

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION
COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman William E. Farrell, on January 6, 1989, at 10:00 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Eddy McClure

Announcements/Discussion:

Chairman Farrell announced, for the information of the public, the Committee will first hear the three bills scheduled for hearing this date before moving on to the Governor's appointments.

HEARING ON SB 19

Presentation and Opening Statement by Sponsor:

Senator Bill Norman opened by indicating the members of the Committee would not see another bill like this one this session, but may see one in subsequent sessions. He added that the Legislature used to meet for 60 days, including Sundays and that, if the big bills were passed, the session would die down and close. He indicated there were meetings everywhere - even in the halls, but that the session closed in 60 days. Senator Norman said there is now a huge amount of employees all around the Capitol and what they are looking for is space. He noted that, when the legislative agencies began to appear as permanent fixtures of the Legislature, the space wars started, and the Legislature needs more space, particularly when in session. He noted this was especially true for the House. Senator Norman reported that, in 1985 and 1987, there was a particularly acute problem but, for this session, the problem has died down. Senator Norman said he felt now is a good time to think about it. He noted the Attorney General has been moved out, and that some remodeling has been done around the building, but that the House versus the Senate disagreement can not go on. Senator Norman

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indicated the Department of Administration has been charged with dealing with the problem because the House and the Senate can not agree. He further indicated that the fact that things are quiet now provides an opportunity for the Legislature to do something about it, and that what it takes is hard work, a lot of give and take, good will and compromise. Senator Norman invited the Committee to amend the bill as they please, but indicated that there are two alternatives. Either it should be put in the statute that the Legislature has possession of this Capitol, including the Livestock building, or start planning how the Capitol is going to be apportioned out. Senator Norman noted that he would prefer this bill not be put on the floor unless this Committee thinks they can support it. He stated he knows of no other proponents, although a representative of the Department of State Administration, Tom O'Connell, or the State Architect could appear at subsequent sessions if the Committee cares to discuss the bill. Senator Norman further stated he did not know if there were any opponents to this bill.

List of Testifying Proponents and What Group they Represent:

None.

List of Testifying Opponents and What Group They Represent:

Senator Chet Blaylock.

Testimony:

Senator Blaylock stated he understood that Senator Norman had suffered frustrations, as everyone has, in dealing with the allotment of space in this Capitol, and that it happens before every session. He noted that the \$5.5 million that had been set aside for remodeling the Capitol was taken to balance the budget four years ago. Senator Blaylock indicated he felt this bill would shove the power of the Department of Administration out of this building and, if we don't have the Department of Administration as the final arbiter, it comes to loggerheads between the House and the Senate on how we will divided this thing out. Senator Blaylock stated that, although the Department of Administration is not eager to leap into this thing, by statute, we gave them the power to allocate space within the Capitol and, if Senator Norman's bill were to pass, it might be regretted. He further stated he felt it would create a stalemate between the House and the Senate. Senator Blaylock admitted there have been some heated arguments over office space, and it is a difficult situation that will continue. He indicated he felt it was too bad the

Capitol could not have been remodeled, and that this is a problem that will continue for, probably, another 20 years.

Questions From Committee Members:

Q. Senator Rapp-Svrcek asked Senator Norman how we would deal with the Secretary of State, the Governor, and other agencies. Would this bill give the Legislature the power to throw them out of the building?

A. Senator Norman responded that it depends on how the bill is written; space can be allocated. In the bill, you could say "the following space is reserved for the use of the Governor, the Secretary of State," or whoever it is that should be named. The question is who should be in this Capitol and when. Senator Norman indicated that clearly the Governor should, and his staff. He noted that other Legislatures have done this, and that one Governor (in another state) is leasing space in the Capitol on a permanent basis from the Legislature.

Q. Senator Bengtson asked Senator Norman if it would be the Legislative Administration Committee that would actually do the planning and the allocating, or would it be the leadership of the House and Senate, or would we have to spell that out in the re-written text?

A. Senator Norman responded that it would depend on how the bill was re-written. He indicated that he felt the Legislative Administration Committee could reach some agreement and that the leadership should have some ability to advise.

Chairman Farrell announced the hearing on SB 19 as closed.

HEARING ON SB 41

Presentation and Opening Statement by Sponsor:

Senator Hubert Abrams explained that SB 41 is an act to generally revise the processing of payroll warrants; authorizing payment of warrants by electronic funds transfer; reducing the length of time for the presentation of warrants; extending the deadline by which the State Auditor is required to classify a canceled warrant as unclaimed property; amending Sections 2-18-405; 17-8-301, and 17-8-303, MCA; and providing an immediate effective date. Senator Abrams indicated he was carrying this bill at the request of the State Auditor, and that Debbie Van Fleet from the State Auditor's office is here.

List of Testifying Proponents and What Group they Represent:

Debbie Van Fleet, Administrator of the Fiscal Management Control Division of the State Auditor's Office.

List of Testifying Opponents and What Group They Represent:

None.

Testimony:

Ms. Van Fleet reported that the Fiscal Management Control Division is responsible for issuing, distributing and tracking all state warrants. She explained that this bill is an attempt to update the statutes and amend a couple of sections because they are redesigning the warrant system. She indicated some funds were appropriated in the last session which allows them to do this.

Questions From Committee Members:

Q. Senator Bengtson asked Ms. Van Fleet to explain what is happening now, and what the change would accomplish.

A. Ms. Van Fleet responded that Section 1 defines electronic funds transfer as it relates to the state payroll and the warrant systems. Ms. Van Fleet noted there is a typographical error in line 17, "transition" should read "transaction". Section 2, page 2, lines 8 and 9, is updating the statute regarding the part of the PPD system which allows direct deposit of state payroll checks or warrants. Section 3, lines 22, 23 and 24, is trying to get the authority to do electronic funds transfer for vendor payments. This is part of the new warrant writing system that will be brought up July 1. On page 3, line 6, the change from "shall to do" was made by the Legislative Council, and it does not alter the meaning of the statutes. Regarding Section 4, lines 14 and 15, currently in the system, outstanding warrants are kept on the system for one year. This seems to be causing a problem because, as soon as the warrant is taken off the system as outstanding, the State Auditor's office attempts to locate the payee with a new address. They go back to the issuing agency and, by that time, the agency has usually removed the claim information from their office, and put the information in records management. Ms. Van Fleet indicated that, by dropping this time frame, they are attempting to get this money, which is a large amount of money, back to the payees. The change on page 4 will allow the State Auditor's office to maintain the

money in their office for 4 years.

