

January 31, 1977

The Natural Resources Committee convened on January 31, 1977, at 10 a.m. in room 437, with Chairman Sheldon presiding and all members present for a hearing on the following bills.

HB 204 REP. MELOY, the bill's chief sponsor, said this bill would establish an office of energy and resource policy (ERPO) within the governor's office. This office would be a collecting place for information dealing with energy and would provide assistance and recommendations to other agencies and to the legislature. He said the governor plans to establish this office by executive order and has included it in his budget request. Because of this he did not know why the additional \$37,000 was requested in the fiscal note. Rep. Meloy felt since this is a very important office, the legislature should be making the decision on it rather than the governor--governors change and so do executive orders.

RON ERICKSON, Citizens' Advisory Committee on Energy, spoke in support. He said this was the first and leading recommendation made by their group. He suggested an amendment which would add an alternative energy section under section 5, and another new section to assure that a mechanism for citizen input and advice to the office is created. This is exhibit 1.

PAT SMITH, Northern Plains Resource Council, said his group supports the bill and also felt that alternative energy should be included in this office.

PHIL TAWNEY, Environmental Information Center, said they strongly support this bill. He said all you need to do is to take a look at what is happening in the East. To emphasize the point he mentioned a comment from a speech by Kenneth Bowling of Colorado that people should be ready to be shocked about decisions we will have to make in regard to energy.

Claudia Meloy signed as supporting this bill, exhibit 2.

Rep. Meloy said he had not objection to Mr. Erickson's amendment adding alternative energy if they felt it was not specifically enough listed.

During questions it was brought out that this would do away with the duplication of reports. Rep. Meloy said the EQC would no longer be an overseer of MEPA but would continue to be an environmental advisory arm to the legislature both during and between sessions. He said this energy office would not be a supervisory one--only a coordinating agency.

HB 329 REP. KESSLER, the chief sponsor, said this bill would prohibit hunting grizzly bears for pure sport--they could be hunted and killed only when human lives or livestock are endangered. He said grizzly bears are listed as an endangered species but are still being hunted in Montana.

JOE CROSSWHITE, representing self, spoke as an opponent. He said he owned 40 timbered acres near the Canadian border which never had a grizzly until last year. He said he didn't agree that the grizzly bear is an endangered species--rather they are increasing in number. He felt a permit quota for hunting was good as the shooting made them wary and fearful of men. He mentioned the "Gyfer Grizzly" who wrecked havoc on a number of cabins in the Gyfer Creek area.

GAYLE JOSLIN, representing the Border Grizzly Project, opposed the bill. A copy of her written testimony is exhibit 3.

TAY RITTEL, Montana Outfitters and Guides Association, spoke next in opposition. He felt the hunting season should be kept open. He said they see more grizzly now than they did in years back.

KENNETH R. GREER, spoke next in opposition to the bill. A copy of his testimony is exhibit 4.

JOHN CRAIGHEAD, Professor at the University of Montana, spoke next in opposition. He said the bear population has declined but not in the Bob Marshall area. He felt the close association with humans has caused the bear to become "man conditioned." He said there are many things about the bear that we still don't know. He felt rather than a moratorium on hunting, management with a quota set would be a better way.

FLETCHER NEWBY, Fish and Game, spoke about the "Geyfer Creek" grizzly. He said he went through four cabins, the rangers trapped and removed him, he returned and went through the same four cabins and more. The cabins were unoccupied and the regulations read that a grizzly bear can be destroyed only if life is endangered. Someone else shot him. He said this bear caused a lot of people a lot of trouble and this bill if it became law could cause more of this kind of thing.

PHIL TAWNEY, Environmental Information Center, felt this was a habitat question. The question being whether we are going to be able to protect the habitat and if we don't the bear will lose out. He felt the grizzly bear was an indicator of the condition of our natural resources.

HB 311 REP. HARPER, the bill's chief sponsor, said he couldn't take credit for the bill as it was the idea of one of his constituents, but he whole heartedly endorsed the idea of protecting our ghost towns which are a legacy from the past. He said the demand for weathered wood is causing buildings at these sites to be torn down. He also felt property taxes might cause some owners to tear the old buildings down. This bill would set up a system whereby ten areas that meet the criteria can be identified and set up into a system of ghost towns and preserved. Any area so designated will be exempt from property taxes.

AL THOMPSON, Montana Historical Society, said they support the bill and urge its passage. He said ghost towns are a unique historic resource and as such deserve a special preservation system. He said ghost towns are rapidly disappearing and as a consequence, looking ahead 15 to 20 years, we will be glad to have established such a program.

RALPH HENRY, a retired teacher and author of several Montana books, spoke next in support. He said tradition is important and this bill should be important. He said a ghost town is something like a grizzly bear--when its gone its gone--there are no more.

Rep. Harper said they had asked for \$25,000 to fund this effort.

There was a good deal of interest shown by the committee for this bill.

HB 484 REP. NATHE, the bill's chief sponsor, said back in 1970 a HJR funded and implemented a special state Rangeland Steering Committee. Rep. Nathe served on this committee. The committee working through the DNR developed the rangeland resources program. This bill would establish this program on a more permanent basis.

PETER JACKSON, representing self, said he was also one of the group that developed this program. He said this program identified rangeland as a resource and that 70% of Montana's land is rangeland. He said six other states have copied the program.

P. HACKER, Department of Natural Resources, spoke in support of the bill.

BOB BIGGERSTAFF, Montana Association of Conservation Districts, said his people endorse this bill.

Rep. Nathe said this program as it now stands could be terminated at any time which is why they would like to make it statutory. He said rangeland is the largest single economy in the state.

During questions Rep. Hurwitz asked where the stockgrowers and other ranching interests were--why not in supporting the bill? Rep. Nathe said the bill has the whole hearted support of the stock growers and other farm groups--they had input into the writing of it. Rep. Nathe said they were not asking for more money but asking for statutory legislation.

Chairman Sheldon closed the hearing and opened the meeting to executive action on the bills heard.

HOUSE BILL 204

Rep. Quilici moved that the bill do pass. Rep. Cooney made a motion to amend on page 4, section 5, following line 16, to insert a new subsection (9) to read as follows: "develop an affirmative program to encourage ongoing and future development of renewable energy technologies" and renumber subsections following. Rep. Quilici felt this was already taken care of in the bill. Question was called and a roll call vote taken on the motion to amend -- 11 voted no, 5 yes (Cooney, Frates, Huennekens, Kessler, Metcalf) and 1 absent (Harper). Rep. Hurwitz seconded Rep. Quilici's motion of do pass. Motion carried with 15 yes, 1 no (Curtiss) and 1 absent (Harper).

HOUSE BILL 311

Rep. Metcalf moved that the bill do pass. Rep. Harper moved a substitute motion of pass for the day. Motion carried unanimously.

HOUSE BILL 484

Rep. Cox moved that the bill do pass. Rep. Hurwitz seconded the motion. Rep. Nathe said he had expected Ted Downey of the DNR to appear and offer an amendment to the bill because a nonstatutory body would be appointing a statutory committee. Since Mr. Doney was not present he asked if he could check this out before the bill was moved out of committee. Rep. Metcalf moved a substitute motion of pass for the day. Motion carried unanimously.

HOUSE BILL 329

Rep. Kessler said since the experts who should know about grizzlies felt this bill to be a bad one, he would move do not pass on HB 329. Rep. Hurwitz seconded the motion. Motion carried unanimously.

Meeting adjourned at 12:30 p.m.

Respectfully submitted,


ARTHUR H. SHELLEN, Chairman