

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN BERV KIMBERLEY, on February 5, 1991,
at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Berv Kimberley, Chair (D)
Sen. Esther Bengtson, Vice Chair (D)
Sen. Gerry Devlin (R)
Rep. Ed Grady (R)
Rep. Jerry Nisbet (D)
Sen. Cecil Weeding (D)

Members Excused: None

Members Absent: None

Staff Present: Roger Lloyd, Associate Fiscal Analyst (LFA)
Carl Schweitzer, Budget Analyst (OBPP)
Theda Rossberg, Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Announcements/Discussion: CHAIRMAN KIMBERLEY announced Roger
Lloyd, LFA would like to brief the committee on the agenda
for upcoming issues.

FISH, WILDLIFE AND PARKS

The order in which we propose to hear the divisions is:

Parks
Conservation Education
Management Services
Administration
Law Enforcement
Fisheries
Field Services
Wildlife

**EXHIBIT 1 & 2 - Roger Lloyd, LFA reviewed the issues to be
considered by the committee in regard to the budget with Fish,
Wildlife and Parks Division.**

EXHIBIT 3 - General License Account Report prepared by Mr. Lloyd.

SEN. BENGTON asked, what is the portion of the license fee earmarked for the wildlife habitat? Is there a set percentage and will we get a report on that?

Mr. Lloyd stated, when the wildlife habitat sunsets in March of 1994, the fee increases also go with it to purchase the wildlife habitat. Except for \$175 fee increase which will not drop back to the level it was before they enacted the wildlife habitat. This will revert back to the general license account. I don't believe there is a final report on the wildlife habitat required.

HEARING ON DEPARTMENT OF FISH, WILDLIFE AND PARKS

K. C. Cool, Director Fish, Wildlife and Parks stated, there are a number of issues **Mr. Lloyd** referred to such as ending fund balances, etc. which we will attempt to clarify as we go through those issues. Our budget cycle is different than the general fund. As of today we have no general fund monies or tax dollars. Our low point is not June 30th of each year, it is February prior to the time we receive applications and licenses into the general license account. So, we could have several million dollars in June and be in the red in February.

Mr. Cool gave an overview of the department using a flip chart. He said he would review all of the individual divisions within the department and their components and how they relate to the budget book.

One of the things I am extremely pleased with is our wild trout fishery is regarded as one of the best in the world. In the Silver Anniversary issue of Trout Magazine listing America's 100 blue ribbon trout streams, no state has as many as the state of Montana. This is the result of natural resources of decades which have been managed by Montanans. The magazine listed each of them and gave a narrative on each one starting with Spring Creek, the Big Hole, Beaverhead, Big Horn, Lower Madison, Bitterroot and the list goes on and on.

The wild trout fishery is combined with an elk hunting opportunity which is unparalleled anywhere in the world. We have the longest elk season and the highest success rate than anywhere else. Our Big Horn sheep are the healthiest and biggest than anywhere in the world. By year 2000 we believe we will produce the world's record big horn in Montana if we can prevent it from being poached.

Wild life fishing is on the rise due to the efforts of this committee and the Long Range Planning committee.

Undiscovered parks is an issue you will hear throughout this legislative session. There is an increase in tourism to watch wildlife, especially Yellowstone Park. Many tourists go there to

see the wildlife rather than the geysers. Direct recipients are outfitters, tourism, sporting good stores, etc. In the National Magazine of the Elk Foundation on the back page, there is a full color fold-out called Preserving the Legacy in which the Rocky Mountain Elk Foundation points out this was the greatest achievement of 1989 was the cooperative work between this agency and the Elk Foundation and the Forest Service. To clarify a point, elk are migratory animals and bison are not.

EXHIBIT 4, Pages 1 - 4, Mr. Cool reviewed the organizational structure of the department. The Director is appointed by the Governor and relates to a 5 member commission appointed by the Governor. They each have 4 year staggered terms.

The day to day operation of the department is under the direction of the Director and two Deputy Directors. The Field Operations Deputy Director is **Al Elser** who formerly was a regional supervisor in Kalispell. He has previously been in the fishery division. He is attempting to coordinate all of the field activities in the regions.

Pat Graham is the Deputy Director for Staff Operations. This deals with policy development, program development and implementation of planning and handles the data base for the regulatory process. The staff functions represent the components of the budget book.

Dave Mott, administer of Management Services Division is our fiscal officer and also is involved in the administration of the agency.

These are the four persons which form the Director's Office. Decisions of the agency are from the management direction of these four positions. No one person in the agency has enough background to direct all of the activities because of the size of the Department.

The administration budget is not just these four positions, it includes the regional supervisors as a part of the department administration as well as their clerical staff.

SEN. BENGTSON asked, do these individual regions have a separate budget?

Mr. Cool said, there is not a different budget for each region. This will be broken down after the legislature acts and reallocated to the regions.

He reviewed the budget and the funding sources. Half of the budget comes from the General License Account. About 66% of that account comes from non-residents and only about one third from resident fees. Parks are not involved with the license account, they have operational fees like entrance fees.

About 30% of our budget is funded by federal funds that are matched on a 3 - 1 basis

Administration: EXHIBIT 4, Pages 64 - 68.

We have 35 FTE in this division and we are responsible for liaison with the Governor, supervision of the 8 regional offices, program development, budget, etc.

Management Services: EXHIBIT 4, Pages 5 - 12.

This division takes care of accounting, personnel administration, federal aid administration, purchasing and property management, etc. Dave Mott is the Administrator of this division.

Field Services: EXHIBIT 4, Pages 13 - 20.

Mr. Cool introduced Jerry Wells, Administrator Field Services. He is a fisheries biologist and was a regional supervisor in Missoula. His responsibilities include landowner sportsman relations, Block Management Program which provided access to 4.5 million acres in 1990. All the licensing functions are under this division. There about 1.2 million licenses sold each year, and 89,000 for special applications. The aircraft are also located under this division.

SEN. BENGTON asked, does this block management coordinate with the block management that State Lands has.

Mr. Cool said, he didn't know about State Lands' block management program. Our block program got the term from blocking of private lands providing controlled access and controlled harvest of wildlife and providing a service to these landowners.

Mr. Schweitzer stated, the Block 5 program was taking over the land for fire protection and doesn't have anything to do with wildlife.

Conservation Education: EXHIBIT 4, Pages 56 - 63.

Mr. Cool said, we have 24 FTE in this division publishes and represents Montana Magazine which show-cases Montana outdoor recreation resources opportunities as well as wildlife. This division also coordinates youth education programs such as hunter's safety. We also coordinate boating, snowmobiling, bow hunting and off-highway vehicle programs. Ron Aasheim is the Administrator of this program.

Enforcement: EXHIBIT 4, Pages 34 - 38.

Mr. Cool said, these are the game wardens and there are 94 FTE in this division and about 13% of the budget. We are trying to develop a strong relationship with sportsman and landowners so they can aid us in conservation of our resources. In '88 and '89 there were about 800 contacts with landowners. Big game bag checks by wardens went from 44,000 to 46,500 and has probably increased this year. We issued 4,000 citations or notices to appear because you made a mistake and was ticketed. There are also courtesy citations of which we issued 429 in 1988. This

division enforces the law in regard to illegal harvest of wildlife, especially trophy game animals. **Erwin Kent** is the **Administrator** of this program.