Q. Senator Bengtson noted that Section 3 seems to actually be the heart of the matter and asked, as far as vendor payments, if Ms. Van Fleet was saying that the State Auditor may not issue warrants or authorize electronic fund transfer. Senator Bengtson further asked what is the Treasurer doing presently, and was this the change that they are trying to effect.

A. Ms. Van Fleet responded that what they are trying to do is get the authority to do electronic funds transfers, instead of issuing warrants; to actually do it on magnetic tape. She indicated they have consulted with the Department of Administration on these changes, and they have agreed with everything that we are doing.

Q. Senator Vaughn asked if the system was now set up to do this, and if additional equipment is needed.

A. Ms. Van Fleet responded that the funds were appropriated in the last session to design the new system and they can do this as of July 1st.

Q. Senator Harding asked if this would not be a transaction of a warrant, but rather a paper file that shows what has happened with the money.

A. Ms. Van Fleet answered that was correct; that there would be a register of the electronic funds transfer. It would actually leave the data center on a magnetic tape, go to a bank, and then be put into the different types of accounts.

Q. Senator Harding further asked if they would then read it on their printout to see how the transaction transpired.

A. Ms. Van Fleet responded that the State Auditor's office would send the vendor a notice that a payment had been made to their account. This would be just like the State payroll system, which generates a slip of paper that tells you your money is going into an account. They would do the same thing for the vendor.

Closing by Sponsor:

Senator Abrams closed by indicating he felt Ms. Van Fleet had done a very good job of explaining the housekeeping and updating of the system.

Chairman Farrell announced that the hearing on SB 41 was closed.

HEARING ON SB 11

Presentation and Opening Statement by Sponsor:

Senator J. D. Lynch explained SB 11 was requested by the Legislative Council and is an act to revise the session laws. Senator Lynch deferred to Mr. Greg Petesch from the Legislative Council.

List of Testifying Proponents and What Group they Represent:

Mr. Greg Petesch, Legislative Council.

List of Testifying Opponents and What Group They Represent:

None.

Testimony:

Mr. Petesch indicated the Legislative Council put in this request in conjunction with the Secretary of State's office following last session. He explained that, with the increasing practice of setting up a program in a bill, and including the funding in that bill, the Secretary of State is unsure, under the existing law, whether to assign a chapter number to that bill or not. The current law provides that appropriation bills do not receive chapter numbers. If the appropriation was not reflected in the title, was merely tacked on at the end by Committee, and the Secretary of State didn't notice that and gave it a chapter number, they would later have to try and remove the chapter number. Chapter numbers are intended to be assigned consecutively to the bills as signed by the Governor. That problem has a potential violation of the law involved in it. The Secretary of State's office asked if we would provide that each bill, regardless of what type of bill it is, be given a chapter number and, in order to accommodate the people who are used to finding the appropriations bills all grouped together in one section of the session laws at the end, that a separate index be provided for those bills so that people would still be able to easily identify the appropriations bills. This would not apply to this session, but would commence operations with the next session of the Legislature. This bill also provides that stricken language of existing statutes be printed in the session laws. The technology in the printing industry is now capable of doing that easily. Mr. Petesch indicated that he

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believed rules were adopted this session, or are being proposed for adoption, which would provide that bills going to the Governor contain the stricken language in the existing law. That would give a lot more notice to the public of what the bill did. In current session laws, in some bills, there doesn't appear to be any change. Mr. Petesch indicated the reason is that all that was done on that bill was strike something. In looking at the session laws, there is no way of knowing what that change did. This change would provide additional information to the public who use the session laws, and would be that much more valuable a research tool.

Chairman Farrell announced that the hearing on SB 11 was closed.

HEARING ON GOVERNOR'S APPOINTMENTS

Chairman Farrell expressed his public apology for the mix-up that occurred at the last meeting of the State Administration Committee, and he further apologized to Senators Bengtson and Rapp-Svrcek for the misunderstanding of what the committee was doing at the last meeting. He indicated he has tried to explain how the process works, since then, but because of lack of time, he probably did not take the time to educate the new members on the committee as how the appointments would be handled this early in the session.

Chairman Farrell announced that, in past sessions, there has been no real format for handling Governor's appointments. There has been nothing written in the rules, and the procedure that is being used now is the procedure which was used in the past. Chairman Farrell explained he did not get a chance to explain it more properly to the members of the Committee, and to the public. He indicated he apologizes, and accepts responsibility for that, but does not accept responsibility for the process that has been established previously. Chairman Farrell further added that the past chairman of this committee and the Secretary of the Senate are working on a system, which has been put in the proposed rules. Chairman Farrell indicated he would try to explain the proposed system on the floor, so that everyone will have a better understanding.

Senator Bengtson indicated her intention to offer a motion to postpone executive action on the Governor's appointments until at least Monday. Senator Bengtson explained that this has become a heated issue and, although the committee is not a part of why it has become so heated, postponement of executive action on these appointments would give the committee members

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time to discuss and vote on the proposed joint rules. She further indicated it was her understanding these rules would be discussed, and the joint rules and the Senate rules will be brought before the Senate floor, most likely this afternoon. Senator Bengtson felt this would allow the public, as well as the committee members, to understand the format that they are going through, because there is a lot of misunderstanding as to what the process is really about. Senator Bengtson expressed a desire to indicate to the public that the Senate is a deliberative, fair and just body, and is an effective check and balance on the executive branch of government. She felt postponement would help to allay the perception that these appointments are a "steamroller" job. In addition, she indicated she felt there were some serious questions as to whether the committee should be able to consider and debate, and have discussion on this, because there is not a printed resolution. Senator Bengtson indicated she understood there should be a printed resolution or a bill before the committee. She further stated that she agreed the committee should go ahead with the questioning of the appointees today, and consider their testimony. This would allow the committee, and also the public, to evaluate the testimony that will be presented today. The committee members could also determine if they would like to segregate a particular appointee.

Senator Bengtson moved that the State Administration Committee postpone executive action until Monday on the Governor's appointees. At this time segregation will be allowed, if committee members deem it necessary. In addition, that the committee go ahead with the questioning of the appointees today.

