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## Resolution 1966-11-23 Reaffirming States' Jurisdiction Over Fish and Wildlife Management

Association of Fish and Wildlife Agencies

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vation Commissioners urges that the classification of the public domain proceed expeditiously and that proper consideration be given to wildlife and recreational values in the classification of said lands, and that the public and all appropriate State, County and Federal agencies be encouraged to support and aid in the classification procedure; and,

Be it further resolved that the International Association of Game, Fish and Conservation Commissioners requests the Bureau of Land Management to proceed expeditiously in the program implemented by the Classification and Multiple Use Act.

#### **RESOLUTION NO. 10**

##### **AMENDMENT TO FEDERAL WATER PROJECT RECREATION ACT**

Whereas, the Federal Water Project Recreation Act, Public Law 89-72, contains different cost-sharing requirements for separable costs than it does for joint costs allocated to fish and wildlife enhancement; and,

Whereas, separable costs are those costs of a multiple purpose project which would not be incurred if a particular purpose were omitted such as costs of additional height on a dam to provide a conservation pool for fish; and,

Whereas, under Public Law 89-72, non-Federal interests must agree to pay one-half of the separable costs if fish and wildlife are to be enhanced and must pay for the operation, maintenance and replacement of facilities associated with this enhancement; and,

Whereas, many projects which are scheduled for construction will place heavy additional financial burdens upon State Fish and Game Agencies by added operation and maintenance costs required for fish hatcheries and wildlife habitat developments; and,

Whereas, budgetary limitations of these agencies would preclude participation in cost-sharing of 50 percent of the separable costs and full payment of operation, maintenance and replacement of enhancement facilities; and,

Whereas, if the State Fish and Game Agencies do not agree to participate in cost sharing of separable costs, the fish and wildlife enhancement portion of the project will be deleted, preventing future development of this resource as additional monies may become available to the agencies;

Now, therefore, be it resolved that the International Association of Game, Fish and Conservation Commissioners requests the Congress of the United States to clarify or amend Public Law 89-72 so as to delete the cost-sharing requirements for separable costs, except as they relate to major additions and expansions which go beyond the acreages and facilities normally needed for wildlife and recreational purposes.

#### **RESOLUTION NO. 11**

##### **REAFFIRMING STATES' JURISDICTION OVER FISH AND WILDLIFE MANAGEMENT**

Whereas, since colonial times, in this country, the ownership of wildlife, by law, history and tradition, has been separated from the ownership of the land, in contrast to the European system in which the landowner owns the game thereon; and,

Whereas, it has been held by the U. S. Supreme Court that all species of wildlife are held in trust by the individual states for the people of each state, the principal exception to this rule arising under the treaty-making power of the United States which makes the migratory bird treaties and Federal legislation dealing with migratory birds pursuant to and limited by said treaties the supreme law of the land; and,

Whereas, contrary to Supreme Court decisions and dictates of sound unified fish and game management policies, the United States Solicitor General recently has held that the Federal Government has full and exclusive power and control over both migratory and resident wildlife on all federally-owned land; and,

Whereas, the Western Conference of Governors gave favorable recognition to the states' position as above stated;

Now, therefore, be it resolved that the International Association of Game, Fish and Conservation Commissioners reaffirms the basic right of the states to conserve, manage and regulate the use and harvest of fish and resident species of wildlife on all lands, including those lands owned by the Federal Government, within each individual state on which said jurisdiction has not been relinquished to the Federal Government. Provided, however, that nothing herein contained shall imply that this Association endorses any provision of any Federal statute or regulation which prohibits the management and regulation of public hunting of resident wildlife species and of public fishing by the various states.

#### **RESOLUTION NO. 12**

##### **PROVIDING CONTINUED FINANCIAL SUPPORT FOR THE CONSERVATION LIBRARY CENTER**

Whereas, the Conservation Library Center established September 20, 1960, by the Library Commission of the City and County of Denver at the Denver Public Library has received continuing support of the entire International Association of Game, Fish and Conservation Commissioners as evidenced by the passage of several resolutions in this regard, and following action by its Executive Board; and,

Whereas, this report by the Association has led to a contract between the Bureau of Sport Fisheries and Wildlife, Department of the Interior Library, and the Denver Public Library whereby it has been possible to initiate, through the use of administrative funds provided by the Pittman-Robertson and Dingell-Johnson Acts, the analysis and indexing of published and unpublished reports emanating from these Acts; and,

Whereas, effective use of such funds under the direction of Mr. John T. Eastlick, Librarian for the Denver Public Library, and Mr. Arthur H. Carhart, appointed Consultant to the Conservation Library Center, has resulted in the development of a well designed program which will result in the cataloging and indexing of all unpublished reports arising from the work under Pittman-Robertson and Dingell-Johnson Programs and the assembling, cataloging and indexing of many additional reports, books and materials relating to and of considerable value in Game and Fish Conservation work; and,