SEN. WEEDING asked, where do the fines go that you collect?

Mr. Mott replied, in 1981 the legislature addressed some problems we were having with the game warden's retirement system. So, part of the solution was to earmark the fines for part of the funding source for retirement. This should be fully funded in about 10 years.

SEN. BENGTON asked, is the landowner, sportsman policy established by the Fish & Game Commission and do you think that has improved?

Mr. Cool said, this is an administrative direction from the Governor. He directed me to improve the relationships between the landowner, sportsman and our department. There has been substantial improvements as we have reduced the number of complaints from thousands to only 5 this past year. We are working towards better working relationships between the public and our employees.

CHAIR. KIMBERLEY asked, do you have another category of major offenders? For instance if someone had 15 - 20 deer ready to ship out of the state.

Mr. Cool said, we ran a number of undercover or sting operations this year. We successfully completed 18 of these and we are looking at about 17 more. We have not had any thrown out of court and the media has cooperated with us. Our undercover team wrote a procedural manual on undercover wildlife operations that has now become the standard for the United States. Our covert operations in Montana are considered to be the best. This will be written up in National Geographic magazine and also a television program. We will be asking you for an additional FTE in the area which has been approved by the Governor.

Fisheries Division: **EXHIBIT 4, Pages 21 - 33.**

Mr. Cool said, when he first came to the department he already knew that Montana was number one in the nation for wild trout fishery management.

Larry Peterman is the **Administrator** of this division. We manage 8 fish hatcheries which provide 98% of the stock for lakes and ponds which are limited by natural reproduction. We license over 330,000 anglers in the state per year. A study by the University of Montana found those anglers produced \$100 million in 1989. This doesn't include the license, this includes the gadgets, flies, boats, motors, etc. all bought somewhere in the state which helps the economy.

Wildlife Division: **EXHIBIT 4, Pages 39 - 47.**

Don Childress is the **Administrator** of this division.

Mr. Cool stated, this division issues license to about a quarter-million people per year to hunt. The out-of-pocket expense runs about \$126.7 million for all the gadgets they need. This does not include their license cost. 96% of all Montanans participate in some form of wildlife recreation.

SEN. DEVLIN asked, in the \$126.7 million figure, do you have a breakdown between resident and non-resident people?

Mr. Cool said, it is about 48% to 52%. We have very few non-residents who spend a great amount of money here but a lot of residents who do. We have 100,000 elk hunters of which 17,000 are non-residents.

Parks Division: **EXHIBIT 4, Pages 48 - 55.**

Arnold Olsen is the **Administrator** of this division.

Mr. Cool said, this division has 96 FTE of which half are temporary and has 12% of the budget funded completely separate from all the divisions. We manage 310 sites of which 250 are fishing access sites for the fishery division. There are 3 million visitors a year in the parks of which about 2.75 million visit Yellowstone Park and less than that in Glacier. We collect about \$45 million by park visitors and \$15 million by snowmobilers. This is big business in Montana.

We provide a variety of services of which 100% is user funds. There is no general fund money yet, but we are hoping for some. The Governor has put \$750,000 as a priority in the Parks Division budget to provide a general fund infusion. It costs \$33 million to run this division and returns about \$320 million to the Montana economy. The economy gets about \$10 back for every dollar spent.

REP. GRADY asked, did the parks get general fund money before?

Mr. Cool answered, there was general fund money for parks up until 1987 when it was removed. The commission was given authority by the legislature to set user fees which did not provide the return we expected. We are only one out of two states which does not have general fund money to help run this program.

Mr. Cool said they would like to host a trip for this committee and Long Range Planning committee for a tour of the Lewis & Clark Caverns. Besides the beauty of the caverns we want you to see what is needed to protect and preserve the caverns. We will show you how we clean the caverns and the problems we have.

We will take you over some of the wildlife range by helicopter and visit some of the fishing sites. This is the oldest state park in Montana.

Future Issues:

Our current license expenditures exceed our revenues and if we stay at a no-increase fee we will see a declining balance which will put us in the red by 1993 based on current programs. We have not had a fee increase since 1983.

Mr. Mott explained, the department is not in agreement with Mr. Lloyd's explanation of current level budget. We feel he has cut into some of the programs that are important to us.

Earmarked Revenues:

Mr. Cool stated, when I came to this department there were 39 earmarked revenues in these areas: non-game bighorn sheep, off-highway vehicles, wildlife habitat and Pittman-Robertson. The major difficulty we have in dealing with the public and our customers is that the earmarked accounts frequently have a great amount of money and we have to differentiate what appears to be a very wealthy agency. There is a lot of money in these earmarked accounts but our ability to use that is not there.

If we continue to operate with no fee increase we will have to implement some very serious cuts in these programs. If we make these cuts all of them will come out of the general license account and none will come out of the earmarked funds. The problem is they provide no administrative funding. We charge all administrative funds against federal accounts and all other accounts we deal with.

I feel the committee should consider giving us authority to charge reasonable administrative overhead to these accounts.

SEN. DEVLIN asked, hasn't there been some general license money to supplement some of those programs?

Mr. Cool said, all of the administrative money is paid out of the general license account. This is for administration of all of these programs.

SEN. BENGTON asked, how does that million dollars for wildlife habitat affect your budget?

Mr. Cool said, because of the sunset legislation, by state law we had to put that million dollars back into the general license account to alleviate the shortfall. We didn't feel this program would sunset because it had a great deal of sportsman support. If the bill goes through the legislature and the sunset is extended our license short-fall is on a greater curve and will occur two years later or maybe never. The wildlife habitat program budget shows \$1.1 million dollars.

Mr. Lloyd said, this program is scheduled to sunset in 1994 so it has no impact on the FY92 and FY93 budget.

SEN. WEEDING asked, if that money isn't expended does it revert back to the general license account?

Mr. Cool stated, it all reverts back to the earmarked program and nothing to the general license account. It is appropriated through the Long Range Planning committee. The money for the big horn sheep comes from the auction of the license. The administration costs come from the general license account and all of the income is earmarked.

Mr. Mott said, there are costs associated with overhead that we sometimes overlook. We have a land agent for the wildlife habitat of which the cost is not covered here. We have no money to pay any of our bills. None of the 8 regional supervisors' salaries come out of this account.

We collect overhead on federal accounts and the parks account. These two programs are contributing towards the management of the agency. The earmarked license accounts are not.

Mr. Schweitzer said, the legislature creates programs which allow the department to acquire a lot of land to manage, but unfortunately they haven't looked at the operational cost to maintain that land. The wildlife habitat is one of those programs. We are continually getting state lands to be managed for wildlife, but there are no funds to develop and maintain those lands. It is constantly falling back on the general license account. Fishing access sites is another such program. This committee should look at ways to balance these programs.

SEN. BENGTON asked, how many pieces of legislation would we have to amend?

