



Hot News – Game Farm License Revoked

Since the enactment of the sportsmen’s initiative I-143 in November 2000, the Big Sky Elk Ranch in Fergus County has continued high-fenced, canned elk shooting for a fee, sometimes identified by non-hunters as canned hunts. These illegal activities have continued in Montana only on this one facility regardless of I-143 that prohibits the shooting of game farm animals for a fee or other remuneration.

On February 1, 2008, a state hearings officer released her opinion that a “Notice of (License) Revocation...” served by Montana Fish, Wildlife and Parks to the ranch owner Mr. Charles Taylor is valid. Hearings examiner, Mona Jamison said that she agreed with FWP, that the procedures Taylor had been using are illegal and “...appear to have been developed in order to avoid compliance with 87-4-414(2)”, the I-143 prohibition of canned hunts.

FWP documentation presented at the hearing substantiated that more than 100 elk have been slaughtered on the ranch and that it had been soliciting for clients in hunting magazines stating “no license needed”, “100 percent success” and “trophy elk” for sale. While Taylor modified his approach through the years he thought his scheme was a way around the law, a way to avoid compliance, to circumvent the law by selling an elk –usually a bull – to a new owner complete with a “Bill of Sale”. The new owner would receive an official “Certificate of Ownership” and a “Certificate of Compliance” that no fee had been exchanged for the shooting of the animal although that is exactly what the new owner would do. With ownership papers in hand – the arrangement was that the new “owner” could dispatch the animal with a rifle, a bow or by what ever means chosen.

Information submitted to Jamison said that Taylor had received notices from FWP shortly after the passage of I-143 that the agency believed this activity illegal. Taylor had received a similar notice from an Advisory Council, and he was copied on a letter written by the FWP director to County Commissioners also indicating the activity illegal and citing a similar Montana Supreme Court ruling in a separate case. The details of an undercover operation was also shared with the hearings officer where two agents purchased and harvested a bull elk under Taylors’ direction in November 2003; the operation resulted in two criminal prosecutions against Taylor.

The Big Sky Elk Ranch continued selling elk even after FWP served Taylor with their notice of intent to revoke his license in March 2007. Instead of halting the practice, he instead responded with a legal challenge, a request for a summary judgment to the hearings officer that would have allowed him to retain his state governed game farm operating license, and then continued the operations into this winter. FWP told MWF that 45 elk have been sold and then shot since the fall of 2007.

The ruling granting license revocation was a result of an independent hearing examiners intensive interviews during two-days in June. Following Administrative Procedures, there is a caveat to the order that states if Taylor appeals the ruling - a “stay” may be in order allowing him to retain his license but that

any further activities or the shooting of elk by third persons for a fee or remuneration shall cease until the legal process, the appeal has run its full course.

Hunters and anglers have spent hundreds of thousands of dollars combating challenges to I-143 and back-door schemes to circumvent the law. MWF has intervened in more than 10 such cases with favorable court rulings in all but two that still remain in the hands of the Montana Supreme Court; the Supreme court heard two cases in Sept. 2006 but have not released a ruling.

Thank you FWP!