect under the percentage system than would his veterans preference. So there is a way, if your civil service board is of a mind to give a greater portion of consideration to the best employee and if you can work with them.

MR. DAMBACH: May I comment further on it too? Frankly, the Civil Service Commission of Ohio is very jealous of its prerogatives. We work with the State Civil Service Commission in setting up this program so that each step or advancement a man may look forward to is regarded as having certain increased responsibilities which may be either a larger area or greater variety. A man who starts out in a county position may be called upon to enforce fish and game laws and carry out management activities under supervision of someone. The man at the next step requires very little supervision and uses his own judgment, and a man who goes to the third step requires more judgment. Additionally we have something else that carries a lot of weight, and that is a rating system.

MR. BLAIR: I would like to know how many of the states have an annual rating system to rate the employees whereby you may promote those who merit it and demote those who don't play ball.

PRESIDENT BODE: How many of the states represented here do have an annual rating plan? Six hands that I count. How many do not have any such plan? I count four hands on that. It looks like it might be just about half and half.

MR. STILES: I'd like to qualify that. In Iowa we do not rate all of the employees. Every six months we rate our officers.

PRESIDENT BODE: We have a plan in Missouri whereby every employee in the department is rated once each year. If he comes up for promotion his rating sheets are examined. If he comes in during the year his first rating is at the end of the first six months period. That rating is kept and any recommendations for promotion must be backed by the rating record. The man is rated by his first superior officer. Those ratings are then reviewed by the division chief. They finally all go over my desk. If I have any objections or want to review them in any sense whatever, I think one of the important things in our rating sheet is a little item that has saved us many a headache especially when it comes to the employees who may not have discharged their duties satisfactory and are up for reprimand, or in a few cases where we had to let the employee go. On that rating sheet there is a place for the signature of the employee and the man who rated him. Now, he does not sign that as agreeing with the rating sheet. The only importance of that is to signify that he has seen the rating, that he knows what is on that sheet. Now, if he has any objections he has the right of appeal. If he thinks his rating is wrong he has the right to appeal to the higher official. We haven't had much of that, but then frequently, as you gentlemen know, you will come to a man that you have to discipline or even let go and he says: "I never knew I wasn't doing a good job. Nobody ever told me I wasn't getting the job done." If he signed that rating sheet and the rating officer has called attention to his shortcomings he has very little comeback. We have used one or two other devices than this that I think have been successful. The Commission has adopted a policy that our local conservation agent is the representative of the Commission in his territory. That doesn't mean he is supervising officer. He represents the Commission to the public, and we do not expect him to know everything there is to know, or to be able to do everything

that is to be done, but we expect him to know how to go about getting the assistance he needs. It has been very successful. We have adopted one other device, except in emergencies where once in a while it can't be carried out: It doesn't make any difference what section of the department is carrying out an activity in one of the local agent's territories, he is to let that agent know he is in his territory and what he is doing if it's possible. The agent is perfectly welcome to help him engage in that activity. There are two reasons for that. The first one is it's exceedingly embarrassing for the local agent to have someone come to him and say "I understand the seining crew was here yesterday." And he has to say "I didn't know that." It also keeps the agent in touch with the activities of the department and he is informed of what is going on. We have found that has been a very helpful coordinating influence. One other device we use to try to keep harmony and keep the machinery running: the division chief has a perfect right to give instructions to any of his section chiefs or the employees in the department. If one division has an activity or a project which involves another division and instructions to other men, he does not give those men in the field instructions. Those instructions go only through the division chief level. In that way we coordinate first-hand any activity going on between divisions and avoid the complications of multiplicity of bosses out in the field and misunderstanding as to who is bossing who. We have found that a very successful device.

MR. KABAT: We use most of those devices except the one of having a general classification, but I can't say that these devices, while they have helped in detail, have brought about any wholesale harmony. There is disrespect and disbelief and I think it's growing. My own feeling is that one of the first steps (and we have made such recommendations) is a board or a group of division chiefs or representatives of each division meeting and being responsible for the department program. Not in detail, but in principle. This would involve a division

wanting to rate a man to a high position in the division. Say he is very popular in his division: he may have achieved his popularity by condemning people in other divisions, and the people responsible for advancing him are the administration of his own division. The other divisions may be against it. When a division has a program which may be favorable to it but uncomplimentary to the others, it would help if we could set up some kind of board having on it representatives from each division of responsibility within the department, and make this board responsible for the entire program in principle even though they are all responsible for their own division program. They probably would make sure when they advance a man or a program it's not in discord, and I think our greatest problem is just that. We have harmony within divisions but not between divisions. We have separate programs which clash. We have seven or eight divisions. We see advances in one division that knock morale for a loop in other divisions. If we have a cross-division board I think we could eliminate a considerable amount of disharmony.

