

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

February 5, 1985

The meeting of the Fish and Game Committee was called to order by Chairman Bob Ream on February 5, 1985 at 3:20 p.m. in Room 317 of the State Capitol.

ROLL CALL: All committee members were present.

CONSIDERATION OF HOUSE BILL NO. 406: The hearing on House Bill No. 406 was opened by Vice Chairman Orval Ellison. Chairman Bob Ream appeared before the committee as sponsor of House Bill No. 406. Representative Ream stated that this was the license fee bill and he had prepared a one-page handout summarizing the effects of this bill. (See Exhibit No. 1)

PROPOSERS: Jim Flynn, Director of the Department of Fish, Wildlife, and Parks, appeared before the committee as a proponent of this bill. He handed out a copy of his testimony to all committee members. (See Exhibit No. 2)

Representative Ted Schye, District 18, Glasgow, spoke in support of House Bill No. 406. He said that he was a member of the Walleyes Unlimited in Glasgow, and spoke in favor of the renovation of the fish hatcheries in Miles City. Representative Schye stated that Senator H. W. "Swede" Hammond, District 9, Malta, would also like to be on record as supporting House Bill No. 406.

Janet Ellis spoke as a proponent on behalf of the Montana Audubon Council. (See Exhibit No. 3)

Robert Van Der Vere, a concerned citizen lobbyist, said that he would like the committee to take into consideration some amendments on the license fees. He feels that the fee of \$300.00 in section five should be changed to \$325.00 not \$350.00, and the fee of \$35.00 in section six should be left at \$35.00 and not increased to \$36.00. (See Exhibit No. 1)

Dan Heinz appeared on behalf of the Montana Wildlife Federation in support of House Bill No. 406. (See Exhibit No. 4)

Scott Ross, Wolf Point, representing Walleyes Unlimited of Montana, spoke in support of House Bill No. 406. (See Exhibit No. 5)

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Mary Wright, Montana Council of Trout Unlimited, said that the Council supports the license fee increase as proposed in House Bill No. 406.

James Roen, Great Falls, a member of Walleyes Unlimited, stated that he wished for the committees' support on House Bill No. 406.

There were no further proponents, and no opponents to House Bill No. 406.

DISCUSSION OF HOUSE BILL NO. 406: Representative Cobb asked Mr. Flynn that if there were no license increases or just license increases for nonresidents, would the Department still have enough to fund for the next two years. Mr. Flynn said yes, if a number of things happen. He said that if the fee increase was not authorized, then they would have to consider a bonding program for the next seven years instead of five years. He said, too, that it would most certainly dictate a fee increase for the 1987 legislative session.

Representative Grady said that he was concerned about the increase in the nonresident fees. His concern was that hunting and fishing are going to end up being a rich man's sport. He said that we have a lot of federal land in our state, and he feels that it is the right of every citizen in the United States to use it. By increasing fees, he said he feels that we are trying to limit the use of that ground. He wanted to know why we are not increasing the out-of-state quota instead of the fees. Mr. Flynn said that they do not see the price affecting the amount of licenses that they are going to issue. He said that they issue only 17,000 licenses and have had applications for over 30,000, so the pricing factor has little to do with limiting the number of people who are going to get the license. He also said that he feels Montana sportsmen and Montana residents would not want the quota increased. He said that Montana does not charge nearly as much for out-of-state licenses as do Colorado, Wyoming or Idaho. Representative Grady wanted to know where Montana stood in average with other states. Mr. Flynn said that Montana's license fees may be more for nonresidents than some other states, but many of the other states do not have comparable hunting or fishing of the species that we have in Montana.

Representative Moore referred to page 2, paragraph 2, of Mr. Flynn's testimony, (See Exhibit No. 2) and wanted to know what the federal DJ program was, and how it affected the fee increases. Mr. Flynn said that the DJ program is a program entitled the Dingell-Johnson Program. It is a federal excise tax that is levied against fishing equipment that anglers purchase, and collected as a federal excise tax. It is then distributed back to states on a formula basis, and that formula consists of the number of fishing licenses sold and the number of anglers that the state has in a given year.

Representative Rapp-Svrcek asked Mr. Flynn if he knew the length of the elk hunting seasons in neighboring states. Mr. Flynn said that he didn't, but he thought that Montana, if not the last, was one of the last states in the lower 48 that still had a five week season open to the public.

Representative Pavlovich was concerned about the fee changes and revenue changes shown on the Attachment 1 sheet of Mr. Flynn's testimony. (See Exhibit No. 2) Mr. Flynn and Representative Ream explained those proposed fee increases and changes in revenue.

Representative Montayne said he wanted to make a statement for committee reference. He said that a number of years ago he attended a function for big game hunters in Wyoming, and at that time their nonresident fee was about \$750 and many people present felt that it should have been \$1000. Representative Montayne said that he believes very strongly that our fee structure on big game licenses is too low.

Representative Hanson wanted to know what the fee would be on each of the five different areas of the nonresident combination, if it were taken apart. Mr. Flynn replied that he did not know, because Montana does not have a separate nonresident elk license.

Representative Moore wanted to know why there were no nonresident elk hunting permits. Mr. Flynn said that as far as he knew, for at least the last fifteen years there has been nonresident elk hunting through a combination license only.

Representative Phillips wanted to know how much of a break the sportsman license gave as opposed to buying

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each individual license. Mr. Flynn said that he believes they save about \$6.00. He said that the Department feels that they are receiving a substantial enough break, so they are proposing a \$1.00 increase.

Representative Eudaily stated that the only place he saw that mentioned the wildlife conservation license was line 3, page 2. He wanted to know if they were also required on class A and class B licenses. Mr. Flynn said it must be in another section of the law because it is a requirement to have a conservation license before you can buy any of the other licenses.

Representative Grady questioned Mr. Van Der Vere on his proposed amendments. Mr. Van Der Vere explained his amendments and noted to the committee that the sportsman's license program has worked almost perfectly for years and he hates to see it changed. Representative Grady then asked Mr. Flynn if the \$2.00 conservation fee would be added on to all the proposed fees. Mr. Flynn said that the conservation fee is added on to all the license fees, but the conservation license is only purchased once by the sportsman and is applicable to all separate licenses.

Representative Ellison wanted to know if Mr. Flynn had any figures showing how many days a nonresident sportsman spends fishing in Montana. Mr. Flynn said that he knows that they have an overall figure, but he would assume that it includes both nonresident and resident anglers. He said that he would be willing to check with his staff to see if there is a figure available.

There being no further committee questions, Vice-Chairman Ellison asked Representative Ream to close. In closing, Representative Ream stated that with the attachments to Mr. Flynn's testimony, he feels it presents the situation quite well in reference to what the revenue will be over the next biennium. He also noted to the committee that the State of Montana ranks second only to the State of Wisconsin, in the number of fishing licenses sold.

The hearing on House Bill No. 406 was then closed.

EXECUTIVE SESSION: The committee agreed to delay executive action until February 7 or 12.

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ADJOURNMENT: There being no further business before the
committee, the meeting was adjourned at 4:16 p.m.

Bob Ream
BOB REAM, Chairman