Mr. Cool stated, there are differences of opinions how this can legally be done. We have the authority to charge all administrative funds against all accounts in this departments. This hasn't been challenges in court but we would like to clarify this as it was an unclear area. We feel that language giving us the ability to charge reasonable overhead rates can be provided in a single piece of legislation as an add-on to this committee's action.

SEN. DEVLIN asked, in the wildlife habitat acquisition aren't there some federal funds available?

Mr. Cool stated, we can match that with Pittman- Robinson funds, but those funds are totally allocated for other needs. The potential is there through reallocation which is an administrative possibility.

SEN. BENGTON asked **Mr. Cool** if he would bring a list of the other programs that use those funds. **Mr. Cool** said he would provide that to the committee.

Mr. Cool reviewed the chart and some of the history of FTE. In 1980 we had 520 FTE and then our fund balances began to decrease. Because of that declining balance the agency cut between 50 to 70 FTE. In 1983 we had an administrative restructuring of the agency. This was the first and only license fee increase for general fund that ever took place. In 1987 and 1989 we had a substantial license fee increase for non-residents. These funds were earmarked for administrative purposes for about 6 years.

We have about the same FTE as we did 10 years ago, but the agency is nowhere near where it was 10 years ago.

Mr. Cool reviewed the additional programs they have been involved in since 1980 with the same amount of personnel. **EXHIBIT 5.**

We have reached an administrative overload due to the increase of programs with the same amount of personnel. Every time we get another program they want to earmark the funds. We have increased our efficiency because of computers, but we have reached our limit.

Last year this department lost 23,000 hours of vacation and comptime and this year we are already at 35,500 hours. Comptime for wardens must equal zero twice a year. In terms of contributed time it would amount to 20 extra FTE's. Therefore, the question is, how do we balance our budget?

These are some of the options I reviewed with the Governor and the Commission: 1. cut current level services, 2. change specialized earmarked revenue programs, and 3. increase fees. The Governor rejected these suggestions and said for us to develop a legislative agenda for a reasonable expectation to continue growth in FWP. We got the public involved and held 49 open houses and public gatherings with approximately 900 to 1,000 people attending. We had 700 responses for suggestions and we put out posters and brochures, etc. These were the results of that involvement: 1. people opposed cuts in the agency, 2. they opposed using the earmarked funds to fund the general license account shortage, so we proposed a fee increase which would carry us approximately 7 years. **EXHIBIT 6.**

One thing that is confusing to the customers is the \$2 million fund balance. This is necessary because of the way are revenues come in. Our fund shortfall in February needs a fund balance to carry us to June because we have to pay our bills.

SEN. DEVLIN asked, in the changes of the non-resident game license, doesn't a portion of that money go into the wildlife acquisition of about 20%?

Mr. Cool said, not all of those funds will go to the general license account. Those funds include significant earmarking to the earmarked programs. So the 20% of the fee increase goes to the earmarked fund. I have talked to a lot of legislatures this

session and the realistic approach is between resident and non-resident license fees. The license fees are approved by the legislature which is difficult, it is like raising taxes. We are about as high as we can go with non-resident fees and we may see a decline in participation.

CHAIR. KIMBERLEY stated, in looking at the fee increase it looks like residents are not paying enough and non-residents are paying more than they should.

Mr. Cool said, that is correct. We can continue this type of management and programs for these increases.

REP. GRADY asked, how does the department compare with other states? They probably get some general fund money.

Mr. Cool said, he was unaware of any other state receive general fund dollars they are nearly always funded by license dollars, but their fees are much higher. We do not want to price anyone out of the opportunity to hunt and fish in Montana.

REP. GRADY asked, what about earmarked funds in other states?

Mr. Cool said, I spend 6 years as the director in South Dakota and we never had our hands tied like this. The commission had far more authority in terms of revenue than this commission does. I feel the appropriate group to deal with the revenue is the Fish & Game Commission, while the legislature still has the authority to appropriate.

CHAIR. KIMBERLEY said, on your chart it says FY90 was not a good representative year. Was it one of your highest years?

Mr. Cool said, the LFA used FY90 as a base year and in that year this department hired a new director who was not familiar with the administration and was quickly informed that we were in a declining revenue situation. Therefore, we reorganized some major internal operations to reduce that short-fall.

The first thing was to stop hiring and that hiring freeze represented a significant number of FTE's which are needed. We moved \$600,000 out of fisheries general license account into federal allocation and used new federal funds and thereby, saving \$600,000 to the general license account last year. We had about a 6% savings by not hiring personnel for about \$400,000 savings to the general license account.

We have late bills coming into the department that should have been charged in FY90 and paid in FY91. This amounts to about \$300,000. Therefore, due to administrative frugality we saved the department close to \$1.4 million.

In regard to the report-back projects, they are base operations and if you decide to cut these programs you will cut into the

agency.

Issues:

Demands are increasing, competition has increased with other states. Alberta has done an extensive advertising program on their skiing. We don't think it is any better than Montana. Our hunting and fishing opportunities and watchable wildlife have a real potential for Montana. Management and environmental issues are far more complex than previously. Water leasing, superfund access, tribal issues. We do not go to the Governor as in the past for solutions.

SEN. WEEDING asked, what is the department's policy with the legislature as to the earmarked accounts? Will you be actively pursuing this to try and loosen these accounts?

Mr. Cool said, I would like to entertain with this committee those opportunities we have to provide reasonable administrative overhead for the department. We are not going to pursue it with specific legislation. We made the decision to come before this committee to overview our concerns and collectively determine whether or not you believe this is an appropriate management technique.

SEN. WEEDING asked, do you think this committee has that authority without any legislation?

Mr. Mott said, I think **Mr. Cool** concluded that an amendment by the committee to the general codes under FWP would make it clear that up to a certain percentage would be available to spend for overhead expenses.

REP. GRADY said, I would think we would need an attorney's opinion when you get into the issue of earmarked funds.

Mr. Cool said, we specifically did not bring it into legislative form because I don't think you can explain this problem unless you do it through the budget process. If we brought this as a separate bill it would not fly. We could do that if this committee would give us some direction. I know there are attorneys available.

REP. GRADY said, I would think an attorney would have to look into the statute or how these earmarked funds were set up.

Mr. Cool said, we charge all of our accounts administrative overhead without any legislative approval. It was my belief that as the administrative director I had the authority to charge those accounts. However, our attorney said we should have some kind of boilerplate language in the bill.

CHAIR. KIMBERLEY thanked the department for an excellent presentation.

ADJOURNMENT

Adjournment: 11:00 A.M.



REP. BEV KIMBERLEY, Chair



THEDA ROSSBERG, Secretary

BK/tr

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES SUBCOMMITTEE

ROLL CALL

DATE 2-05-91

NAME	PRESENT	ABSENT	EXCUSED
SEN. ESTHER BENGTON, VICE-CHAIR	✓		
REP. ED GRADY	✓		
REP. JERRY NISBET	✓		
SEN. GERRY DEVLIN	✓		
SEN. CECIL WEEDING	✓		
REP. "BERV" KIMBERLY, CHAIRMAN	✓		

NATURAL RESOURCES SUBCOMMITTEE PREPARATION DOCUMENT

DEPARTMENT OF FISH, WILDLIFE AND PARKS
INITIAL HEARING - AT THE DEPARTMENT'S HEADQUARTERS
February 5, 1991

This paper presents to the committee information and issues to consider in its deliberations on the Department of Fish, Wildlife and Parks' budget.