PRESIDENT BODE: We handled that by what I call the staff meeting. The Commission holds a meeting once a month. Usually it's once a month, and the day following or within a day or two following the meeting, we have a staff conference. The staff is comprised of the division chiefs. At this time we review the Commission minutes on anything that doesn't pertain to one division but is to the interest of all of us. We ask each division to inform us on any major project that involves activities of more than one division, and these are reviewed. With the other device that no division chief is expected to give orders in any other division, we get a pretty good clearance. With this matter of promotion, we don't have civil service, but we have answered that by adopting in the Commission itself a classification schedule in which all of the jobs in the department are placed in the same gradations. We have tried to go across division lines and evaluate similar jobs, similar responsibilities, similar requirements for carrying out the job and so forth all in the same

classification, so that if one man comes up with a promotion in his division it's on the level with the promotion in any other division.

MR. KABAT: We have somewhat that same system but there are still divisions and the present trend is towards disharmony rather than harmony. Despite the fact we have promotions that are in line, there are the advances within the division where a man advances to a position even though it's in accord with civil service. That man is in discord with some other division.

PRESIDENT BODE: Who is responsible for the judgment as to whether or not the recommendations of the division chief is in line or out of line. Who exercises that?

MR. KABAT: The directors do, but the directors cannot get down that deeply. It's difficult for administrators to say "you are wrong" if the director recommends advancement. If other division chiefs would say "we have had difficulties with that man", do you think he is the best bet for the position?

PRESIDENT BODE: I don't know that I can agree with you on that. I am telling you whenever a recommendation goes to my Commission for an advancement of a supervisor or in our protection section my mind is pretty well made up. I can justify that.

MR. KABAT: With 800 employees can you do it?

PRESIDENT BODE: I have 480 and it seems to me it's a load and if the administrator himself can't carry it he will have to have help on it. There is a level where you have to control that. I will grant you very frankly that unless there is some top coordination of that kind, it will get out of hand in six months.

MR. KIMBALL: Of course, I don't say we overcame that problem. We at least alleviated it by having the personnel officer, who is at staff level, coordinate

that effort: he keeps records of all our merit ratings done every six months. He meets with the staff and in cases where there is advancement or recommendation for advancement he gets the recommendation of all the division chiefs before he comes to talk to me as director about whether or not we should recommend the man for the position or advancement. He has to be in a position then to tell me whether some division has had some trouble with this man and don't think he should be promoted, or whether they are all in agreement, or if they are split as to whether he should be advanced. I probably have my own ideas, particularly on supervisory personnel, as to whether or not a man should be advanced. I am also interested in knowing whether all divisions are agreed, or whether they have had enough associations with him to be qualified to give a decision. I think the suggestion is good. If that isn't being done then certainly all the division chiefs should enter into the picture somewhere.

PRESIDENT BODE: I feel there is one important thing in keeping harmony and in keeping balance - and I am speaking from the standpoint of the director, more or less personally. Is his ability to judge and evaluate those things on a purely impersonal basis? Now, I have people in the department I like personally better than I do other people, but I have always tried as hard as I possibly could when a recommendation like that came up to forget myself and try to put it on the basis of the actual, factual material whether I like that man or not. He may not appeal to me, but I don't believe a director can let his own personal feelings enter into an evaluation of that kind.

MR. STEEN: I think a good deal of the problem or, should we say a solution, is involved in the attitude or the concepts of your supervisory personnel at top levels. In other words, we get along pretty well in Missouri because we say this is <u>our</u> program and <u>our</u> organization, instead of saying - well, this is <u>my</u> outfit and <u>my</u> project. Personally I am just as proud of the accomplishments of the

protection or information section as I am of the game section or fish section. I think a good deal of the problem lies in the attitude of the supervisory personnel at top levels. They can cure a lot of this stuff if they want to.

MR. STILES: The only thing I wanted to say is that we have a rating system that seems to differ quite materially from any that has been mentioned. We started out by having the immediate supervisor rating the men and we found it led to the supervisor trying to run a popularity contest and nobody got graded down. So we now have a rating board composed of the superintendents of the fish section, game section and Federal Aid, and the supervisor. I believe there are six men on the board and they rate each man. They do not sign the rating sheet. Each man's name is brought up for discussion. If anyone has anything he wants to say about the man they tell it whether it's pro or con. They do not sign the rating sheet. They seal it and give it to a bookkeeper (who is a woman) and she tabulates the sheets and turns them over to me. I have a review, and if anyone feels that anyone is grossly out of place they can bring up the name and discuss it and each one tell what he thinks of the position. Since we adopted that plan we find there is much more spread in the ratings, and as near as I can see it works out real well. I have never yet seen a man I thought to be good rated very low or a poor man rated very high.

