

MINUTES OF MEETING  
FISH AND GAME COMMITTEE  
MONTANA STATE SENATE

MARCH 31, 1981

Chairman Smith called the meeting to order at 1:03 p.m. in Room 402 of the Capitol.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF HOUSE JOINT RESOLUTION 47, "A Joint Resolution of the House of Representatives of the State of Montana Requesting Assignment of an Interim Committee to Study the Organization, Effective Utilization of Personnel, Budgetary Constraints, and Land Acquisition Policy of the Department of Fish, Wildlife, and Parks."

Chairman Smith recognized Representative L.H. "Les" Nilson, chief sponsor of HJR 47. Representative Nilson said the House Fish and Game Committee amended the resolution from a negative to a more positive approach at looking toward the future. He stated that the department's functions affect a lot of people in the state and commended the department for a job well done in a lot of areas, but commented there are a lot of practices or functions which are somewhat confusing. It is hoped, he said, that the interim study will clarify those issues.

Representative Nilson stated that members of the study are to come from each of the seven administrative or geographic districts served by the department. He also explained that Senate Bill 9 which had passed third reading in the House provides that all interim studies are to be made up from standing committees whenever possible. This may present a problem in manning the interim study, he said, since in administrative region one, there are no democrats on a standing committee. He distributed a handout which shows categories of regions, party affiliation and legislators who are either on the appropriations or fish and game standing committees (Attachment #1)

PROPOSERS OF HJR 47: Charlie Crane of Butte, representing Montana Water Development Association, spoke in favor of HJR 47. Their chief concerns, he said, are the land acquisition policies of the department; particularly the payments in lieu of taxes and the apparent inequity of that system in comparison to adjoining private property owners.

Gary Langley of Helena, representing WETA, spoke in support of HJR 47. He said a number of their members are ranchers and the land acquisition policies are of major concern to them. They are concerned about the purchase of ranches and taking land off the tax roll and the resultant burden to adjacent landowners and taxpayers.

Robert VanDerVere of Helena said he believed the resolution was a fine idea and should have been done a long time ago.

Jim Flynn, Director of the Department of Fish, Wildlife, and Parks, spoke in favor of the resolution. He believes that communication will lead to education and education will lead to a better understanding of the operation of the department. He hopes that a study will benefit both the Legislature and department in making future decisions.

There were no opponents of House Joint Resolution 47.

Chairman Smith said that during the last legislative session, a similar resolution was introduced, but would have been funded out of department funds and did not have to be acted on by the committee. HJR 47 is different in that it needs committee action and is to be funded by the state. He agreed with Mr. Flynn that better communication is desirable.

ACTION ON HOUSE JOINT RESOLUTION 47. Senator Eck moved that HJR 47 be concurred in; the motion carried unanimously.

CONSIDERATION OF HB 806, "An Act to Increase the Amount of Money That May be Used for Operation, Development, and Maintenance of Fishing Accesses;...."

Chairman Smith said that HB 806 which came out of committee with an adverse report was brought out and placed on second reading today. There is a suggested amendment to decrease the 50% for operation, maintenance and development to 25%.

Senator Jacobson was concerned about the way the money would be spent and she was in favor of sending a committee letter to Mr. Flynn of the Department of Fish, Wildlife, and Parks, stating that the money not be used for park-like development.

Senator Galt felt that toilet facilities would be appreciated by sportsmen and adjacent landowners.

Senator Jacobson felt that garbage and weed control are major problems.

Chairman Smith recognized Mr. Flynn. Mr. Flynn said that if the committee wants to send a letter, the department would use that as a guidepost for the next two years. He agreed that this procedure should be approached on a site by site basis since the use and location of the sites will vary.

Senator Eck said she would like a letter and a report to the next committee of the 1983 legislative session of how much money goes to improvements, developments, and how much money is obtained from other sources.

Chairman Smith directed Ms. Merrill to prepare a letter for the committee to consider at its luncheon meeting Friday noon at Jorgenson's.

CONSIDERATION OF HOUSE BILL 200, "An Act to Increase Funds Available for Management of the State's Wildlife Resources by Increasing the Fees for Hunting, Fishing, Trapping, and...."

Senator Severson said that when he carried HB 200 on the floor of the Senate, he wondered if he understood correctly the way the drawing fee of \$5.00 would be handled. He said he was basically thinking of a drawing fee for special licenses.

After some discussion, the committee was in agreement that HB 200 should not be brought back to the Senate floor, but his concern should be brought to the attention of the conference committee when they study the bill with its amendments.

The meeting adjourned at 1:25 p.m.

*Ed B. Smith*

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Senator Ed B. Smith

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ROLL CALL

FISH AND GAME COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 3/31/81

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NAME	PRESENT	ABSENT	EXCUSED
Smith	✓		
Galt	✓		
Severson	✓		
Lee	✓		
Eck	✓		
Berg	✓		
Jacobson	✓		

Each day attach to minutes.