Proposed Order of Divisions' Hearings

- | | |
|---------------------------|--------------------|
| 1. Parks | 5. Law Enforcement |
| 2. Conservation Education | 6. Fisheries |
| 3. Management Services | 7. Field Services |
| 4. Administration | 8. Wildlife |

House Bill 2 Language for Consideration

The agency requests language in House Bill 2 similar to that contained in House Bill 100:

1. "The department is authorized to make a permanent loan from its state special revenue fund to its federal special revenue fund to provide adequate cash flow for federal programs that reimburse the department after expenditures are incurred and paid." The Legislative Council states that this language is contrary to statute. The department should request a statute change/exception allowing them this flexibility.
2. "If the department receives private funds ~~for the costs of the fisheries, wildlife, parks, or conservation education divisions,~~ it may ~~[must]~~ increase its state special revenue appropriation and decrease its federal revenue appropriation by like amounts, ~~to implement the provisions of SB 80."~~
3. "The appropriation for the legislative contract authority in items ~~___, ___, ___, ___, ___,~~ and ___ is subject to the following provisions:
 1. Legislative contract authority applies only to federal and private funds.
 2. Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
 3. A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project." (Report is attached)

Handwritten notes:
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agency

EXHIBIT 1DATE 2-05-91

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DEPARTMENT OF FISH, WILDLIFE, & PARKS

Table 5
DFWP General License Account
LFA Current Level

	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>
Beginning Balance	\$ 6,979,167	\$ 5,517,242	\$ 4,337,578	\$ 4,878,322
Revenues	<u>16,105,914</u>	<u>16,057,448</u>	<u>15,556,100</u>	<u>15,482,700</u>
Total Funds Available	<u>\$23,085,081</u>	<u>\$21,574,690</u>	<u>\$19,893,678</u>	<u>\$19,947,522</u>
<u>Disbursements</u>				
Program Expenditures	\$14,896,805	\$14,886,230	\$13,696,656	\$13,434,298
Continuing Capital Costs	2,300,323	2,121,575	503,906	434,615
Long Range Building Projects	0	0	0	0
1991 Biennium Modifications	0	0	0	0
Requested Budget Modifications	0	0	0	0
4.5% of Total Personal Services	<u>0</u>	<u>0</u>	<u>689,254</u>	<u>1,409,472</u>
Total Disbursements	<u>\$17,197,128</u>	<u>\$17,007,805</u>	<u>\$14,889,816</u>	<u>\$15,278,385</u>
Adjustments	\$ (370,711)	\$ (229,307)	\$ (125,540)	\$ 0
Ending Balance	\$5,517,242	\$4,337,578	\$4,878,322	\$ 5,082,637

In the next two biennia, three factors will improve the account's financial position: 1) debt service payments for existing bonds are declining and will end in fiscal 1995; 2) federal regulations require interest on the account be redirected from the state general fund to the department; and 3) certain license revenues currently earmarked for the Wildlife Habitat program will revert to the general license account in fiscal 1995. If spending is maintained at current levels, these factors and the account's balance will be sufficient to fund the current level, inflationary increases, and pay plan through the 1995 biennium. If, however, the legislature wants to fund program expansion, increased revenue will be necessary.

The Fish and Game Commission proposes to raise additional revenue to help fund the Executive Budget spending level by increasing hunting and fishing license fees, expanding the special Big Game License Auction program, and initiating a big game license raffle. Other options for increasing revenue to the account include increasing fees/quotas

and de-earmarking license fees which now go to other state special accounts for special programs.

Annually, a total of \$4,013,000 license dollars are earmarked for special programs. Associated with these funds are \$2,824,000 in fund balances. Increasing the quota on the nonresident elk combination license from 17,000 to 18,200 would generate an additional \$540,000, of which \$420,000 would go to the general license account. Revenue generated by increased license fees depend on the license considered, the amount of the increase, and the decline in quantity demanded.

Legislative Contract Authority

Legislative contract authority (LCA) provides a means by which the legislature can appropriate federal and private funds the department may receive during the biennium, eliminating the need for budget amendments. The department has received LCA authority every year since fiscal 1982. The department received \$2,287,500 in LCA each year of the 1991 biennium, of which

DEPARTMENT OF FISH, WILDLIFE, & PARKS

\$1,538,981 was spent and 37.58 FTE added in fiscal 1991. Table 6 lists the LCA approved for each program in the 1991 biennium and the agency's request for the 1993 biennium. The department has

also transferred \$48,100 of LCA among various programs in fiscal 1990. Included in the department's 1993 budget request is \$2,909,500 of LCA in fiscal 1992 and \$3,096,500 in fiscal 1993.

Table 6
Legislative Contract Authority

<u>Program</u>	<u>Authorized Fiscal 1990</u>	<u>Authorized Fiscal 1991</u>	<u>Requested Fiscal 1992</u>	<u>Requested Fiscal 1993</u>
Management Services	\$ 50,000	\$ 50,000	\$ 65,000	\$ 65,000
Field Services	0	0	0	0
Fisheries	1,000,000	1,000,000	1,245,000	1,505,000
Law Enforcement	7,500	7,500	40,000	40,000
Wildlife	1,165,000	1,165,000	1,404,500	1,331,500
Parks	0	0	25,000	25,000
Conservation Ed.	0	0	30,000	30,000
Administration	<u>65,000</u>	<u>65,000</u>	<u>100,000</u>	<u>100,000</u>
Total	\$2,287,500	\$2,287,500	\$2,909,500	\$3,096,500

The legislature has included special language addressing legislative contract authority of the department:

"The appropriation for the legislative contract authority ... is subject to the following provisions:

- (1) Legislative contract authority applies only to federal and private funds.
- (2) Legislative contract authority expenditures must be reported on

state accounting records. The records must be separate from current level operations.

- (3) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project."

The LFA current level budget does not include LCA.

EXHIBIT 1
 DATE 2-05-91
 HB

Special Reporting Requirements Required by the 1989 Legislature

1. "The department shall report to the 52nd legislature the results of the fish population evaluation and monitoring program expansion."
2. "The department shall present to the 52nd legislature funding alternatives for the continuation of the nongame program that will replace the use of hunting and fishing license funds to support the program."
3. "The department shall present to the 52nd legislature all projects and programs that terminated during the 1991 biennium."
4. "The department shall report to the Office of Budget and Program Planning and the Legislative Finance Committee on September 1, 1990, the income earned in fiscal 1990 from the Canyon Ferry Recreation Area and the fiscal 1990 state and federal expenditure made to operate and maintain the Canyon Ferry Recreation Area. The department shall also make a similar report on December 1, 1990, for the first 5 months' income and expenditures of fiscal 1991 at the Canyon Ferry Recreation Area." (Responses are attached)

Agency-wide Executive Action Issues

1. Legislative Contract Authority - pages C-57 and C-58
2. Off-Highway Vehicle program - This program spans the Law Enforcement, Parks, and Conservation Education divisions.
3. Fleet Charge - To be discussed by the agency.