Senator Harding indicated that she has sat on the State Administration Committee for the past two sessions, and does not recall interviewing and questioning the appointees. Senator Harding asked if this was part of the process, and indicated she was willing to go along with whatever the process is.

Chairman Farrell responded that the option has always been available, that all of the appointees were invited to attend this meeting, and the members of the committee may ask them questions.

Chairman Farrell noted that the proposed Senate rules require further revision, and that he does not expect action on the proposed rules on the Senate floor until sometime next week.

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Chairman Farrell then indicated that he would oppose the motion to postpone executive action on the Governor's appointments until Monday.

Senator Rasmussen responded to Senator Harding's question, indicating that he has sat on this committee when the appointees were interviewed, and further indicated that he would support Senator Bengtson's motion to postpone executive action. Senator Rasmussen noted there is a lot of interest in the matters the committee is dealing with, and a postponement would give the committee, and the public, more time.

Senator Vaughn indicated her support of the motion, indicating she felt there has not been adequate time to visit with the appointees and ask questions.

Senator Anderson noted that, in the past, the chairman of the committee has assigned certain appointees to different members of the committee to do research and bring their recommendations back to the committee. He further indicated his agreement with Senator Bengtson's motion.

The motion that the State Administration Committee postpone executive action until Monday, January 9, 1989 on the Governor's appointees and, at that time, allow segregation, if committee members deem it necessary and, in addition, that the committee go ahead with the questioning of the appointees today, passed, with Senator Harding, Senator Hofman and Senator Farrell opposed.

Chairman Farrell then announced that Bob Ellerd of the Governor's office is in attendance to answer any questions.

Senator Rasmussen asked if there was a format to be used, and Chairman Farrell responded that he would ask each of the appointees to make an opening statement. Chairman Farrell also indicated those appointees who had already made opening statements and/or did not wish to do so at this time would be excused.

List of Testifying Proponents and What Group they Represent:

Don Chance, professional forester and professional lobbyist for the Montana Wildlife Federation.

Representative Ed Grady.

Testimony:

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Appointee Ken Nordtvedt gave a brief summary of his background and a general statement of the policies that he would like to implement as Director of the Department of Revenue. Mr. Nordtvedt invited the committee members to ask questions if they required further details. Mr. Nordtvedt went on to say he served in the 1979, 1981 and 1983 Legislatures, that taxation was one of his specialties, and he served on the taxation committee in 1981, and on the revenue oversight committee for most of those 6 years. He indicated he has been active in a number of tax initiatives as well as the tax policy that he worked for as a Legislator. Mr. Nordtvedt has also been a physicist in the Montana State University system, and recently retired last year from full-time teaching. Mr. Nordtvedt was a physics researcher and a boat builder when he was called out of retirement due to the Governor's appointment. Mr. Nordtvedt indicated he gave up boat building due to the exciting challenge the appointment offers, and he felt the challenge of the many significant revenue issues and problems facing the state worthy of coming back to Helena. Mr. Nordtvedt indicated he views his job in the following sense, though not in any particular order: First, he serves as an advisor to the Governor on tax policy; he views his role as both giving advice on any changes in policy that he is interested in and, secondly, keeping the Governor informed as well as possible on the factual matters of all important tax and revenue issues that he is facing so that he sees all the options and can make his decision with the facts before him. Mr. Nordtvedt indicated his philosophies towards tax policy are basically two points. One, a tax system should be perceived by the taxpayers as being fair. Secondly, a tax system should be designed as much as possible to promote and encourage human enterprise and not discourage it. The second big part of this job is to manage the Department of Revenue, and Mr. Nordtvedt indicated he felt it can be managed more efficiently, particularly through the adoption of modern, high-tech techniques to supplement human labor, and that more can be done with the existing FTE levels of the department. With automation, computerization and proper structure, Mr. Nordtvedt indicated they would like to do their job as efficiently as possible. Secondly, the Department, when it approaches classes of taxpayers to enforce tax collections, must do so in a way that is perceived to be fair in a different sense from the actual laws. It must be implemented fairly and, therefore, it should not be enforced with one group and not other groups. Taxpayers should feel they are being treated the same way in tax collections. He further indicated there will be a comprehensive review of the rule-making activity of Department of Revenue, and his own

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inclination is that the department should not stray beyond legislative intent in the creation of rules implementing tax policy. Mr. Nordtvedt suggested the Legislature should try, when writing tax legislation, to spell out their intent as much as possible so that there is not as much vacuum for the department to essentially change the effective tax law by the rule-making process. Mr. Nordtvedt indicated he believed the department should show restraint in venturing beyond legislative intent. The Department should try to be "user friendly". The taxpayer should be treated with that in mind. The Department of Revenue should try to keep the executive and legislative divisions of government, and the people in general, informed about the factual and conceptual matters with regard to tax policies.

Testimony:

Appointee Curtis Chisholm opened by apologizing for not appearing before the committee earlier, but he has been ill. He indicated he has been involved in past sessions as Deputy Director of the Department of Institutions, and that he has been Deputy Director of that particular department for the last 10 years, serving under 2 directors. Two years prior to that, he was assistant to the director under a third director. Mr. Chisholm has been with the department for 14 years, having served under 2 different Governors and 4 directors and, in his role as Deputy Director, has wide and varied experience with all aspects of the program responsibilities of the department; juvenile corrections, adult corrections, mental health, developmental disabilities, and chemical dependency in almost every aspect of the department. Mr. Chisholm indicated that he especially played a role in coordinating services from one area of the department with another and outside agencies, and that coordination is necessary to make the programming more effective for the residents, clients, inmates and various groups that they serve.