PRESIDENT BODE: I think maybe we had better pass on. This very well could be the subject for a whole afternoon discussion. We are not going to be able to cover all the topics anyway.

MR. MORGAN: May I make an announcement?

PRESIDENT BODE: Yes.

MR. MORGAN: Chester Wilson of Minnesota is not with us, and your chairman has asked that I take over the responsibility for Mr. Wilson. I would like to ask the representatives from Minnesota, Manitoba, Indiana and Nebraska, to meet with me for just a very short time outside of the door so we can have a report ready prior to the time we adjourn.

PRESIDENT BODE: Next item was this making full use of conservation officers. Extent of the assigned duties and responsibilities. Amount of time justified for various activities.

I believe that topic was suggested by Bruce Stiles and he just left. Let's lay that aside until they get back in. Another item that was suggested next in priority was the training of field representatives and staff to work with game rather than only on control of hunters and anglers. That topic was suggested from Ontario.

MR. CLARKE: Mr. Chairman, it has been our feeling that a conservation officer who is in the field and has a district should be as far as possible an all-around man and able to not only carry out law enforcement work but also under proper supervision, of course, to participate at least in all the other activities of game management that are related to his territory. That is quite an objective when you start with a man who may not have any technical training whatsoever. It involves imparting a minimum of technical training and we have our school for officers where the last meeting of this Association was held. Some of you were there. You are perhaps familiar with the way in which it is conducted, but we are very anxious to learn from the experience of others who have attempted to give instructions in service training of that type.

PRESIDENT BODE: This is open for any contributions any of the states can make to that subject: in-service training, we might call it.

MR. DAMBACH: We have faced the same problem and are attempting to solve it by having the so-called field officers participate in fish and game work: for example, our game surveys are conducted by county men and they are given a period of field training on how to conduct the survey. After the surveys are completed they are summarized and the results of the survey are promptly made known to the county men so they will know the results that have been obtained from their efforts. They can pass them out to the sportsmen in a form that are readily understood. In fisheries work for example, when a crew goes to a man's county not only do they contact the county man but they must actually work with him in test netting. That means putting on a pair of coveralls or getting into waders and going right out with the men, and then we require that the technicians after they have summarized the data must get that information back to the county man so he can tell the local sportsmen what they found out about that particular stream or about that particular body of water. So in that way field training is going on all the time. We run into difficulties where a technician said "so-and-so's data isn't worth anything: you can't trust what he says". My answer has always been: How much time have you spent with him training him? The next time a monthly report comes around I want to be sure the technician spent some time in that county working with the man. I think a lot can be gained by bringing the men together for group training but I think more can be gained by the technicians working with the men in the field. Some men require much more training than others.

PRESIDENT BODE: Do you find that method is important not only in getting the man training, but also from the standpoint of harmony between groups?

MR. DAMBACH: Yes, it overcomes a lot of friction between the technician and the field man and very frankly tends to bring some of the technicians down to a practical level in what they are trying to do. They find out there are practical problems they haven't taken into consideration in some of their survey work. One of the

things hard for them to believe was that if they trained the men in the field properly, they simply multiplied their efforts by that many men. It's hard to get a technician to believe if a man falsified a report, that most often he would turn in a good report if he worked long enough with him - if the man above works with him and insists on it being properly done, it usually is.

MR. SWIFT: As an ex-director I would like to confuse the issue a little more. Some states very definitely have the responsibility of forestry problems. How much should this man be trained in matters of forestry such as running compass, a rudimentary idea of cruising, tree planting and those things if he is going to be the representative of the department? As the responsibilities of a department increase or they have greater responsibilities then this man should know more about the sum total. Or should it be confined to the fish and game? Michigan has that problem.

PRESIDENT BODE: I think I used the terminology, "represent the department". The reason I made the explanation of it I did was recognition of the very problem that you mentioned. I believe all of us are aware of the fact it's the easiest thing in the world for an administrative department to say: here we've got a local man; here's a job we have to get done. Get him to do the job. If he has the combination duties of protection officer together with other problems I think that is a thing we have to constantly be aware of so when we use the term "representative of the department" as I pointed out, that does not mean the man has to carry out all of that responsibility. We want him to know how to get the assistance to get the job done rather than to have him burdened with the responsibility of doing it himself. Any other comments?

