

MINUTES

FISH AND GAME COMMITTEE

MONTANA STATE SENATE

January 5, 1979

The first meeting of the Fish and Game Committee was called to order by Chairman Ed Smith, at 2:40 P.M., in Room 402 of the State Capitol Building.

ROLL CALL: All members were present. Membership of the Committee is as follows: Senator Ed Smith, Chairman; Senator Jack Galt, Vice Chairman; Senator Mike Anderson; Senator Pat Goodover; Senator John Manley; Senator Lawrence Stimatz; and Senator Fred Van Valkenburg.

Chairman Smith introduced the Committee Secretary, Sherri Smith. Representative John Staigmiller, Chairman of the House Fish and Game Committee, was introduced by Chairman Smith and he, in turn, introduced the members of the Committee and his Committee Secretary, Judy Mook. Mr. Jim Lear, Staff Attorney for the House Fish and Game Committee, was also introduced.

Chairman Smith introduced Debbie Schmidt, Researcher for the Legislative Council, who will be working with the Senate Fish and Game Committee.

Representative Staigmiller expressed a desire for the joint committees to meet together as often as possible and work very closely.

Chairman Smith announced the Senate Fish and Game Committee would meet on Tuesdays, Thursdays, and Saturdays, from 1:30 P.M. to 4:00 P.M., in Room 402 of the Capitol Building. He mentioned there would be times he could not attend Committee meetings since he is a member of two others, and that in his absence, Senator Jack Galt, Vice Chairman, would conduct the meetings.

Chairman Smith asked the Fish and Game Committee of the Senate if any of its members would like to review the pre-filed bills originating with the Montana Fish and Game Department and mentioned that they would require sponsoring. These four bills (SB 6, SB 26, SB 35 and SB 36) were passed around for all members to peruse.

Chairman Smith introduced Dr. Robert Wambach, Director of the Montana Fish and Game Department; Dr. Wambach then introduced the following members of the Commission: Mr. Alfred Bishop of Billings; Mr. Arthur Hagenston of Glendive; Mr. Spencer Hegstad of Dillon; and Mr. Earl Sherron of Missoula. Dr. Wambach explained that the Chairman of the Commission was unable to attend since he is out of the state.

Dr. Wambach introduced his staff members from the Department.

Chairman Smith asked if anyone had any questions of the Commission. Dr. Wambach stated he would be at the service of the Fish and Game Committees, both House and Senate, and would offer any assistance or answer any questions they might have.

Representative Staigmiller announced the House Fish and Game Committee meetings would be held on Tuesdays, Thursdays, and Saturdays from 1:30 P.M. to 4:00 P.M., in the Livestock Building (Capitol Annex).

Chairman Smith said that all testimony presented by the Montana Fish and Game Department or other agencies and organizations should be prepared in written form and presented to the Committee Secretary and Committee members prior to meeting.

Dr. Wambach said he would attend as many meetings as possible; if he is unable to attend, he will have the appropriate staff representative attend.

Representative Vicky Johnson asked Dr. Wambach if there would be an alternative method of funding, if the fishing license increase did not go through. Dr. Wambach replied that if the Department was not granted the fishing license increase, it would simply have to cut back on development and improvements. He said there is a possibility that some fish hatcheries may have to be closed down.

Commissioner Al Bishop said if the Committees planned to contact Fish and Game Commissioners in regard to legislation, he felt each Commissioner should be contacted individually. He wanted it a matter of record that he would like to be personally contacted.

Commissioner Hegstad said sometimes the Department and the Commission differ in opinion, but everyone tries to work together. He reminded the Committee Members that both the Department and the Commission are available at all times if they are needed, and that the Commissioners would be happy to come to Helena to testify any time they are asked to do so.

Chairman Smith asked that anyone having questions concerning the Committee contact the Committee Secretary.

Senator Van Valkenburg said it was his understanding that the Commission supported the Department package of legislation, and asked if that was a unanimous decision. Commissioner Hegstad said everyone was in agreement.

Commissioner Bishop said everyone was not in agreement; he reiterated that Commissioners should be contacted individually about any and all legislation.

Chairman Smith stated it is not an unusual situation, and there will be conflicts within the Committee from time to time.

Dr. Wambach said the legislation approved by the Commission is something to forward to the legislature to be reviewed and considered, and that it is a concensus of opinion. He said the Commission accepted recommendations and it hopes they are what the people want.

Representative Aubyn Curtiss wanted to know how the budget for this biennium compared with that of the last. Dr. Wambach asked Mr. Tom Rippingale, Accounting and Finance Bureau Chief of the Fish and Game Department, to answer the question. Mr. Rippingale said he was reluctant to comment since he didn't have the exact figures at hand, but he would approximate the increase at between three to four and one-half percent.