Mr. Chisholm then indicated that he will inherit many of the problems in the Department of Institutions, and that one of the most effective ways to resolve the problems is to work closely with the directors of SRS, Family Services, and the Department of Health and Human Services, and work closely with the Governor, giving him good advice relative to human service policy, and not work in any adversarial role. Mr. Chisholm stated that, at the present time, the Department of SRS has certain responsibilities handed to them by the federal government to insure compliance with federal financial participation in many of the licensed and certified facilities. He indicated he felt it was important that those

4 directors work very closely together to make all of human services more effective and more efficient, especially as it relates to the services that the clients and residents in their institutions are entitled to receive. Mr. Chisholm indicated that would be their mission; one of the primary goals he would like to achieve is a close working relationship with those people. Secondly, he indicated it is important to develop good working relationships with what now appears to be solidly established advocacy groups, both political and non-political, that exist in the community. There are advocacy organizations that represent the needs of the mentally ill, developmentally disabled, chemically dependent, etc., etc. These organizations represent political kinds of agendas, and also the agendas of community needs, and Mr. Chisholm indicated he thinks the department has to start listening to these groups and being more attentive to what they are saying about the problems in community services because they have to look at the department not simply as the Department of Institutions, little pockets of activity scattered throughout the state, but a department that runs systems of services for people that are afflicted with mental disease, developmental disabilities, problems with chemical dependency, or who happen to be processed under the criminal courts that are now in their control under the corrections division and programs of security that are offered to those people. Mr. Chisholm suggested that, any time we talk about problems in one area, we are talking about systems problems. If we are talking about overcrowding in the prison, we can't isolate that problem to the prison, we have to talk about what that problem will mean to an entire system of adult corrections. It involves community-based programs, the probation and parole services, the pre-release centers, special supervised caseloads in the community, the Swan River Forest camp, and Montana State Prison. All are part of the system. He indicated these are things that they can work more effectively on and, hopefully, his leadership can provide the forecasting tools to the Legislature in future sessions so that we are not always coming in with large surprises during the Legislature relative to immediate needs. Mr. Chisholm stated he felt they have to do a better job of forecasting what's coming down the road in all of these program areas so that they can effectively work together and plan for these contingencies rather than having crisis management situations all of the time, or surprises. Obviously, some of the main concerns right now is to keep those licensed and certified facilities in compliance with federal regulations so that not only do they maintain a level of care that the patients deserve from those services, but protect the investment the state has provided in those facilities.

Questions From Committee Members:

Q. Senator Hofman asked Mr. Chisholm if he has anything in mind for the situation in Boulder.

A. Mr. Chisholm responded there are a couple of strategies but he has not seen the efficiency report yet. It is still being prepared and he expects to receive it officially today or early next week. He indicated he thought they would have to rearrange the facility in terms of investing money, talent and clinical leadership. He further indicated that the problem has been a lack of good clinical direction in establishing programs that both the federal and state surveyors will find appropriate to meeting the active treatment standards that are very critical in maintaining federal financial participation. Mr. Chisholm stated he thinks they have to provide some good solid clinical leadership and direction to the staff in order to provide that, and that the department will work aggressively with SRS, which is the Medicaid intermediary, and the Department of Health, which is the state survey agency, in clarifying, better than they have ever done in the past for the benefit of the superintendent of the Montana Developmental Center, what it is that is expected in terms of providing treatment and services that are considered developmentally appropriate. Mr. Chisholm further indicated that he thinks they will have a continuation of federal financial participation for 120 days beyond December 31st, which maintains them in a position of receiving federal reimbursement for that period of time, within which, hopefully, they can get themselves in a position to call for another survey and hopefully pass it, and be done with this crisis situation.

Testimony:

Appointee Mike Micone indicated he reported his background to the committee on Wednesday, and would like to respond to a question that was asked at that time regarding his policies at the Department of Labor and Industry.

Mr. Micone indicated his position will be to review all of the policies within the department and that, undoubtedly, some of them will be changed. Mr. Micone stated this is not a guarantee that every policy will be changed, but a promise that each one will be looked at. Out of that, Mr. Micone was sure, there would be some changes. Secondly, Mr. Micone reported that they intend to review all of the rules that are within the department to insure that they comply with the

intent of the Legislature. Those rules that do not comply will go through the rule-making process and changed. Thirdly, there are a lot of activities that occur in the State of Montana for economic development which involve a number of departments. Mr. Micone indicated it will be his intent to insure that the lines of communication for programs available through his department are made available for other economic development activities. Mr. Micone stated he would hope that the lines of communications between the various departments will insure a coordinated effort in economic development.

Testimony:

Appointee Leon Houglum indicated the Family Services Department is a relatively new program and, in the short time he has been there, he is impressed with the organization and administration that the present group has put together. For 10 years, Mr. Houglum has been associated with various programs dealing with SRS and health matters, and he has always found the professionals in the field dedicated, professional, caring and compassionate. He indicated that he is excited at the possibility of working with the group. Mr. Houglum further indicated that, in these tough economic times, there are a lot of pressures on the family and their emphasis will be on working within the family in the local areas in trying to solve those problems. One goal will be an increased emphasis on senior citizens. Also, a great deal of expense has been devoted to youth treatment programs, and they would like to work on some innovative, creative prevention programs.

One of the other things Mr. Houglum is excited about is his involvement with the Department of Commerce as a member of the Montana Ambassadors program, and he indicated he is looking forward to getting the private sector involved. Mr. Houglum explained that the Montana Ambassadors is a group of businessmen whose product is business development, and he would like to develop the same kind of group around the state whose product would be human resource development. There are a lot of new ideas coming through on how to care for children in foster homes, and he is looking forward to working with those programs, and the people within the Department of Family Services.

Questions From Committee Members:

Q. Senator Vaughn indicated she has been in touch with the juvenile probation officer, and they are very concerned about the after care facilities for these children, and the lack of

them. She asked Mr. Houglum if he sees some future planning and increases in that particular area.

A. Mr. Houglum responded yes, but that it is premature for him to answer that question at this time. He indicated there is a program for after treatment that was approved for Yellowstone County, which is on hold for the time being because of cost savings, and that his department is looking at that as one of the programs that maybe the private sector will come in and help build the facility.

Testimony:

Appointee Errol Galt indicated he gave his opening remarks two days ago, and hoped it was sufficient for the time being. Mr. Galt then asked permission to offer the podium to Mr. Don Chance.

Chairman Farrell requested that questions from the members of the committee be entertained at this time, and then he will recognize Mr. Chance.

Questions From Committee Members:

Q. Senator Rapp-Svrcek indicated he would like to know how Mr. Galt personally feels about public access to public lands that are checkerboarded with private lands, and how he feels that conflict might be resolved.

A. Mr. Galt responded that this should be handled on a case-by-case basis. He stated he believes private property is private property, and the fact that it is in checkerboard ownership does not give the public the right to cross. Mr. Galt suggested there are different methods of solving the problems, and that they are in the process of working with the Forest Service on some of their own. He indicated there is consolidation, easements granted, easements sold, easements traded and purchased, land trades. Mr. Galt stated he thinks the solution has to be worked out between the public and the landowner. He indicated there is always condemnation if the public believes the landowner is being unfair.