# Attachment #1

House + Senate Fish+Game Committees  
 House Appropriations committee  
 Senate Finance and Claims

+G  
 strict

	Demos	Repubs
1		Jensen (H), Bennett (H) (F+G) mueller (H)
		Aims (S), Stobie (H) (Approp.)
2	Robbins (H) (F+G)	Severson (S) (F+G)
	Van Valkenberg (S), Haffey (S) (Approp.) Waldron (H)	Johnson (S), Lory (H), (Approp.) Thoft (H)
3	Billy (H), Eck (S), Jacobson (S) - (F+G)	Ellison (H) - (F+G)
	Boylan (S), Stamatz (S), Quilici (H) - Jacobson (Approp.)	Story (S) - (Approp.)
4	Manuel (H), Rousch (H), Berg (S) Wilson (H) - (F+G)	Phillips (H), Galt (S), Lee (S) - (F+G)
	Thomas (S) - (Approp.)	Akkestad (S), Nelson (S), Dove (S), Moore (H), Hurwitz (H), Donaldson (H), Ernst (H), Hemstad (H) } Approp.
5		McLane (H), Burnett (H) - (F+G)
	Regan (S), Bengston (H), (Approp.) Conroy (H)	Keating (S), Cozzens (H) - (Approp.)
6	Jacobsen (H) - (F+G)	Feda (H), Smith (S) - (F+G)
	Bardanoue (H) - (Approp.)	Etchart (S), Smith (S), (Approp.) Lund (H)
7	Hart (H) - (F+G)	Devlin (H), Ryan (H) - (F+G)
	Shontz (H) - (Approp.)	

NAME: Charlie Cruise DATE: \_\_\_\_\_

ADDRESS: Bozette MT

PHONE: (406) 723-5703

REPRESENTING WHOM? Mont. Water Devel. Assn.

APPEARING ON WHICH PROPOSAL: HR 47

DO YOU: SUPPORT?  AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: The association's particular concern  
is the taxation of F\*G properties

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mary Langley DATE: 3/31/81

ADDRESS: HELENA

PHONE: 442-3420

REPRESENTING WHOM? WETA

APPEARING ON WHICH PROPOSAL: HSR 47

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: WE ARE PARTICULARLY CONCERNED ABOUT  
THE PURCHASE OF PRIVATE LAND BY THE  
DEPT.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

DATE March 31, 1981

COMMITTEE ON Senate Fish and Game

BILL NO. HJR 47

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppos
<i>Gary Langley</i>	<i>WETA</i>	<i>HJR 47</i>	
<i>H. Satter Jr.</i>	<i>SELF</i>		
<i>J. Brunner</i>	<i>Self</i>		
<i>Charles Lee</i>	<i>MUSPA</i>	<i>HJR 47</i>	
<i>Robert Van Der Bore</i>	<i>Self</i>	<i>X</i>	
<i>Jim Flynn</i>	<i>DEPA FWP</i>		

(Please leave prepared statement with Secretary)





*The Big Sky Country*

## MONTANA STATE SENATE

Majority Whip

Sen. Ed B. Smith  
District No. 1  
Helena Address  
Capitol Station  
Helena, Montana 59620  
Home Address  
Dagmar, Montana 59219  
Phone: 483-5484

Committees:  
Fish and Game, Chairman.  
Education, Vice-Chairman.  
Finance & Claims

April 3, 1981

Mr. Jim Flynn, Director  
Department of Fish, Wildlife, and Parks  
Capitol Station  
Helena, MT 59601

Dear Mr. Flynn:

The Senate Committee on Fish and Game is taking this opportunity to express some concerns and desires regarding the increased percentage of funding provided to the department by House Bill 806, as amended, for the operation, development and maintenance of fishing access sites.

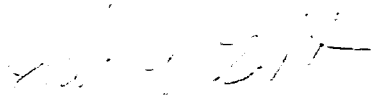
The committee is concerned that the increased funding might be used to develop various fishing access sites beyond the practical needs of sport fishermen. The committee suggests that practical development might include signing, entry roads, launching sites, fencing, weed control, and, in some instances, garbage and toilet facilities. The committee realizes that the department will need to develop and maintain each fishing access site for its particular uses and will consider the nearby landowners in making such decisions.


The committee views park-like development, such as picnic tables, flush toilets and sophisticated landscaping, as beyond the intent of providing usable access for sport fishermen. The committee would like funding for park-like improvements to come from appropriations specifically allocated to the department for park development.

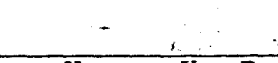
In addition, the committee requests that the department report to the Senate and House Fish and Game Committees of the 48th Legislature on how the funds available under 87-1-605, MCA, were spent during the biennium.

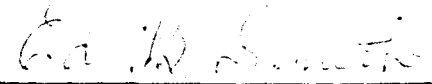
Mr. Jim Flynn  
Page 2  
April 3, 1981


The committee hopes that the requested report will enlighten future Fish and Game Committees on the funding needs for operation, development, and maintenance of fishing access sites.

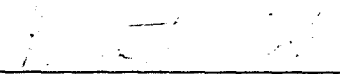
  
\_\_\_\_\_  
Senator Jack E. Galt

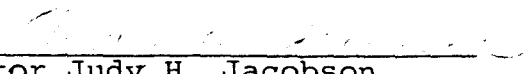
  
\_\_\_\_\_  
Senator Gary P. Lee

  
\_\_\_\_\_  
Senator Harry K. Berg

  
\_\_\_\_\_  
Senator Ed B. Smith, Chairman

  
\_\_\_\_\_  
Senator Elmer D. Severson

  
\_\_\_\_\_  
Senator Dorothy Eck

  
\_\_\_\_\_  
Senator Judy H. Jacobson

# STANDING COMMITTEE REPORT

MARCH 31, 1981

MR. **PRESIDENT** .....

We, your committee on **FISH AND GAME** .....

having had under consideration **HOUSE JOINT RESOLUTION** ..... Bill No. **47** .....

Respectfully report as follows: That **HOUSE JOINT RESOLUTION** ..... Bill No. **47** .....

**BE CONCURRED IN.**

33-1335

*Ed B. Smith* *ea*  
.....  
Chairman.