



## UPOM Inc., Newsletter

July 15, 2008

### In case you missed it: State angling for management rights on private land

Taking a drastic step away from Montana's traditional respect for private property rights, Governor Schweitzer stated recently that he believes the state has the right to access private land to manage elk herds suspected of carry brucellosis. Schweitzer's position undoubtedly gives a boost to the movement to erode private property rights to allow public access on private land, and should be an alarm bell for all Montana property owners. Here's [an excerpt from a Billings Gazette account](#) of the story:

*"...In Montana, state officials hope to increase elk hunting and hazing near Yellowstone and expand a testing program to gauge which herds are badly infected..."*

*"Once identified, **the state could argue it has the right to access private land to manage elk** - a tricky proposition given Montana's tradition of individual property rights. Montana's governor cited a recent case in which the state removed a group of bison from private land over the owners' objections..."*

*"**'There's a precedent,' Schweitzer said**, adding the state was considering all its options to deal with the disease in wildlife."*

While this article raises all sorts of questions about wildlife management, disease control and economic losses to cattle producers, it also alludes to an upcoming battle for private property rights. The governor is stating that there is a precedent for access to private land to manage elk. They are chipping away to gain public access to private land and this represents a huge step in that direction.

Even more alarming were some of the online comments in response to the

story. Here are some of the more outrageous comments on the *Billings Gazette* web page:

- "It's not that the ranchers have too many elk. It's that the elk have too many ranchers!"
- "It's time that the livestock industry be taken off welfare and that it take full responsibility for its creation of disease problems in wildlife."
- "Step 1. No cattle on public lands, including public land now leased to ranchers for grazing at below cost rates. Step 2. If ranchers don't want elk, buffalo, wolves, or grizzlies mingling with cattle on private property, let ranchers fence them out of their private property."
- "This all smells of incredible greed and job perpetuation. Leave the wildlife alone, they managed for thousands of years without our interference. Wolves are being killed because they are eating cattle grazing on our public lands after elk/deer migration while the wolf pups are growing up. Remove the cattle and the wolves won't kill them. Clean up your act please and quit whining that the wildlife are killing off your cattle."
- "I think the cattle ranchers need more education on this matter! They have no idea what they are talking about! It's like follow the leader!"

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### **NRA endorsement ignores Schweitzer administration's reductions to hunting access, opposition to private property rights**

We know a lot of Montanans were upset at the NRA's endorsement of Governor Schweitzer in his re-election. Though Schweitzer maintains a pro-gun policy, his opposition to private property rights and actions that have limited access to hunting opportunities should have disqualified their support for him.

UPOM joined with other groups in lodging our disapproval of the NRA's endorsement, and we urge all Montana property owners to do the same. Here's the message we sent to the NRA:

*Dear Mr. LaSorte:*

*The Board of United Property Owners of Montana, Inc. was extremely disappointed to read of NRA's endorsement of Brian Schweitzer for Governor of Montana.*

*UPOM is an organization of landowners, businesses, and sportsmen*

*dedicated to protecting private property rights. Governor Schweitzer's administration has been a poor advocate of hunting in Montana. With recent changes in the archery elk and antelope regulations, the FWP Commission has limited hunter opportunity in Montana to a degree not seen before. In the face of abundant wildlife populations, FWP has chosen to use their license structure to all but eliminate non-residents from archery hunting in Eastern and Central Montana. They have alienated the private landowner and created some of the worst landowner/sportsmen relations in recent history. Montana Fish, Wildlife and Parks have determined that approximately 75% of deer and antelope and 35% of elk taken each year are harvested on private land; ratios that are in close proportion to where the wildlife exists on private versus public land. Ignoring the existing generosity of landowners and attempting to force more access to private land will only be detrimental to the future of hunting in Montana.*

*It is in the best interests of hunting to work with the private landowners in Montana. Brian Schweitzer's administration has failed to do this, and in fact has chosen to take punitive measures against the private landowner in attempt to force public access. We would strongly encourage NRA to reconsider their endorsement of Brian Schweitzer.*

*Sincerely,*

*United Property Owners of Montana, Inc.*

(Darren LaSorte is the NRA-ILA's Manger of Hunting Policy)

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## **A message from Don Proue's daughter**

*In May, UPOM co-found Don Proue was injured during a team roping event, and he remains hospitalized. Don's daughter Jenny shares the following update on Don's progressing condition:*

We are thrilled to report that Dad continues to make progress on a daily basis. He is currently at the Advanced Care Hospital of Montana in Billings, where he is receiving excellent care. At times, Dad is very alert and responsive and is able to answer questions and recognize individuals. He is also regaining physical strength and coordination with each passing day, and has been able to do some assisted walking and other activities in physical therapy. We are so encouraged by the progress Dad has made, and continues to make, and we believe wholeheartedly that his recovery is a

result of two things: the amazing amount of prayers that have been said on his behalf, and Dad's unyielding determination to get better. He continues to be an inspiration to us all.

Thanks so much for your continued prayers for Dad's complete and total recovery.

God Bless,  
Jenny (Proue) Gilbert

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## **JOIN US!**

**You can now join UPOM as a Landowner Member, Allied Business Member, or Supporter.**

Please take the time to go to our website at [www.unitedpropertyownersofmt.com](http://www.unitedpropertyownersofmt.com), where you will find more information on our organization. You can join online or print out a membership form and mail it to us. If you have already contributed to UPOM, your contribution can be credited toward your membership.

Don't like to do things "online?" Give us a call or send us an email, and we will put a membership application in the mail to you.

We must stand together if we are going to have a voice!

United Property Owners of Montana, Inc.

[www.unitedpropertyownersofmt.com](http://www.unitedpropertyownersofmt.com)

Mark Robbins - President

Toby Dahl - Vice President

Don Proue - Director

Deanna Robbins - Treasurer