Q. Senator Bengtson indicated she interviewed Mr. Galt at length on Wednesday, and that they had an excellent exchange of ideas, but she would like to ask one question again, before the public. Senator Bengtson reported that they both agreed that landowner/sportsmen relationships have deteriorated, even though many efforts have been made by the department, and everybody, and asked Mr. Galt if, as a member of the Fish and

Game Commission, he has any idea or plan to improve those kinds of relationships, and how he, as a landowner, could be a leader in improving relationships between sportsmen and landowners.

A. Mr. Galt responded that some specific ideas have been mentioned to him, but they are in the very early stages. He indicated these ideas deal with changes in the licensure procedure to take some pressure off certain areas. He further indicated that, 10 or 12 years ago, there was a very good relationship between sportsmen and landowners, and that model should be studied very closely. Mr. Galt noted that he can not believe there are that many more sportsmen that have caused this much trouble in Montana.

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Q. Senator Rapp-Svrcek indicated that, although he does believe Mr. Galt is his own man, as he has stated to the press, he is concerned about the legal battles between Mr. Galt's family and the Department of Fish, Wildlife and Parks. Some of these battles are on-going, and Senator Rapp-Svrcek indicated he would like Mr. Galt to comment on the appearance of possible conflict of interest between Mr. Galt's appointment as Chairman of the Fish and Game Commission while his family is involved in legal battles with the department. Senator Rapp-Svrcek also asked, separately from the appearance of that possible conflict of interest, how would Mr. Galt personally deal with the possible conflicts when he is on the Commission.

A. Mr. Galt responded that the appearance is just that - an appearance. He stressed that he is his own man. Mr. Galt stated that stream access is the law, and he will follow the law. As to the pending case, Mr. Galt indicated he did not know much about it, but believes it has something to do with the way the Fish and Game Commission wrote the handbook, and asked Senator Rapp-Svrcek if he was correct in that. Senator Rapp-Svrcek indicated he was not sure either. Mr. Galt further indicated that, as far as the policies of the Fish and Game Commission regarding this, his stand will be to follow the law the way that the law is laid out. As far as conflict of interest, Mr. Galt stated that if his family sued the Fish and Game Commission, he would abstain from any voting or discussion of the issue as a conflict of interest.

Q. Senator Bengtson asked if Don Chance could give his testimony, which might answer some questions the committee might have regarding this appointment.

Testimony:

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Mr. Don Chance gave testimony attached as Exhibit 1 to these minutes.

Questions From Committee Members:

Q. Senator Rasmussen asked that, if anyone here would like to speak, either from personal observation or for a group, they be allowed to.

Testimony:

Representative Ed Grady indicated he has been involved in a lot of fish and game issues and there are some feelings that large landowners should not sit on the commission. He indicated would like to say he does not see any problem with this. He further indicated he can't see why a landowner could not sit on the Commission and, since there has been one before, he doesn't think it should be an issue.

Questions From Committee Members:

Q. Senator Abrams asked how many members are there on the Fish and Game Commission.

A. Upon response from the committee that there are 5 members of the commission, Senator Abrams noted that Mr. Galt would be just one of 5.

Testimony:

Appointee Ray Shackelford gave a brief overview of his background, indicating he was raised in northeastern Montana and went to Montana State College (Montana State University) where he received training in math and science. Mr. Shackelford indicated he taught school for 10 years, and then went into school administration work. He noted that, since the beginning of that time, he has been involved in governmental budgets, and school budgets particularly. For the past 7 or 8 years, Mr. Shackelford has been working in state government as Ed Argenbright's deputy. In that position, he managed the budget, and did a lot of work in school finance. The predominant portion of his career has been involved in governmental accounting and budgetary work. Mr. Shackelford then indicated that, when Governor-elect Stephens asked him to work in the budget office, he felt this appointment would be a challenge, and he is looking forward to the challenge of this office. Mr. Shackelford noted the budget office is the spokesperson for the Governor in terms

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of budget, and right now they have some short-range goals, and some long-range ones. The short-range goals are to examine the previous executive budget and make some directive modifications to reflect the new Governor's position. The organization of the office itself will not change much until after the legislative session. After that, they will reorganize and develop their office to reflect the new Governor's position. That position is they are not only interested in expenditure and revenue items, they are also interested in program analysis, and will be working with all of the directors and agencies to look for efficiencies in developed programs, and give a thorough analysis for the next session of the Legislature. Mr. Shackelford indicated his job seems like a tremendous one at this time, with a lot of data to research and understand, and his personal short-range goal is to get a good understanding of where they are, and to offer assistance to legislators as they make their crucial decisions.

Questions From Committee Members:

Q. Senator Rapp-Svrcek asked Mr. Shackelford, as he indicated part of his reorganization will include program analysis, will efficiency be the only criteria by which he will judge programs, or does he have other criteria in mind in that program analysis.

A. Mr. Shackelford responded that efficiency is only one of the guidelines. He indicated he sees his role as working very closely with the directors, and offering assistance to them as they analyze their own agencies to produce the greatest productivity level and offer any kind of research he can, from a data standpoint on their previous budgets, and whatever it will take to make their program the most efficient and effective program. Mr. Shackelford stated efficiency is just one of the areas you have to look at.

Chairman Farrell indicated that the appointment of Dr. Sidney Pratt as interim director of the Department of Health and Environmental Sciences was referred to this committee in error, in that the committee is not charged with reviewing interim director appointments.