*select
 moved
 Ex B.
 Fleet
 Charge*

AGENCY-WIDE EXECUTIVE ACTION ISSUES TO BE CONSIDERED Executive Over/(Under) LFA				
Division	LCA		FLEET CHARGE	
	1992	1993	1992	1993
Parks ✓ <i>300 Inv.</i>	\$25,000	\$25,000	\$8,430	\$8,430
Conservation Ed.	30,000	30,000	1,380	1,380
Management Ser.	65,000	65,000	0	0
Administration	100,000	100,000	772	772
Law Enforcement ✓	40,000	40,000	23,371	23,371
Field Services	0	0	3,865	3,865
Fisheries	1,245,000	1,505,000	11,324	11,324
Wildlife	1,404,500	1,331,500	17,083	17,083
OFF-HIGHWAY VEHICLES				
	Executive Budget		Revised	Executive Budget
	1992	1993	1992	1993
Parks	\$18,921	\$19,919	\$(12,920)	\$(12,048)
Conservation Ed.	0	0	391	391
Law Enforcement	0	0	(1,020)	(977)

Declining General License Account Fund Balance

The agency predicts a deficit in the general license account in fiscal 1992. Increases in hunting and fishing license fees, increases in nonresident license quotas, and other revenue generating measures are being proposed. The Legislative Fiscal Analyst's report on this subject is attached.

Executive Budget Modifications

The Executive Budget contains 40 budget modifications. The 1989 legislature stipulated that certain budget modifications approved for the 1991 biennium be considered "one-time-only" and not be included in the 1993 biennium current level. The department's modified budget request includes 17 of these "one-time-only" budget modifications. These 17 modifications are \$178,959 more than approved for the 1991 biennium and 1.5 FTE less. The department's request also includes 23 budget modifications for program expansion. Pages C-53 through C-55 of the LFA Budget Analysis and discussions in each program narrative detail these budget modifications.

RL2:cr:NRSUB.rpt

DATE 2-05-91
Mar. Res. Div.

Exhibit 2

Rev. 11/19/90

FEE INCREASE SUMMARY

License Name	Current	Proposed Fee
Res Antelope	\$6.00	\$12.00
Res Black Bear	8.00	15.00
Res Conservation	2.00	4.00
Res Deer A	9.00	15.00
Res Deer B	6.00	8.00
Res Elk	10.00	20.00
Res Fishing	9.50	12.00
Res Goat	50.00	75.00
Res Moose	50.00	75.00
Res Mt Lion	10.00	15.00
Res Paddlefish	3.00	5.00
Res Sheep	50.00	75.00
Res Sportsman	45.50	60.00
Res Turkey	3.00	5.00
Nres Antelope	120.00	145.00
Nres Bird	53.00	55.00
Nres Conservation	2.00	5.00
Nres Deer Combo	200.00	238.00
Nres Deer Combo, Outfitter	200.00	248.00
Nres Elk Combo	450.00	462.00
Nres Elk Combo, Outfitter	450.00	472.00
Nres Elk Combo, Landowner	450.00	472.00
Nres Fish, 2 day	8.00	10.00
Nres Fish, Season	36.00	40.00
Nres Goat	320.00	450.00
Nres Moose	320.00	450.00
Nres Paddlefish	10.00	15.00
Nres Sheep	320.00	450.00
Drawing Fee	2.00	3.00
Elk Permit	0.00	3.00
Archery	7.00	8.00

**Montana Department
of
Fish, Wildlife & Parks**

EXHIBIT 2
DATE 2-05-91
HE



Helena, MT 59620
September 24, 1990

RECEIVED

SEP 25 1990

LEGISLATIVE
FISCAL ANALYST

Teresa Olcott-Cohea
Legislative Fiscal Analyst
State Capitol, Room 105
Helena, MT 59620

Dear Ms. Olcott-Cohea:

Enclosed is a report on the department's use of Legislative Contract Authority (LCA). The report is required by HB100, and contains a department summary and division reports for fiscal year 1990.

I would like to offer some history behind our LCA. The department has received LCA from the Legislature for several bienniums. The 1989 Legislature significantly modified the LCA reporting requirements. The reporting was streamlined to provide a listing of projects to your office and the Office of Budget and Program Planning. The report follows that format and hopefully meets your needs.

If necessary, we can furnish your office with additional information. Federal contracts and reports are available as well as internal work plans that further explain the details of the projects.

If you have any questions, feel free to contact Dave Mott at 444-4786.

Thank you.

Sincerely,

K. L. Cool
Director

DM/dl
Enclosure

cc: Division Administrators
Carl Schweitzer, OBPP

31.230

**HB 100 Reporting
Projects Funded With LCA
Department Summary --- FYE 1990**

<i>Division</i>	<i>FTE</i>	<i>Total Authorized in HB 100</i>	<i>Program Transfers</i>	<i>Balance</i>	<i>Year-to-Date Expended</i>
Management Services					
Federal	0.00	\$50,000	(\$14,100)	\$35,900	\$0
Private				\$0	\$0
Field Services					
Federal	0.00	\$0	\$1,450	\$1,450	\$802
Private				\$0	\$0
Fisheries					
Federal	23.82	\$1,000,000	(\$27,100)	\$972,900	\$790,112
Private				\$898,598	\$735,494
Law Enforcement					
Federal	0.00	\$7,500	\$5,000	\$12,500	\$12,273
Private				\$0	\$0
Wildlife					
Federal	10.60	\$1,165,000	(\$6,900)	\$1,158,100	\$644,034
Private				\$1,070,094	\$571,733
Parks					
Federal	0.00	\$0	\$2,650	\$2,650	\$2,297
Private				\$0	\$0
Administration					
Federal	3.16	\$65,000	\$39,000	\$104,000	\$89,463
Private				\$0	\$0
TOTAL	37.58	\$2,287,500	\$0	\$2,287,500	\$1,538,981
Federal				\$2,122,542	\$1,409,765
Private				\$164,958	\$129,216

HB 100 Reporting
Projects Funded With LCA
 Management Services -- FYE 1990

Total Authorized LCA by HB0100	\$50,000
Transfer to Parks Division	(\$2,650)
Transfer to Field Services	(\$1,450)
Transfer to Enforcement	(\$5,000)
Transfer to Fisheries	(\$5,000)
Total Authorized LCA as of this Report Date	\$35,900

<i>Project Number</i>	<i>Project Title</i>	<i>Authorized Funding</i>	<i>Year-to-Date Expended</i>	<i>Approved FTE</i>
TOTAL				\$0
				0.00

EXHIBIT 2
 DATE 2-05-91
 HB Year. Res. Inv.

HB 100 Reporting
 Projects Funded with LCA
 Field Services --- FYE 1990

Total Authorized LCA by HB0100	\$0
Program Transfer from Management Services	\$1,450
Total Authorized LCA as of this Report Date	\$1,450

<i>Project Number</i>	<i>Project Title</i>	<i>Authorized Funding</i>	<i>Year-to-Date Expended</i>	<i>Approved FTE</i>
28191	Marias Pass Signing	Federal	\$802	0.00
TOTAL			\$802	0.00

EXHIBIT 2
 DATE 2-05-91
 HB Year Rev. Div.