Representative Curtiss asked what the number one priority of the Fish and Game Department program was as far as the legislative session is concerned.

Dr. Wambach replied the first priority was to improve landowner-sportsman relations. He said he is concerned not only with private land, but with state and federally-owned land as well.

Representative Orval Ellison said the Department should solicit any negative reactions to the proposed legislation from Department personnel and, if there are negative reactions, the legislative committees should be made aware of it.

Chairman Smith announced the Committee will begin hearing bills this next week and that he would like to have people present to testify. He said the Committee Secretary will contact the Department when bills are set for hearing, as well as contacting the chief sponsors.

Representative George Johnston said he wanted the Commissioners and Department personnel to contact him personally, if they had questions. Chairman Smith confirmed this as far as his Committee was concerned.

Commissioner Bishop said he did not want to create the impression that all the Commission did was fight, but they have definite differences of opinion. He said the Commission's goal was to run the Fish and Game Department as efficiently as possible, and in a responsible manner. He said there are five commissioners and consequently five different points of view. Commissioner Bishop said the Commission Chairman cannot speak for all of the Department; the Department and the Commission are not always in accord with things and they should be separated.

Chairman Smith asked if anyone had questions. There were none. The visitors and the House Fish and Game Committee members were excused and Chairman Smith asked the Senate Fish and Game Committee members to stay for further discussion.

Chairman Smith called a recess at 3:15 P.M.

The meeting reconvened at 3:20 P.M., and was again called to order by Chairman Smith.

He then discussed ground rules and protocol for Committee meetings. It was stated that everyone would have an equal voice and he requested that the Chair be addressed before anyone spoke. His desire is to keep the Committee in order at all times. He said he would request that all testimony be presented in written form, since it has happened that some people have testified one way and then later said they didn't. Everyone wishing to do so will have a chance to speak their thoughts.

The proponents will speak first at hearings; proponents last. He asked the Committee members if they would like questions after each or at the end of both testimonies. It was agreed that questions would be allowed after all the testimony is presented. This includes testimony by proponents and opponents and the rebuttal of proponents.

Chairman Smith said if the Committee were considering a controversial bill, the Committee would try to provide a week's notice. The chief sponsor of the bill will be notified, along with the Fish and Game Department.

The Committee agreed, after discussion, that since it was a public hearing room, smoking would be allowed.

DISCUSSION OF SENATE BILL 6: A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO BOATS AND SNOWMOBILES."

This bill was pre-filed by the Fish and Game Department; Senator Galt agreed to sponsor it and scheduling to hear the bill was set for Tuesday, January 9.

DISCUSSION OF SENATE BILL 26: A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE FEE FOR DUPLICATE LICENSES IN ORDER TO MAKE THE FEE MORE COMMENSURATE WITH THE COSTS INVOLVED."

This bill was pre-filed by the Fish and Game Department; Senator Galt agreed to sponsor it and scheduling to hear the bill was set for Thursday, January 11.

DISCUSSION OF SENATE BILL 35: A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT RESIDENTS WHO WILL HAVE REACHED 12 YEARS OF AGE PRIOR TO SEPTEMBER 15 OF A HUNTING SEASON TO APPLY FOR AND OBTAIN PERMITS FOR THAT SEASON IN THE SAME MANNER AS NONRESIDENTS."

This bill was pre-filed by the Fish and Game Department; Senator Anderson agreed to sponsor it and scheduling to hear the bill was set for Thursday, January 11.

DISCUSSION OF SENATE BILL 36: A BILL FOR AN ACT ENTITLED:
"AN ACT TO ESTABLISH A NONRESIDENT TRAPPER'S LICENSE FEE."

Chairman Smith pointed out that the bill covers only game animals, and not predators. There continued a discussion about whether or not the Committee wanted to sponsor the bill. It was decided that the Committee members did not wish to sponsor it, and the secretary was instructed to return the bill to the Fish and Game Department, asking them to obtain sponsorship.

A motion was made by Senator Manley and seconded by Senator Goodover to do this.

Chairman Smith reminded Committee members that all pre-filed bills must be formally introduced.

ADJOURNMENT: Senator Van Valkenburg made a motion for adjournment; it was seconded by Senator Manley and carried. The meeting was adjourned by Chairman Smith at 3:45 P.M.



SENATOR ED SMITH, CHAIRMAN

Date 1-2-79

ROLL CALL

FISH AND GAME COMMITTEE

46th LEGISLATIVE SESSION - 1979

Each Day Attach to Minutes.

SENATE FISH AND GAME COMMITTEE

BILL

VISITORS' REGISTER

DATE 1-5-79