Testimony:

Appointee Colonel Gary Blair told the committee that he was born and raised in Iowa, and that he has an agricultural background. He has been in the service, active and reserve, and the National Guard, for over 31 years. Colonel Blair

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indicated he has a degree from the College of Great Falls and the University of Southern California, and attended several professional military educational schools. He noted he is a pilot, a Vietnam veteran with 72 combat missions, service for which he volunteered, and has spent 3 1/2 years as Commander in Great Falls. Colonel Blair stated that when Governor-elect Stephens asked him to be Adjutant General, Department of Military Affairs, he was also being considered on the national level as deputy director of the Air National Guard. Colonel Blair indicated he felt it extremely important they tell their story well so that others can understand it because, when they take a look at their budget, there is a total of about \$60 million with the Army and the Air, most of which is federal money, and the authority needs to come from you all. Colonel Blair indicated that, if they make a commitment at the national level to reorganize, there is an expense to the state. Colonel Blair indicated he is familiar with the Air side of it, but is not as familiar with the Army side of it. The Army is going through reorganization and Colonel Blair indicated he will be working with them not only on budget, but also on long-range plans because he feels it is very crucial. The previous administration agreed to expansion of the Army, adding roughly 900 more people into the population of the Army Guard, and Colonel Blair thinks that dollars spent from the state will be offset by federal dollars. Colonel Blair further indicated that air space is a resource which is extremely critical in the United States. On the national level, military air space borders that of most commercial lines. Colonel Blair indicated it is a real problem, and one of the last areas the federal government will look at. Colonel Blair indicated he thinks we need to proceed very carefully, and need to have control and ownership, and there needs to be environmental considerations and, definitely, an economic impact. Colonel Blair discussed the budgetary considerations, indicating the federal portion was \$29 million, and the state's portion was \$104,000. In terms of just taxes, that amounts to about \$800,000 per year. Colonel Blair indicated the Army and Air National Guard have two roles; two missions. That is to respond to state needs and also help in disaster planning. Colonel Blair explained that, on the federal level, the reason they are paying all the money for us is that we are less expensive than a large standing army or standing air force, and we can do it for a little less money. Colonel Blair stated that, at a national level, with the deficit, what will happen is that the structure will probably not increase; it will probably be down-sized, and they will be asked to pick up additional missions. One of the things that he is excited about is that they are ready to do that. When you look at the defense dollars that are spent

in the country, Montana ranks number 48 out of 50 states. Puerto Rico and Guam receive more money than we do. We also live in the largest ICBM field in the free world. How many other states do that for the dollars that you get.

Testimony:

Appointee Dr. Terry Anderson reported that he is a native of Montana, born and raised in Bridger, Montana. Dr. Anderson received his bachelors degree from the University of Montana, left the state to get a masters degree and Ph.d. in economics at the University of Washington, returned in 1972, and has been a professor at Montana State in agricultural economics in the Economics Department since then. He has been on leave as a visiting scholar or visiting professor at Stanford University, Oxford University in England, the University of Oslo in Switzerland, Clemson University and, more recently, the University of Canterbury in New Zealand. In addition to being a professor of economics at Montana State, Dr. Anderson has served as the executive director of the Montana Council on Economic Education, and has spoken often on tax and economic development issues in that role. In addition, he is a senior associate with a research group in Bozeman called the Political Economy Research Center. The major focus of his teaching and research has been in the natural resources area, and he has authored or edited 2 books on water rights and water allocation, and has written articles for the Wall Street Journal, as well as for many other newspapers and professional journals dealing with this issue.

Dr. Anderson indicated that, most recently, his interests in the water area have been on instream flow, and he has done fairly extensive work on the prospects of water marketing for both water use efficiency and environmental quality. He was a Fulbright Fellow at the University of Canterbury in New Zealand, where he served on a task force examining the water resource statutes of New Zealand, and was asked to basically compare and recommend to the government of New Zealand what prospects there would be for building upon the experience in the American West, Montana, on the prior appropriation document to improve the efficiency of water use in New Zealand. Most recently he has written and spoken on water instream flow and water leasing to ag groups, and has worked some with other environmental groups on this issue. In addition, he has been published in minor ways on energy issues and public land issues.

Questions From Committee Members:

Q. Senator Rapp-Svrcek indicated that apparently, in some of Dr. Anderson's writings, he has been critical of the instream flow process or concept in the State of Montana, and asked if he felt he could set aside his misgivings and be objective in reviewing the items coming before the Board.

A. Dr. Anderson indicated he could not recall any of his writings where he had been directly critical of the instream flow statutes in Montana. He indicated one article that he remembered in particular focusing on several western states, and evaluating those. Whether it was critical or not, he wondered. He indicated he recently published an article in Fly Fisherman magazine suggesting that the State of Montana and the trout fishermen in Montana could benefit by utilizing leasing of water to avoid the problem like the one that occurred on the Ruby 2 years ago. Dr. Anderson indicated that he has no "axe to grind" with the existing statutes. He further indicated he felt he has some expertise to bring to bear because of the studies he has done in other areas, and is interested in the kinds of legislation that DNRC will propose; policies that they would suggest that would bear on the prospects for increased utilization of market forces to again improve water use efficiency and environmental quality. Dr. Anderson proposes to allow only for reservation by public entities and that the reservation process, as we move down the pike and continually confront reservations versus off-stream uses, is going to create a tremendous amount of conflict. Some of that conflict can be avoided and, indeed, turned into cooperation, to go back to an earlier discussion between, in this case water owners, but water and landowners and sportsmen, if indeed some leasing is allowed which forces the trout fishermen to put their mind where the fish are.

Q. Senator Bengtson asked Dr. Anderson how he will be reviewing the state water plan in the February meeting. She further asked if he had in mind the role that the executive branch and Legislature should play after reading either approved or disapproved of the state water plan, and does he think that the process and method that we are developing for the state water plan is a good one.

A. Dr. Anderson indicated that he was out of the state when the hearings were taking place and did not participate in the hearings, but read about them, and read subsequent drafts of the state water plan. He stated he did not attend yesterday's meeting due to a teaching obligation at Montana State. At that meeting, the decision was made to take no action on the state water plan. It is his understanding that the Board's role in reviewing the plan is to come to some agreement as to

whether the plan encompasses the necessary water use efficiency and environmental standards that the state cares about. If it is approved, a message will be sent to the Legislature that we, as a Board, think the kinds of proposals in the state water plan merit consideration by the legislative branch. If they require legislative changes, all that we can do is endorse any recommendations from the department or any proposals that we, ourselves as a Board, might have to send to the Legislature. If there are policy changes, it will be our job to oversee those within the department.

Q. Senator Bengtson asked Dr. Anderson if he thought that this sort of plan should continue.

A. Dr. Anderson responded that as he reviews what has gone on in Montana, and the rest of the western states, he thinks that, with the possible exception of New Mexico, Montana is out in front in the adjudication process, an important element of any kind of water allocation system, and he thinks the water plan builds upon that. He indicated he thinks the water plan, and the people who have been involved, are very concerned with water use efficiency, and that is what we need to be concerned with. We are no longer in a mode of more concrete and steel from the federal government to build more dams, hence the supply side is not nearly as available as it was in previous years. The water use plan in the draft form is to be commended for the kinds of efficiency goals that have been proposed.