HB 100 Reporting
 Projects Funded With LCA
 Fisheries --- FYE 1990

Total Authorized LCA by HB0100 \$1,000,000
 Transfer to Administration (\$34,500)
 Transfer from Management Services \$5,000
 Transfer from Wildlife \$2,400
 Total Authorized LCA as of this Report Date \$972,900

Project Number	Project Title	Authorized Year-to-Date		Approved FTE
		Funding	Expended	
31732	Kerr-Hungry Horse BPA	Federal	\$4,684	0.75
31741	Hungry Horse Water Level/Fish Study	Federal	\$273,241	7.32
31751	Noxon Rapids Res. Improvement	Private	\$9,189	0.20
31761	Libby Reservoir Water Level/Fish Study	Federal	\$216,751	7.60
31771	Flathead Basin Fish Monitoring	Federal	\$38,891	2.00
31772	Flathead Forest Study: Part I	Federal	\$21,312	0.00
31773	Flathead Forest Study: Part II	Federal	\$31,775	0.00
31861	Libby Field Station Maintenance	Federal	\$26	0.00
32715	Upper Clark Fork EA Contract	Private	\$17,987	0.74
32716	Bitterroot Coop Fish Biologist	Federal	\$32,067	1.00
32718	Milltown Fisheries Mitigation-MPCo	Private	\$5,000	0.00
33721	Madison River Grayling/Trout Study	Private	\$15,405	0.60
34722	Morony Co-op Biologist	Private	\$5,047	0.17
34723	Montana Power Gas Study	Private	\$688	0.07
34724	Hauser/Holter Co-op Technician	Private	\$1,302	0.21
36753	Missouri Pallid Sturgeon Study	Federal	\$52,968	1.50
38712	BLM Bioeconomic Study	Federal	\$318	0.00
38747	Pacific NW Environmental Data	Federal	\$40,881	1.58
38749	Base - Project Mgmt. Pacific NW Environmental Data	Federal	\$15,804	0.00
38751	Base - Data Mgmt. Contract Travel & Moving Costs	Federal	\$5,355	0.00
38753	DNRC Altamont Pipeline Study	Federal	\$1,421	0.08
TOTAL			\$790,112	23.82

HB 100 Reporting
 Projects Funded With LCA
 Law Enforcement -- FYE 1990

Total Authorized LCA by HB0100	\$7,500
Program transfer from Management Services	\$5,000
Total Authorized LCA as of this Report Date	\$12,500

Project Number	Project Title	Authorized Funding	Year-to-Date Expended	Approved FTE
48161	Special Investigations (State Crime Board)	Federal	\$12,273	0.00
TOTAL			\$12,273	0.00

HB 100 Reporting
Projects Funded With LCA
 Wildlife -- FYE 1990

Total Authorized LCA by HB0100 \$1,165,000
 Deduct: Program Transfer to Admin. (\$4,500)
 Program Transfer to Fisheries (\$2,400)
 Total Authorized LCA as of this Report Date \$1,158,100

Project Number	Project Title	Authorized Funding	Year-to-Date Expended	Approved FTE
51021	NW Power Act Mitigation Coord (USFS)	Federal	\$16,931	0.50
51031	Mont. Wildf. Habitat Protection (BPA)	Federal	\$36,781	0.67
51092	Wildlife Mitigation - Easement/ Acquisition Coordination	Federal	\$20,979	0.58
51251	Hungry Horse Elk Project (BPA/Contr. #87-55)	Federal	\$79,240	2.25
51361	Ural-Tweed Bighorn Sheep Study I (#84-39)	Federal	\$24,361	0.17
51371	Ural-Tweed Bighorn Sheep II (#87-55)	Federal	\$74,863	2.40
51401	Big Horn Sheep Interpretive	Private	\$378	0.00
51512	South Fork Grizzly Bear Project (Sec 6)	Federal	\$81,655	0.91
51523	So. Fork Grizzly Habitat Eval. (USFS)	Federal	\$51,413	0.29
51531	So. Fork Grizzly Photo Monitoring (USFS)	Federal	\$10,892	0.00
52231	Blackfoot - Clearwater Elk Study (USFS)	Federal	\$6,700	0.00
52241	Blkfoot - Clearwater Relocate Data(Camp Fire)	Private	\$3,581	0.00
53021	Dome Mtn. WMA Meadow (Rocky Mtn. Elk Found.)	Private	\$5,730	0.00
53212	Upper Bighole Elk Hunter Oportunity (USFS)	Federal	\$3,049	0.18
53233	Elkhorn Elk Study (USFS)	Federal	\$6,652	0.25
53234	Elkhorn Elk Study II (USFS)	Federal	\$28,346	0.75
53241	North Yellowstone Study (NPS)	Federal	\$5,489	0.00
53371	Taylor - Hilgard Bighorn Sheep Study	Private	\$8,337	0.00
53381	Taylor - Hilgard Bighorn Sheep (USFS)	Federal	\$5,059	0.00
53661	Canyon Ferry O & M	Federal	\$4,027	0.12
54021	Judith River WMA Revegetation	Private	\$5,110	0.00
54211	Sieben Ranch Elk Study (Union Oil)	Private	\$2,319	0.00

EXHIBIT 2
 DATE 2-05-91
 For Year End. Rev.

54521	RMF Grizzly Bear Project (BLM)	Federal	\$917	0.00
54541	RMF Grizzly Bear Study (USFWS)	Federal	\$2,670	0.00
55221	Safari Club Bear Tooth Elk Study	Private	\$3,375	0.00
56671	Prairie Potholes J/V (FWS)	Federal	\$26,603	0.75
56672	Prairie Potholes J/V (Nature Conserv.)	Private	\$24,559	0.00
56673	Prairie Potholes Joint Venture	Federal	\$23,601	0.67
58011	Contract Relocation & Training Costs	Federal	\$3,157	0.00
58021	Special Project Uniforms	Federal	\$1,248	0.00
58031	Contract Travel	Federal	\$3,713	0.00
58041	Mault Memorial Wildf Mgmt.	Private	\$75	0.00
58042	Dalton Memorial Fund	Private	\$265	0.00
58043	Memorial Account	Private	\$3,400	0.00
58211	Maint. of Elk Habitat (BLM)	Federal	\$334	0.00
58241	Granite Butte Elk Mgmt.	Federal	\$1,872	0.00
58921	Black Footed Ferrett Study (FWS/sec.-6)	Federal	\$15,735	0.11
58932	BLM Peregrine Reintro. #2	Federal	\$1,224	0.00
58933	BLM Peregrine Reintro. #3	Federal	\$786	0.00
58941	Mont. Elk Foundation Elk Video	Private	\$1,188	0.00
59021	Monitor O/C Duck Residues (FWS)	Federal	\$3,600	0.00
59151	Kootenai White-Tailed Deer Winger Range(USFS)	Federal	\$3,355	0.00
59152	Tally Lake White-Tailed Deer (USFS)	Federal	\$10,747	0.00
59631	Long Pines Turkey Study (Nat. Turkey Found)	Private	\$13,659	0.00
59641	Long Pines Turkey Study (USFS)	Federal	\$9,650	0.00
59741	Coop Pine Martin Study (USFS)	Federal	\$6,084	
59811	Valley of Eagles Study	Private	\$325	0.00
TOTAL			\$644,034	10.60

HB0100 Reporting
Projects Funded With LCA
Parks Division -- FYE 1990

Total Authorized LCA by HB0100 \$0
 Add transfer from Management Services \$2,650
 Total Authorized LCA as of this Report Date \$2,650

Project Number	Project Title	Authorized Funding	Year-to-Date Expended	Approved FTE
63329	Bannack Donations	Private	\$1,500	0.00
61439	Thompson Falls Donations	Private	\$797	0.00
TOTAL			\$2,297	0.00

EXHIBIT 2
 TE 2-05-91
 HB 4 Par. Res. Div.