MR. OSGOOD: One observation: I saw some civil service personnel bulletin about a year ago, which says it's axiomatic with personnel people that the size of

an operation also increases friction. We shouldn't be too discouraged as our work builds up. In the last year or so I have just gotten around to having what we call a communication survey; I have taken all the divisions and used a gimmick that civil service developed that had about 30 -- maybe more than that, maybe 50 or 60 -- questions that were general, but asked the same thing maybe three or four different ways. Then we had the entire group indicate whether these statements were true or false. Nobody identified himself on the papers, but they were collected and the totals taken to see if we could identify the problem areas in the department. Every single one of the divisions tested came up with the same answer and that was the lack of communication. They didn't know what was going on. We thought we were doing a reasonable job of getting the information to the field. Here were all the divisions coming up with a preponderance of sentiment indicating they were in the dark as to a lot of our operations. Well, we haven't got it fixed, we just have the problem identified. But we are going to try to work on it and maybe next year we will have a little better answer. I think there is one thing that is clear and that is you have more conservation officers than you have in field representatives of any other division, and they are going to be selling your program. Whether they sell it to your advantage, to the advantage of the conservation product you are disposing of, or whether they are going to do a poor job, depends largely on the information they have. People can identify them. They know them in their communities. There are more of them, but they can spot them when they see them. They ask them questions and it's only human that they are going to give answers, and it's up to us to see they have the right answers. If we give out the answers I think a lot of our problems will be solved for more harmony. I would like to mention that civil service helped us. They have allowed us to establish promotional potential as a rating that goes beyond experience and training, and we can use that as a part of the examination to say whether this man has a good chance of success or poor chance of success. That has helped us very much.

MR. KIMBALL: I'd like to comment just a moment on what Swift brought up. I think in the conservation departments that have divisions other than fish and game you can load a man down too much by requiring him to take on the forestry load as well as fish and game and all the rest that goes with it. I think care should be exercised in overloading a man. On the other hand, I have seen some of the law enforcement groups in fish and game say we are too busy enforcing the law to take on some of the other jobs. I think there is the real problem for the administrator to make sure he doesn't overload the man and still make sure he does a multi-purpose job, let's say for game and fish, which includes a lot of work which heretofore was delegated to specific divisions.

PRESIDENT BODE: Right in that connection the criterion I have used is this: One of the divisions comes up with a proposal for a program that should be carried out state wide. It involves a working load for the local conservation officer. The first thing I have always done is to call in the chief of that division or section and ask him whether in his opinion the agents are in a position to take that on as an additional load without crippling their other work, and we decide that first before we let it go out as an assignment.

D.L. PIPPIN (Commissioner, Missouri Conservation Commission): Don't you think that the load of work of the conservation agent in a territory might be compared to the workload of a county agricultural agent in the territory? He is the resident of that area. He is not a specialist in any particular line possibly, but a county agricultural agent has to have the knowledge of poultry, soil and livestock and agronomy and things of that kind. So would the conservation agent have to have a knowledge of forestry, fish and game, polution and all the other problems that come on and I think maybe one of the greatest problems an agent has to find out is to know his limitations as to the answering of questions when he can frankly say "I don't know, but I know where to find out for you."

PRESIDENT BODE: Mr. Pippin is one of the commissioners in Missouri and a very good one by the way. I want to make that remark. Any other comments with regard to this particular subject?

MR. SWIFT: From a practical application, one of my experiences in overcoming some of the disharmony and also educating men happened through the teamwork that was required in watershed management where you had to have foresters and game men and fishery men and in many respects law enforcement men, developing coordinated plans on watershed management. From a practical application that brought the groups together far better than any memorandum that they had to work together, or anything else. And it was a self-educating process.

PRESIDENT BODE: Anybody wish to get any more information? I think we have had some mighty good suggestions come out of this topic that has been suggested.

The next suggestion is from Colorado on maintaining an adequate salary scale to entice the best career employees into service with the departments.

MR. KIMBALL: Mr. President, I brought that up because of some of the difficulties we had in Colorado. One was that we couldn't compete on the wage scale with the state highway patrol. Placing myself in the position of a young law enforcement officer that wanted to go to work, I had been primarily interested in one thing and that, of course, first is the pay - how much money he was going to get - and then I would proceed from there. The basis of state service where in law enforcement service of all types - the game warden, or conservation agent, or police, or immigration service in the government - was that the salary scale would be an important factor in determining just where you might want to go to work. So we struggled with the Civil Service Commission long and hard trying to convince them our officers should be paid the same or similar amounts as the state highway patrol, and for a long time the struggle was unsuccessful. Then we hit on the possibility of maybe

changing the title and adding additional duties and raising the qualifications of the position of the conservation officers, and through that means we were able to place that position within the game and fish department on an equal level with these other positions and in some instances a little better. At least they were on a level then with the top paying positions in comparable government agencies. As a result of that we were interesting the better law enforcement personnel that were seeking positions, and also the college graduates out of the wildlife schools that heretofore had turned their noses up at the conservation officers jobs. If they didn't have positions available as research or technicians, then they sought employment elsewhere and I think the primary reason was because of the salary. Now we have done away with even inter-department strife by placing the starting technicians and starting officers on the same pay scale and with the same qualifications, so we got away from the difficulties and we have brought the level up to where we think we can recruit with the best of them.

