

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By CHAIRMAN AL BISHOP, on January 16, 1997, at
1:00 p.m., in Room 402

ROLL CALL

Members Present:

Sen. Al Bishop, Chairman (R)
Sen. Loren Jenkins, Vice Chairman (R)
Sen. Vivian Brooke (D)
Sen. William S. Crismore (R)
Sen. Steve Doherty (D)
Sen. Bea McCarthy (D)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Ken Miller (R)
Sen. Mike Taylor (R)
Sen. Daryl Toews (R)

Members Excused: None

Members Absent: None

Staff Present: Leanne Kurtz, Legislative Services Division
Serena Andrew, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: None
Executive Action: SB 91, SB 52, SB 63, SB 115,
SB 60

{Tape: 1, ; Side: A; Approx. Time Count: 1:04}

EXECUTIVE ACTION ON SB 91

Amendments: sb009104.alk (EXHIBIT #1) and sb009105.alk (EXHIBIT
#2)

Motion: SENATOR KEN MESAROS moved sb009104.alk (which adds a
sunset date of July 1, 2001).

Motion/Vote: The DO PASS motion CARRIED UNANIMOUSLY.

Discussion: SENATOR LORENTS GROSFIELD, sponsor of the bill,
outlined the changes incorporated into the bill by amendment

sb009105.alk (**EXHIBIT #2**), noted that the fiscal note had been revised, and acknowledged that a four-year sunset had just been adopted.

Motion: SENATOR STEVE DOHERTY moved the GROSFIELD amendments DO PASS.

{Tape: 1; Side: A; Approx. Time Count: 1:12}

SENATOR MIKE TAYLOR commented that the bill had been changed by removing the auxiliary program.

Substitute Motion: SENATOR STEVE DOHERTY moved to adopt the GROSFIELD amendments without the sunset clause (identified as Item 24, page 7).

SENATOR KEN MESAROS supported the amendments as improving the bill.

Vote: SENATOR DOHERTY'S substitute motion to adopt the GROSFIELD amendments without the sunset clause CARRIED UNANIMOUSLY.

{Tape: 1; Side: A; Approx. Time Count: 1:17.}

Amendments: sb009101.alk and sb009103.alk

Motion: SENATOR VIVIAN BROOKE moved to delete her amendment No. sb009101.alk dealing with the auxiliary program (**EXHIBIT #3**) and to adopt her amendment No. sb009103.alk (**EXHIBIT #4**).

SENATOR BROOKE commented that her amendment sb009103.alk would require the Department of Fish, Wildlife & Parks (DFWP) to give priority to participants in the Families Achieving Independence in Montana (FAIM) project because those people should be working.

SENATOR MESAROS agreed with her intent but thought that the bill established a new program giving participants arrest authority. He thought DFWP should have screening capabilities.

{Tape: 1; Side: A; Approx. Time Count: 1:20.}

SENATOR BROOKE said the FAIM program states participants should find work - if they cannot find gainful employment they should seek volunteer work.

SENATOR KEN MILLER asked SENATOR GROSFIELD for his opinion. SENATOR GROSFIELD said FAIM participants would be required to go through the expensive training course while a retired peace officer would not. Also, many FAIM participants would not qualify because they have a conviction on their records. A clean background is required for law enforcement.

{Tape: 1; Side: A; Approx. Time Count: 1:26}

SENATOR BROOKE withdrew her motion.

Substitute Motion: SENATOR BROOKE moved to amend SB 91 with amendment sb009103.alk deleting "and auxiliary park ranger pilot program."

Substitute Motion: SENATOR MILLER moved to delete "selection preference" and substitute "opportunity" in both the first paragraph and under Section 18, paragraph 2 (1) of amendment sb009103.alk.

SENATOR BROOKE commented that she couldn't emphasize enough how many people were being required to move from welfare to work and felt these people should have preference.

SENATOR MILLER said he should have moved to amend the amendment, rather than to substitute his motion.

{Tape: 1; Side: A; Approx. Time Count: 1:30}

SENATOR JENKINS asked if SENATOR BROOKE had meant to remove the word "program" in her amendment as the meaning of the sentence became unclear without it. SENATOR BROOKE said no, and SENATOR GROSFIELD suggested SENATOR BROOKE'S amendment should have removed only the words "and auxiliary." SENATORS JENKINS and BROOKE agreed.

Vote: SENATORS DOHERTY and BROOKE voted NO; the remainder of the committee voted AYE and the amendment carried.

SENATOR MESAROS commented that the previous vote had been on SENATOR BROOKE'S amendment, and SENATOR BROOKE said she had thought she was voting on SENATOR MILLER'S change. She wouldn't have voted no on her own amendment.

Motion/Vote: SENATOR JENKINS moved to reconsider the previous vote. All voted AYE.