HB 100 Reporting
Projects Funded With LCA
 Administration -- FYE 1990

Total Authorized LCA by HB0100	\$65,000
Add: Program Transfers from Fisheries	\$34,500
Program Transfers From Wildlife	\$4,500
Total Authorized LCA as of this Report Date	\$104,000

Project Number	Project Title	Authorized Funding	Year-to-Date Expended	Approved FTE
9109	R-1 Office Assistant	Federal	\$23,916	1.30
9209	R-2 Office Assistant	Federal	\$3,981	0.36
9609	R-6 Office Assistant	Federal	\$9,413	0.50
98081	Columbia Basin Council Dues	Federal	\$4,213	0.00
98082	GNP Ecosystem Mgmt. Plan (Glacier Nat. Park)	Federal	\$41,476	1.00
98511	International Joint Commission (Governor's Office)	Federal	\$3,340	0.00
98351	Contract Uniforms	Federal	\$3,124	0.00
TOTAL			\$89,463	3.16

2-05-91

EXHIBIT 3
DATE 2-05-91
HEPAR Red. Sub.

DEPARTMENT OF
FISH, WILDLIFE AND PARKS
GENERAL LICENSE ACCOUNT

A Report Prepared for the
Legislative Finance Committee
by



Roger Lloyd
Associate Fiscal Analyst
October 3, 1990

EXHIBIT 4
 DATE 2-5-91
 HQ UPWA Per. Div.

	FY90 Actual	FY91 Enacted	FY92 Base	FY93 Base
Annual Work Plans Reviewed Implemented & Reported	550	550	550	550
Employee Performance Appraisals Completed & Reviewed in the Regions	275	275	275	275
Public Contracts by Regional Clerical Staff	220,00	220,000	220,000	220,000
License Sales in Regional Offices	46,100	46,100	46,100	46,100
Legal Briefs Prepared	45	45	45	45
Contracts Review for Legal Content	400	400	400	400
Legal Review of Water Related Issues	12	12	12	12
Contracts with Indian Tribal Councils	10	10	10	10
Requisitions Within General Level Purchasing Authority Reviewed & Approved by Regional Supervisors	850	850	850	850
Fish & Game Commission Meetings	10	10	10	10
Complex EA/EIS's Reviewed	15	15	15	15
Participation in Ad Hoc Standing Committee	10	10	10	10

Increase or Decrease from Base

Report Back Projects

Legal Services - The department recommends continuation of a \$12,300 per year increase appropriated by the 1989 Legislature for legal services. The 1989 Legislature approved state special revenue for increasing legal and court costs. In the 1991 biennium appropriations bill, the legislature required that the \$12,300 per year increase be

re-presented to the legislature for its reconsideration and re-appropriation. The executive budget continues the legal services increase.

Predator Control - The department recommends continuation of a \$20,000 per year expansion of the predator control program grant. The predator control program is administered by the Department of Livestock. In the 1991 biennium appropriations bill, the legislature required that the \$20,000 per year grant increase for the predator

control program be re-presented to the legislature for its reconsideration and re-appropriation. The total recommended predator control grant is \$110,000 per year.

Sikes Act - The department recommends continuation of \$75,000 per year of state special revenue appropriated by the 1989 Legislature to match \$75,000 per year of federal funds. The department receives federal challenge grants from the federal Bureau of Land Management and the U.S. Forest Service for fish and wildlife enhancement projects. The state funds will be used to match the federal grants. In the 1991 biennium appropriations bill, the legislature required that the \$75,000 per year in federal matching grants be re-presented to the legislature for its reconsideration and re-appropriation.

Salinity Control - The department recommends continuation of \$75,000 per year of federal and state special revenue appropriated by the 1989 Legislature for salinity control. In the 1991 biennium appropriations bill, the legislature required that the program for salinity control be re-presented to the legislature for its re-consideration and re-appropriation. The executive budget continues the salinity control program.

New/Expanded Programs

Legal Services - The department recommends the addition of an attorney position, at a cost of \$50,000 per year, making a total of four attorneys. Legal demands and requirements in such areas as water reservations, water leasing, the state water plan, tribal issues, land and easement acquisition, revision of the fish and wildlife statutes, development of personnel policies, and the Superfund litigation have increased and expanded, thereby creating the need for the fourth department attorney.

Tribal Relations - The department recommends \$40,000 per year to provide legal, historical, resource, and tribal government information and assistance to the tribal coordination efforts of the department.

Regional Support - The department recommends a \$75,000 state special revenue increase for regional office support. The \$75,000 will be used for:

1. landscaping care and maintenance on grounds at regional headquarters;
2. clearing of snow and ice from sidewalks;
3. maintenance of facilities, painting, repairs, etc.;
4. security protection of regional facilities;
5. addition of temporary staff at peak licensing times; and
6. group tours at regional headquarters.

Geographic Information System - The department recommends \$40,000 in FY92 and \$50,000 in FY93 of state special revenue to:

1. develop an automated resource inventory for department land;
2. acquire the computer technology to analyze and interpret the inventory to facilitate planning, development, and management of department lands;
3. complete a pilot project(s), within the context of other current projects, to evaluate GIS application to wildlife research and management problems; and
4. establish a GIS planning team to evaluate options for expanded GIS capability, especially for the purposes of developing species management plans, river corridor plans, state recreation area plans and automated interfacing with the planning process of other agencies.

Interagency Support - The budget includes and increase in the grant to the State Library from \$25,000 to \$50,000 for work on a statewide geographic information system.

Dams - The department budget recommends \$34,000 per year be transferred to the Department of State Lands for administration of department dams. The department owns 19 dams throughout the state and some are high hazard dams.

Other Increases/Decreases

LCA - The Department is requesting an increase in LCA of \$35,000 in FY92 and FY93. The increase is above the amount appropriated by the 1989 Legislature. The request is federal/private funded, and is mainly attributable to the anticipated increase in federal contracts and grants.

Technical Adjustments

Transferring Positions - As previously discussed in the Management Services, Field Services and Parks narratives, a total of 2,75 FTE and related operating budgets were transferred into this program. The Executive Budget System did not allow for any transfers of positions past a certain date so the adjustments were made in the increase/decrease to the base category.