PRESIDENT BODE: Do you think the difficulties there lay in the lack of appreciation on the part of your civil service commission on the job to be done, or with the department not setting high enough standards that the job could be classified at the proper place in civil service.

MR. KIMBALL: That was it originally. The department was not interested in having a very high level of education, let's say, for those positions to begin with. And, of course, the civil service commission always contended (and I think rightly so) if a man has to have an education along certain lines before he can get a job he should be compensated as a result of that education. If it's not required in the job classification maybe the grade should be a little bit lower, so that we assume the responsibility for not raising the job qualifications high enough to qualify for those salaries. As I said, as soon as we did raise the qualifications and bring them up to a higher level we had no arguments out of the civil service

commission paying that grade. I am bringing out the fact that this was necessary before we really could compete with the field in obtaining the best person for that particular position.

PRESIDENT BODE: What experience has some of the other states had especially in the matter of raising qualifications before you could expect to get equivalent recommendations in?

MR. BLAIR: I might mention our experience in Minnesota. Probably four or five years ago we did raise the qualifications for (we call them) game wardens in Minnesota: raised the qualifications and their duties. I'd say only about 25 per cent of their time is spent in law enforcement work. All the qualifications were raised. We had the same experience as Colorado. The game warden is range 11, and the highway patrolman, although they have a separate setup, are in what we would call range 14. The wardens felt they should be paid at least as much as the highway patrolmen. We went after the civil service board, had several hearings and have been unable to do anything about it because they claimed they could not change the classification of the wardens unless they upset the whole civil service applecart. The way we solved that problem at the last session of the legislature (I'm assuming most of the states are in the same position we are) is by pointing out there are no regular hours for game wardens. They are out all times of the day and night maybe, and they may be called at any time of the day or night with the result they have no regular hours although the state law says they are not supposed to work more than 40 hours a week. We have many who work 60 hours a week. The legislature didn't want to do anything about changing the classification because there are so many other departments that would ask for the same thing. We asked for five hours' overtime pay for the wardens each week. The legislature, instead of giving us five hours' overtime for each week, did allot us sufficient funds to pay the wardens three

hours each week and by that method solved the problem: they are now on the same level as the highway patrolmen.

PRESIDENT BODE: Any other comments on this? Bruce, we passed over while you were out one of the topics I think you had suggested, the matter of making full use of conservation officers. Extent of assigned duties and responsibilities. Amount of time justified for various activities. I think that suggestion came from your state.

MR. STILES: Frankly I don't remember it, but I will tackle it. I do feel that, while in Iowa we try to utilize our officers to the full capacity, I think there is a tendency on the part of the officers to channel their activities into law enforcement work. Having been a game warden myself I know that it is very interesting. It's probably, after you get into it, more interesting hunting men than it is hunting ducks or catching fish and I am sure that in many instances our officers have a tendency to devote too much time to that. Recently we have worked out a report on activities to try and get our officers to utilize their time so that it will in general promote the interest of the whole department. I think that it has had a good effect. I think at the present time our officers spend about as much time on information and public relations as on any activity. They are rated on that. Our supervisors are instructed to see that they do devote a sufficient amount of time to that and we do not tolerate any laxity in that field, especially with public relations and educational work. They are all required to report the number of meetings they attend, the number of prepared talks they make, the times they are called on to get up in meetings and make comments. Many of them have regularly scheduled appearances they make on radio programs, and my principal reason for bringing that up was to find out what the experience of the other states has been and what they were doing in that regard.

MR. KIMBALL: Your law enforcement chief is here, or I think he was. I would like to put him on the spot and ask him what percentage of the time he thinks his officers should spend on law enforcement.

VERNON BENNETT (Chief of Field Division, Missouri Conservation Commission): We can't tell you what percentage of the time. We could average it up. We can't tell you actually the percentage of time each officer spends. For a good many years we maintained a report similar to the one Mr. Stiles mentioned in our department and we found that some of the men with the heaviest enforcement loads and fellows doing the best job were reporting about from 46 to 55 per cent of their time on law enforcement, while other fellows were reporting as high as 75 per cent of the time on law enforcement and getting much less done. So we practically stopped trying to analyze that and to tell a man what percentage of his time he should spend in any particular activity. We simply rate them according to the way they are carrying out the entire program in their district.

PRESIDENT BODE: I might add in that same connection we have tried to get all our men to understand (and I think we have carried it out rather conscientiously) that the value of the men is not on the number of cases or arrests they make, but the amount of violations in their territory. That leaves it up to the man to see that the job gets done on the basis of conditions in his own territory.