Leanne Kurtz asked for clarification of the amendments: SENATOR BROOKE'S amendment to the amendment was to remove the words "and auxiliary." That amendment passed and SENATOR MILLER'S amendment to the amendment was to delete "selection preference" and substitute "opportunity."

SENATOR JENKINS said the vote would be on SENATOR BROOKE'S amendment and the following vote would be on SENATOR MILLER'S change.

Vote: The vote on SENATOR BROOKE'S amendment adding selection preference for FAIM participants failed 6:4.

{Tape: 1; Side: A; Approx. Time Count: 1:35}

Motion/Vote: SENATOR TOEWS moved to table the bill and the motion CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SB 52

Motion: SENATOR WILLIAM CRISMORE moved SB 52 DO PASS.

Discussion: SENATOR MESAROS commented that the bill merely clarified existing statutes.

Motion/Vote: The DO PASS motion CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SB 63

{Tape: 1; Side: A; Approx. Time Count: 1:38}

Motion: SENATOR JENKINS moved SB 63 DO PASS.

Amendments: SENATOR MILLER said his amendment (sb006301.alk) was requested by SENATOR MIKE FOSTER. EXHIBIT #5

Motion: SENATOR MILLER moved adoption of his amendment.

Discussion: SENATOR DOHERTY said the amendment was a good idea.

Vote: The DO PASS motion on the amendment CARRIED UNANIMOUSLY.

Motion/Vote: SENATOR JENKINS moved SB 63 DO PASS AS AMENDED. The motion CARRIED UNANIMOUSLY.

{Tape: 1; Side: b; Approx. Time Count: 1:44}

EXECUTIVE ACTION ON SB 115

Amendments: sb011501.alk and sb011502.alk. Leanne Kurtz told the committee the amendments work together or could stand alone.

Motion: SENATOR BEA MCCARTHY moved amendment sb011501.alk. EXHIBIT #6

Discussion: SENATOR MCCARTHY said she felt persons with developmental disabilities should be added to the bill. They live in group home facilities, are usually bussed to outside activities, and would be supervised. SENATOR JENKINS agreed. SENATOR MILLER also supported the amendment.

Vote: The motion CARRIED UNANIMOUSLY.

Motion/Vote: SENATOR JENKINS moved amendment sb011502.alk (EXHIBIT #7) and asked that it be correlated into the previous amendment. The motion CARRIED UNANIMOUSLY.

Motion: SENATOR BROOKE moved SB 115 DO PASS AS AMENDED. The motion CARRIED UNANIMOUSLY.

{Tape: 1; Side: B; Approx. Time Count: 1:53}

EXECUTIVE ACTION ON SB 60

Amendment: sb006001.alk

Motion: SENATOR TOEWS moved amendment sb006001.alk. EXHIBIT #8

Discussion: SENATOR TOEWS said he thought the payment to license dealers should remain at \$.50, even if it would cost DFWP about \$77,000/year. Dave Mott, DFWP, said that would be \$77,000/year for the life of the system.

SENATOR TAYLOR also favored the amendment, as SENATOR STANG had asked the \$.07 reduction be removed from the bill.

SENATOR MESAROS thought there would be some extra work for several years and the \$.07 should remain with the license dealers while the system is being implemented.

CHAIRMAN BISHOP asked if the cost were \$28,000 or \$77,000. Mr. Mott said both - the \$28,000 is from March 1999 until June 30, 1999 when the state's fiscal year ends. The bill was written on fiscal years to reflect the biennium. Once it becomes annualized the cost would be \$77,000 for a full year.

Vote: SENATOR BISHOP voted NO; the remainder of the committee voted AYE and the DO PASS motion on the amendment CARRIED.

Motion: SENATOR MESAROS moved the bill as amended.

{Tape: 1; Side: B; Approx. Time Count: 1:59}

Discussion: SENATOR TAYLOR asked if there would be an impact on the General Fund. Mr. Graham said only on the General License Account at DFWP.

SENATOR JENKINS asked if the bill would cause a reduction in the number of DFWP employees. Mr. Mott thought that would be possible in time, but it might take three fiscal years to bring down the old system and get the new system running.

SENATOR MESAROS cautioned the committee to keep track of the bill in the future to be sure it lives up to its expectations.

SENATOR MILLER agreed with SENATOR MESAROS and thought the bill might be two years too early.

Vote: The DO PASS AS AMENDED motion on SB 60 CARRIED UNANIMOUSLY.

CHAIRMAN BISHOP commented that he hated to see the volunteer park ranger program die.

ADJOURNMENT

Adjournment: 2:05 p.m.

{The meeting was recorded on a Lanier recorder.}



SEN. AL BISHOP, Chairman



SERENA ANDREW, Secretary

AB/SA