Q. Senator Bengtson asked if Dr. Anderson sees, in his research, any real move by the federal government to establish a national water policy.

A. Dr. Anderson indicated he felt the moves by the federal government will most likely not come to form in a national water policy. The bad news is that it will probably come in the form of more regulations placed on streams that are designated as wild and scenic, or in the form of reserved water doctrines that will have significant impacts in the state. Dr. Anderson indicated he did not see, at the moment, any direct national water policy plans in the offing.

Q. Senator Anderson stated that one thing Montana has is water to do something with. Many states do not have water. He indicated we should make the most beneficial use of that water for all purposes. Dr. Anderson has indicated that it has been the policy of the federal government not to build reservoirs to reserve the water. He asked Dr. Anderson if he thinks that will be changed. Senator Anderson stated he has

attended several meetings, and instream flow is a problem you hear much about. He further asked Dr. Anderson if, by reserving some of that water, particularly on the Big Hole River, for instance, the only way anyone can come up with some way of managing instream flow is through more building of smaller dams along the stream. Senator Anderson asked Dr. Anderson if he thought that should be considered in the future.

A. Dr. Anderson responded that, as a result of his research, he has been asked to give several presentations to the Department of the Interior, Bureau of Reclamation, and he came pretty close to being tarred and feathered a couple of times for stepping on the toes of the Bureau because, in part, his research suggested that, if you look at most large bureau projects, they make absolutely no economic sense. He indicated there are significant differences between the large ones and small ones. Regardless of the economic considerations, however, it is Dr. Anderson's opinion that the overriding considerations that will stand in the way of almost any dam building will be environmental considerations that again will be brought to bear by, not so much by state entities, but by federal and out of state entities that will be very concerned about federal reserve water rights and damage to public lands, especially federal lands. Dr. Anderson indicated that, if we expect to do that within the state, the budgetary problems would be significant and whether there will be the money then, he seriously doubted it. He indicated that is not to say they shouldn't be looked at, and it is isn't to say the department doesn't have a significant role to play in trying to find revenues to construct these kinds of catchments. The Big Hole is a classic example. Dr. Anderson indicated he has done some preliminary work looking at the Big Hole. Water leasing, water use efficiency and all those things would not have stopped what happened this last summer. The only thing that could have would be some kind of catchments in the upper reaches of the Big Hole. There are other cases where a little water leasing, purchasing water from second cutting, probably could have saved some fish but, in the Big Hole case, it just isn't there.

Q. Senator Anderson indicated he felt the Big Hole was different than many areas, and he knows it is a lot different than the Ruby and the Beaverhead. For one thing, they do a lot of irrigating and, when they discontinue the irrigating, the water drains out in a hurry and he was sure that the Big Hole would be as dry as it is now, even if they didn't do any irrigating. Whereas, in the Ruby and the Beaverhead, after they start irrigating, within about 6 weeks there is a return

flow into the river, and that continues on through the season. Actually the irrigation is a reserve of water for instream flow, you might say, if it is properly managed. Senator Anderson stated he there probably has been some mistakes made in regard to management. This last season, they got along very well. However, it varies from season to season. The run-off is much different on the Ruby this year than it was 2 years ago, for instance, when there was a portion dried up. For instance, the water went over the spillway of the Ruby dam for 35 days this year before they had to start drawing on the dam for irrigation purposes. Those 35 days gave everybody a chance to get the first irrigating over with, and there was a return flow into the stream so it provided adequate water, not only for irrigation but for also instream flow. Another thing happened on the Ruby, west of Sheridan. There was some work done that should have never been done. It broke the seal of the river and that's where it was the driest. However, generally speaking, I think it has been over-emphasized in the press, probably. Last year it didn't happen at all, and I am sure with proper management, it will not.

A. Dr. Anderson indicated that, as he travels around and speaks on this issue, he enjoys touting Montana's water system in general. It is a very good one. He noted there might be some tinkering they can do, but they don't want to upset the apple cart.

Testimony:

Appointee Lorents Grosfield indicated that he previously gave a summary of his background and, rather than repeat it at this time, he would prefer to respond to any questions from committee members.

Questions From Committee Members:

Q. Senator Rapp-Svrcek indicated it is his understanding that Mr. Grosfield is a petitioner in the reservation review process on the Yellowstone Reservation, and that the board to which he has been nominated rules on petitions such as his. Senator Rapp-Svrcek indicated that he is concerned that Mr. Grosfield's petition might color his work on the Board, and he asked Mr. Grosfield to allay that concern.

A. Mr. Grosfield responded that he understands the concern and, as background, the idea of the petition, and the initial writing of the petition was done last September, prior to the election. He further indicated he would have to discuss that petition with the Board and the Board's council regarding

whether to withdraw the petition entirely, or withdraw from any consideration of the petition.

Q. Senator Rapp-Svrcek indicated he would be interested to know if Mr. Grosfield would have any inclination to withdraw the petition, prior to his confirmation to the Board, to remove any questions that might be in the minds of the public.

A. Mr. Grosfield responded that he has not really thought about that, and he was not sure exactly what the Senator was suggesting. He further indicated that there is a petition he signed as an individual, and there is another petition by the Sweetgrass County Conservation District, of which he is a member. There may be 2 petitions in question and, obviously, the petition by the Conservation District was submitted by the District. Mr. Grosfield stated he would be more than willing to discuss this with the Board council and the Board, who are meeting today, and make a decision based on their counsel.

Senator Rapp-Svrcek indicated he would personally appreciate knowing the outcome of those discussions.

Q. Senator Chet Blaylock asked the committee, referring to the group that gave testimony today, if the people who would be in attendance on Monday would be allowed to give statements.

A. Chairman Farrell responded that the past preference, and what was done today, is the procedure for this committee and, if those groups wish to testify, they should contact a Senator to ask their questions. The past practice has been not to allow testimony in executive session.

Q. Senator Blaylock indicated groups from his district would have been here, but they did not know they could do this. He stated it was in the paper last night, but they could not get here as the weather was not very good. Senator Blaylock stated the people from his area would like to be given the same opportunity to give testimony. Senator Blaylock expressed his desire to not cause the committee any problems, and indicated the Governor, by and large, should be able to get the people he wants. It was alluded to, in the motion by Senator Bengtson, that we are working under the rules of the 48th Legislative Session and the only way anything can be properly put before this committee, or any committee of the Senate, is either by bill or by resolution, by rule. To avoid problems for this committee and the Senate, Senator Blaylock suggested that this thing be put into the form of a resolution and that the time lines be followed, or the whole thing can

be called into question.