MR. KIMBALL: We are experiencing that change-over from the old game warden to a conservation officer whose duties will entail many other facets of the department's program. I have had some of the personnel that were formerly game wardens who have now passed the examination for conservation officer ask me "about how much time do you think we should spend on law enforcement", and I kind of stammered around and said "we'll let you know about that later" because I haven't had experience in that. But I do think we should hear from some of the other states who have

who have had that in operation for some length of time and they have the approximate time their officers are spending. I thought offhand 50 per cent. I see your chief fell right in with that.

D. ROBSON (Chief of Field Administration, Michigan Department of Conservation): We find that probably about 50 per cent of the time would be spent on actual enforcement, but we do find it's a job for the supervisor to analyze the activities and habits of the officer and his patrol tactics, and also analyze the tactics of the fisherman and hunter. Over a good many years we have taken the prosecution reports and tabulated them as to the time of day a contact or an arrest was made and from that it isn't too difficult for the supervisor to show the officer that maybe from 10 o'clock in the morning until 2:30 or 3 o'clock in the afternoon, he is wasting his time. He had better be getting some rest for the night shift or perhaps taking on some other activity. It's a case of analyzing each area to determine the habits of the fishermen or hunter and determining how the officer is covering the area, or whether he is covering the area at the right time. We find about 50 per cent of his time is used in enforcement.

PRESIDENT BODE: Mr. Bennett.

MR. BENNETT: I might say the tabulation of the reports we used to keep showed about 54 per cent for the average. Some were 40 and some were 70 and our average was something like 54 or 55 per cent over a period of about four years.

PRESIDENT BODE: What is the experience of some of the other states?

MR. DAMBACH: We have had a very interesting experience in Ohio in this problem. When we first started talking to the conservation officers about devoting some of their time to other activities we ran into opposition, but along about the same time we developed a new philosophy insofar as fishing regulations are concerned by

adopting a liberalized fishing program. About the only enforcement activity is checking up to see if the man has a fishing license, because there are no bag limits, species or size limits. All he had to do was check up and see if the man had a license, and under those circumstances you have a lot more time to devote to other things than you did before. Strangely, most of the officers recognized that. It was easy to show them. I'd like to comment too on a point Mr. Bode made. We talk about a man spending time on enforcement. We consider that the time a man devotes to educational efforts, towards prevention of violations, is as much time spent on enforcement as making arrests and we try to emphasize that point of view.

PRESIDENT BODE: We will have time for just about one more comment on this topic.

MR. STILES: I'd like to make this comment, that it has been our experience that when the Commission adopted a new program or a new policy that in the territories where we had good officers doing a good job of education and public relations we seldom had organized complaints. Almost without exception the trouble spots were in the territories where we had officers who were not doing a good job of public relations or educational work.

(End of discussion of mutual problems)

BUSINESS SESSION

PRESIDENT BODE: I am going to suggest that we go into the business part of the program, even though we have not covered all the topics, and then if we have some time left before the bus leaves we'll come back to the topics for discussion.

I think the first matter of business to be disposed of would be the minutes of the previous meeting. Now, I sent out a request on that indicating that unless there were some corrections or additions to the minutes we would not attempt to read the minutes at this meeting because they were quite lengthy. However, I think the record should show the minutes were approved and in that connection I think we owe the Ontario Department a vote of gratitude for the effort they went to to bring the minutes up to date by publishing two years of minutes that had not been made available to the Association. That was a fine job and we all appreciated that effort. Are there any additions or corrections to the minutes of the last meeting? If not, we will take them as approved.

I think the next order of business probably should be old business, and under old business we should have a report of the auditing committee. Is the chairman of the auditing committee ready to make his report?

MR. STILES: The auditing committee has examined the records of the secretary and treasurer and finds them to be in order. The committee wishes to commend Mel Steen for the very efficient job he has done in that capacity and I move the adoption of the report of the auditing committee.

MR. DAMBACH: I second the motion.

PRESIDENT BODE: All in favor of the motion to approve the report of the auditing committee signify by saying "aye;" contrary ____ ? The motion is carried.

I think we should next have the report of the secretary-treasurer.

MR. STEEN: Well, I think since we have dispensed with the minutes there are two things I can report on. One is our financial status. We have a balance of $358.27 at the present time with all the members having paid their dues with the exception of Manitoba, and I assume that will come along later.

One other item has to do with the suggested amendment of the by-laws. Do you want to take that up, Mr. Bode?

PRESIDENT BODE: We will take that up a little bit later. That is just your report of the activities.

MR. STEEN: You have all received copies of the proposed amendments and they will be considered later and I think that is all I have to report.

PRESIDENT BODE: If there aren't any objections we will accept and approve the report of the secretary-treasurer.

One matter of old business: I think we had probably better indicate our continued interest in the committee on coordinating administrative procedure. There was a lengthy discussion with regard to that at the last meeting. Due to misunderstanding and due to the activity of the International itself, I am not sure that committee was appointed. The International, you will recall, has been working on standards and qualifications together with the Wildlife Society for some time and it was the general feeling that the work of our committee could well be coordinated with that of the International. By the middle of the year or a little bit later I picked up that item and attempted to get a committee to work for the Midwest Association. We weren't very successful at that. So, I am leaving the recommendation for the incoming officers to take that up as one of the first matters of business; that is, whether the Association desires to

continue its interest in that matter and try to do a better job than I did last year in trying to get that committee to crystalize the thoughts of the Association. If the Association feels they want to continue that interest, what is your pleasure? I would suggest, if I may make a recommendation that we entertain a motion that a standing committee on coordination of administrative procedures be continued during the coming year in accordance with the suggestion of last year's meeting.

MR. KIMBALL: I so move, Mr. President.

MR. DAMBACH: I second the motion.

PRESIDENT BODE: All in favor of the motion signify by saying "aye;" contrary ____? The motion is carried.

Let's pass on to new business. There is one item of considerable importance. You recall last year we had quite a discussion about the publication of the proceedings and trying to set up some plan whereby there wouldn't be confusion as to whose responsibility it was to publish the proceedings, the group of outgoing officers who had conducted the work of the Association during the year or the incoming officers. That probably was responsible for the two years' accummulation of unpublished proceedings with which Canada helped us out. It was recommended at that time that a revision be made of the by-laws which was necessary in order to establish a definite procedure with regard to publication of the minutes. As we got to studying that problem during the year we realized that the proceedings of the Association had grown to such an extent that it has created a financial problem. So in order to handle that we have asked the secretary-treasurer to draw up a proposal for an amendment to our by-laws which will cover both of those items. Now, this is the result of study and thinking for a possible way out. You gentlemen will have to decide

whether or not that is the way you want to go or whether you want some other method. With that introduction I am going to ask the secretary-treasurer to present to us the suggestions that are now being made to handle that problem.

MR. STEEN: Section 3 of the By-laws sets out the duties of the secretary-treasurer. The proposed amendment adds these two sentences: "He shall bill the several members and collect the annual dues. The incumbent secretary of each year shall record the annual proceedings of that year and shall prepare and forward five copies to each member in good standing, the cost to be paid out of the Association's fund." Now, as Mr. Bode indicated in reviewing all this, we determined that the reason the transactions had not been recorded and published every year in the past, was that the dues that were collected were not adequate to pay the cost, the incidental cost of the annual conference, plus this publication each year. We would have an accummulation of funds and we would publish one year's record and then we would be broke again and we would have to wait until we get the money together before publishing another.

We have suggested an amendment under Article 4 of the By-laws which covers the dues and says "the annual dues shall be $20 payable in advance at or before the annual meeting." We have suggested striking $20 and substituting in lieu thereof $35, which we think will be adequate to cover the cost of the things we propose. It appears to us the first amendment, the one suggested in Ontario, can hardly be accomplished especially if we are going to send you each five copies of the transactions. It can hardly be accomplished by the officers of our organization unless they have the money to pay for it.

PRESIDENT BODE: You probably all recall in the early days the transactions were brief enough that the state holding the meeting, just without any more commotion, went ahead and mimeographed the transactions and sent them out; but they

have gotten to the point where it's pretty hard for the states to do that and I imagine the states can't do it under their provisions for payments of bills. If we are going to assign that as a definite responsibility under the constitution we are going to have to make some provision for financing the publishing of the transactions. This increase was calculated on the basis of what the estimated cost of those transactions per year were in order to furnish the states five copies. I don't know whether it's going to be advisable to take up the two suggestions separately, but we had better discuss them and pass them together or find some other alternative. What is your pleasure on that?

MR. KIMBALL: Pass them together.

PRESIDENT BODE: They are tied together. I think that is right. If there isn't any objection to that we will proceed on that basis. The matter is open for discussion from the floor.

MR. BLAIR: I move the amendments to the by-laws be adopted.

MR. KIMBALL: I second the motion.

PRESIDENT BODE: It is moved and seconded the proposed amendments to the by-laws be adopted. Any discussion? The question has been called for. All in favor say "aye;" contrary ____? The motion is carried.

There were left over from this morning some resolutions to be prepared and recommendations made to the Association. The chairman of the resolutions committee is ready to proceed on that.

MR. CLARKE: May I say on a top of a large map case in my office a number of copies of the 20th and 18th annual meetings are stored. They are not doing anybody harm. They are paid for and I think everybody has been furnished all they want. Still, they should be used. I should like to see placed in the record

of this meeting the fact they are available. There may be a few of the 19th. I sent them all to Mel. Whether he has any left, I don't know. If they stay where they are now, any more than another year or two, some future secretary is going to get a big surprise in a large packing case.

MR. STEEN: I have about 10 copies of the meeting in Canada.