A. Chairman Farrell thanked Senator Blaylock and indicated he would take that under consideration. Chairman Farrell further stated some research was done and, under those rules, a simple resolution does not have to be presented to the committee, but has to be presented to the floor for floor action. Chairman Farrell noted that it may not be Senator Blaylock's understanding, but it is our conclusion. Chairman Farrell indicated, however, that further research will be done as requested by Senator Blaylock.

Chairman Farrell announced the hearing on the Governor's appointments was closed, and that executive action will be taken by the committee on Monday, January 9, 1989, in accordance with the motion passed.

Senator Rapp-Svrcek indicated his appreciation for the way the hearing was run today. He stated he felt much better about it than he did on Wednesday.

Senator Bengtson accepted Chairman Farrell's earlier apology, indicated it was an unfortunate situation, and that today's meeting put things in the proper perspective. She further indicated she was not sure Monday was the proper day, but she realized the committee wishes to get this taken care of and wishes to cooperate.

DISPOSITION OF GOVERNOR'S APPOINTMENTS

Recommendation and Vote:

Motion that executive action on the Governor's appointments be postponed until Monday, January 9, 1989, passed.

ADJOURNMENT

Adjournment At: 11:55 a.m.


WILLIAM E. FARRELL, Chairman

ROLL CALL

STATE ADMINISTRATION COMMITTEE

51ST LEGISLATIVE SESSION

DATE: JANUARY 6, 1989

NAME	PRESENT	ABSENT	EXCUSED
HUBERT ABRAMS	✓		
JOHN ANDERSON, JR.	✓		
ESTHER BENGTON	✓		
WILLIAM E. FARRELL	✓		
ETHEL HARDING	✓		
SAM HOFMAN	✓		
PAUL RAPP-SVRCEK	✓		
TOM RASMUSSEN	✓		
ELEANOR VAUGHN	✓		

SENATE STATE ADMIN.

EXHIBIT NO. _____

DATE _____

BILL NO. _____

SENATE STATE ADMIN.

EXHIBIT NO. 1

DATE 1/6/89

BILL NO. Gov. App's

TESTIMONY OF THE MONTANA WILDLIFE FEDERATION
REGARDING THE ERROL GALT FISH AND GAME COMMISSION
APPOINTMENT

My name is Don Chance. I am a professional forester, and lobbyist. One of my clients this session is the Montana Wildlife Federation which has asked me to speak on their behalf on this issue.

There has been too much polarization in this state over a resource which in some capacity is important to virtually all of us- the fisheries and wildlife resource.

Landowners and sportsmen (of which many of us fall into both categories) desperately need to improve relations. The name calling needs to stop, and a greater sensitivity to each other's needs must be reestablished. What has occurred to date regarding this appointment in terms of the atmosphere of conflict, distrust, and polarization is very unfortunate.

The Fish and Game Commission needs to be depoliticized for the benefit of the resource and every citizen who enjoys it. The Commission needs to be balanced and deliberative. The Commission's business needs to be conducted in a climate of moderation and constructive accommodation for all involved interests.. And the wise management and use of the resource must be at the heart of that balancing act.

Landowner representation is essential on the commission. Not only is it essential, it is mandated by law, and has always been an critical part of the Commission. The Montana Wildlife Federation is very much in favor of having landowner interests as a key component of the Commission.

I do not know Mr. Galt, nor do I suspect that any of the 6,000 members of the Montana Wildlife Federation know him on a personal basis. And we have no reason to question the man's personal integrity.

Positions have been distorted, and unnecessary controversy of an unsavory character have been created in some respects regarding this appointment. Mr. Galt has been unfairly accused and criticized on a personal basis.

The debate of issues should be maintained on a higher plain, and not personalized. He is due an apology - the process has been unkind to date.

SENATE STATE ADMIN.

EXHIBIT NO. 1

DATE 1/6/89

BILL NO. Gov. Appts. 192

The Montana Wildlife Federation does harbor some serious concerns, and those concerns have been vigorously communicated from a broad and extensive base of the general membership to the leadership of the organization. Those concerns over this appointment have nothing to do what-so-ever with the fact that the nominee is a significant land-owner. They center on the appearance of fairness and potential conflict of interest associated with former and pending law suites associated with the Department of Fish, Wildlife and Parks. They center on legitimate concerns over issues of public access to public lands, and maintaining hunting and fishing experiences for the general public under the great heritage of this State.

The wildlife resources of this state constitute non-partisan issues. And are held in importance by both parties, liberals and conservatives, ranchers and city dwellers.

Mr. Galt like every other appointment to the Fish and Game Commission, will hold a very important trust responsibility to every citizen of this State. A responsibility which is difficult, often controversial, and subject to burdensome levels of citizen scrutiny.

The Montana Wildlife Federation sincerely hopes that Mr. Galt will meet that important trust obligation with integrity and honor, and we trust he will.

SENATE STATE ADMIN.

EXHIBIT NO. 2

STATE ADMINISTRATION COMMITTEE

DATE 1/6/89

BILL NO. Gov. Appts

WITNESS STATEMENT

To be filled out by a person testifying or a person who would not like to stand up and speak but wants their testimony entered into the record.

NAME:

DATE:

John Kleinschmidt 1/6/89

Address:

5923 North Slope Road

Phone:

459 6407

Representing whom?

Private Citizen Individual Sportsman

Appearing on which proposal?

Governor's Field Game Commission Appointment

Do you: SUPPORT? AMEND? OPPOSE?

Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

1/2

DATE: 1/6/89

NAME	REPRESENTING	BILL #	Support	Oppose
Walter Van Wert	State Auditor	SB 41	✓	
Cordy Higgins	Senate Aide			
Don Ramage	General			
Sam Wilcox	Starrs Club			
DON CHANCE	MONTANA WILDLIFE FED.			
Zug...	Jalozon-Walton	SB-19		
John K. ...	Home Center			
Ken ...	EQC			
Ernie Galt				
GEORGE OCHENSKI	AMU			
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Ken Nordtvedt	DOR			
E. Fischer	IR			
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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