PRESIDENT BODE: I recommend that the incoming secretary-treasurer take over the responsibility for those back numbers and that the transportation costs for getting them to him be borne out of the Association funds. Is anyone willing to make that motion?

MR. STILES: I so move.

MR. DAMBACH: I second the motion.

PRESIDENT BODE: All in favor of that motion signify by saying "aye;" contrary ____? The motion is carried.

MR. KIMBALL: Mr. President, there were three resolutions that came to the committee from the floor. Those have been prepared. We will now present them. I think this would be Resolution No. 11. (Resolution No. 11 was read.)

PRESIDENT BODE: Gentlemen, I think we discussed the resolution this morning, the substance of it, and we understand what the purport of it is. Is there any discussion now about the resolution as it has been presented? If not, all those in favor of the resolution signify by saying "aye;" contrary ____? It's so adopted.

MR. KIMBALL: Resolution No. 12. (Resolution No. 12 was read.)

PRESIDENT BODE: Again gentlemen, that was discussed this morning and I

think we understand it. Are you ready for the question? All in favor of the resolution signify by saying "aye;" contrary ____? It is so passed.

MR. KIMBALL: Resolution No. 13, which I think is one of the most important of our resolutions, reads as follows: (Resolution No. 13 was read.)

MR. MORGAN: I commend the resolutions committee on doing a fine job in what I believe is the most important action this group can take today and I move its passage.

MR. BLAIR: I second the motion.

PRESIDENT BODE: Any further comment or discussion of the motion? All in favor of the motion signify by saying "aye;" contrary ____? It is adopted.

MR. KIMBALL: That completes all the resolutions.

PRESIDENT BODE: Thank you very much, Mr. Kimball. I know we appreciate the efforts of the committee very much. We have come now to a resport of the nominating time and place committee. I combined those two committees this year because usually according to our custom the time and place has been handled by the incoming president. Is the nominating committee ready to report? I have your report, Mr. Morgan, but suppose you present it to the group.

MR. MORGAN: Mr. Chairman, the report of the committee on nominations, time and place, H. R. Morgan, acting for Chester Wilson of Minnesota. The committee recommends for the consideration of this body: T. R. Kimball of Colorado, President; John Hart, also of Colorado and Kimball's assistant, secretary-treasurer; and Chester Wilson of Minnesota as vice-president and that Denver be the convention city at the call of the president. The committee recommends the adoption of this report.

PRESIDENT BODE: The report of the time and place committee has been seconded by Mr. Blair. Are there any others? All in favor of the report signify by the usual sign. Contrary ____? Mr. Kimball is the new president of the Midwest Association. I'd like to have you take the floor.

MR. KIMBALL: Thank you, Mr. President. Being rather new to the organization and Colorado being on the extreme western part, we want to thank you for your consideration and we can promise one thing. I think that perhaps it will be just a little bit cooler at the convention city than it has been here although that is no reflection on Missouri. I will make every effort to appoint the committees as you have suggested - the resolutions committee, as well as these other committees you have suggested - so that we may proceed to plan for next year's conference. As yet I don't know the exact specific date but I assume it meets with the approval of all the states to have it at approximately the same time. I was wondering what the group would think about holding it a little bit later in July. If we have a joint meeting with the Mississippi Flyway groups it might be a little more opportune to have it a little later where more information will be available from the breeding ground.

PRESIDENT BODE: I believe, as I understand it, Tom, you can work that out and set it in accordance with your best judgment.

MR. KIMBALL: I wondered what the concensus would be.

MR. STILES: It was my thinking, at least there was a general understanding, that the Mississippi Flyway would always hold its meeting at St. Louis as it was most conveniently located.

PRESIDENT BODE: I think that is right.

MR. KIMBALL: In other words, it would make no difference if we wanted to hold it a little before or a little bit later. Thank you.

PRESIDENT BODE: I want to make one announcement. (Convention announcements were made at this time.)

What is the pleasure of the Association now, regarding whether we should continue with some of the topics we did not cover, do you want a little bit more time for the bus? Do you want to adjourn or what do you want to do?

MR. STILES: Mr. President, at least for myself there are some things I'd like to take care of, as the schedule has been so close, and unless there is other business or something else you would like to take up or Tom, I move we adjourn.

MR. KIMBALL: I second the motion.

PRESIDENT BODE: Just before we do, I want to stress my appreciation again for all the cooperation I have had during the past year. I haven't done too hot a job. We tried to keep you on the go since you have been here. I hope the rest of your stay here will be very very pleasant and it's with gratitude for the support the Association has given me and with absolute confidence in the leadership next year that I am most happy to turn the gavel over to Mr. Kimball for adjournment of the meeting.

MR. KIMBALL: Thank you, Mr. Bode, I will hereby declare the meeting adjourned.

The meeting adjourned at 4 o'clock p.m.