Inflation Adjustment - Due to the increase in the price of fuel, an inflationary adjustment was made in the amount of \$1,900 per year. The Executive Budget System did not allow for any changes past a certain date so the adjustment was made in the increase/decrease to the base category.

Contracted Services and Equipment - There was approximately \$52,000 added to the contracted services and equipment budgets as compared to the FY91 appropriated levels. However, there were decreases in other programs to offset this increase. The Executive Budget System did not allow for these adjustments to be made past a certain date so they appear in the increase/decrease to the base category.

EXHIBIT 4
DATE 2-5-91
HE *[Signature]*

**RESPONSIBILITIES ADDED TO FWP
OVER THE PAST 10 YEARS**

Administrative

Nothing was in 1980

1. Superfund Natural Damages Lawsuit and Cleanup

Over the past few years the Department has worked with other entities to assess the environmental damage on the Clark Fork River and to determine the extent of application of the Superfund law.

2. Tribal Relations

The Department has invested considerable resources in negotiations with the Confederated Salish and Kootenai Tribes over the past three years. If Montana follows the pattern of other states, this effort will continue with other tribes in future years.

Conservation Education

1. Bowhunter Safety Education

All bowhunters ages 12-17 are required by law to enroll and pass a bowhunter safety program. The instruction is handled by volunteers but the program is administered by the Department.

2. Shooting Ranges

The 1989 Legislature funded a shooting range program. The

program is a "Giant" program funded with federal dollars, but administered by the Department.

3. Off-Highway Vehicles (ATV)

The Department administers the Off-Highway Vehicle Safety and Education Program. The purpose of the program is to promote the safe operation and handling of all terrain vehicles such as wide-tired 3 and 4 wheel vehicles, motorcycles, etc.

Enforcement

1. Protection of Private Property

Legislation passed that made it lawful to take wildlife to protect life or property. This required more involvement by the field wardens to verify kills, especially as it relates to grizzly, black bears and mountain lions.

2. Permitting of the Public for Raptor Propagation

Statutes were changed to require permits for captive raptor breeding projects. This law, along with the falconry laws passed earlier required field wardens to check falconers and do the followup paperwork involved to monitor these permits.

3. Control of Motorboat Noise Levels

Required motorboat noise levels be monitored by wardens along with their regular boat safety and registration enforcement.

4. Stream Access

EXHIBIT 5
DATE 2-5-91
HE W. R. Red Sub.

Legislation passed to give the public the right of stream access. This required a major amount of additional warden time to answer complaints, investigate conflicts between floaters and adjacent landowners and additional patrol where necessary.

5. Buffalo Hunt

Legislation was passed that allowed buffalo hunts in the northern part of Yellowstone Park. This required the wardens to initiate regulations and actually accompany each individual hunter for buffalo control.

6. Game Farms

Laws were changed on Game Farm requiring annual issuance of fur, bird and game farm licenses. Another law required that we monitor the tattooing of certain captive animals.

7. Crimestoppers (TIP-Mont)

Crimestoppers program or TIP-MONT as we now call it, was authorized in 1985. This started October 1, 1985 with 59 calls, this fall (1989) we have documented over 500 calls relating to poaching reported on the toll-free number.

8. Boating While under the Influence of Alcohol

Legislation was passed to make boating under the influence of alcohol unlawful. This required special training for all field wardens and additional court time to fulfill this requirement.

9. Game Damage

Law were passed to require game damage response within 48 hours. This put a great strain on our field wardens since we do not have enough wardens to work shifts.

Field Services

1. Landowner-Sportsmen Program

A. Game Damage

Emphasis is placed on minimizing damage to private property by wildlife. The effort includes a range of activities such as erecting fencing around hay stacks, conducting special hunting seasons, and game herding. It is very popular with both landowners and sportsmen.

B. Block Management

This program assists landowners in directing hunters during peak times during the hunting season.

EXHIBIT 5
DATE 2-5-91
HB 4747, 4748, 4749

Fisheries

1. Water Reservations

The 1985 Legislature passed the Water Policy Act which directed the state to initiate the water reservation process for the Missouri River Basin. Instream flows are a major component of any water reservation process and our agency is responsible for representing fish, wildlife and recreation interests.

2. Water Leasing

The 1989 Legislature passed the water leasing bill which established a four year pilot leasing program and required a study to be done. Our agency was directed to carry out the leasing program and complete the study. The leasing process is lengthy and complicated and requires considerable staff time to carry out.

3. Hydropower Licensing/Relicensing

The development and operation of hydropower facilities can have a significant effect on Montana's fish and wildlife resources. The Department is involved to assure fishermen's interests are considered in the decision making process.

4. State Water Plan

In 1987, the DNRC initiated a revised water planning process

which utilizes a state water plan advisory committee (SWPAC) and several technical committees. Many of the water issues addressed by the state water plan are of critical importance to FWP. FWP is a member of the SWPAC and provides staff for most of the technical committees.

5. River Restoration Act

This Act was passed by the 1989 Legislature to establish a program for the conservation of rivers and their fisheries.

The Department is developing rules for administration of the program. The program will consist of physical projects for improving rivers and their associated lands to conserve and enhance fish and wildlife habitat.

Parks

1. Acquisition of Park Sites

During the late seventies and early eighties 17 park sites acquired. Maintenance and development efforts have increased particularly in the past 4-6 years as the sites are becoming popular and usage increases.

2. Federal Funds for Motorboat Access

In 1984, Congress amended the federal Dingell Johnson Act which resulted in increased funds for improving and developing motorboat facilities. Since that time, FWP has developed

EXHIBIT 5
DATE 2-5-91
-E. York, Dist. Sec.

dozens of motorboat facility projects at little cost to the Montana sportsmen.

3. Statutory Changes

Compliance with new federal and state laws and regulations regarding liability, hazardous waste disposal, disabled accessibility, weed control, campground standards, drinking water standards, solid waste disposal standards, subdivisions, workmen's compensation, compensatory time, dam safety, and private contractor requirements.

Wildlife

1. Wildlife Habitat Acquisition

Approximately \$2.5 million annually is earmarked for a wildlife habitat program. Additional effort is required to purchase, develop and maintain newly acquired lands.

2. Upland Bird Habitat Enhancement

Legislation provided for a pheasant enhancement program which was later expanded to a habitat effort. The program is geared to encourage and assist landowners in improving pheasant habitat.

3. Waterfowl Program

The Legislature establish the requirement for a state license to hunt waterfowl. The funds provide a funding base for waterfowl habitat enhancement projects.

6 EXHIBIT-6
 2-5-91 2-05-91
 13 NAR. P. 400
 Rev. 11/1979

FEE INCREASE SUMMARY

License Name	Current	Proposed Fee
Res Antelope	\$6.00	\$12.00
Res Black Bear	8.00	15.00
Res Conservation	2.00	4.00
Res Deer A	9.00	15.00
Res Deer B	6.00	8.00
Res Elk	10.00	20.00
Res Fishing	9.50	12.00
Res Goat	50.00	75.00
Res Moose	50.00	75.00
Res Mt Lion	10.00	15.00
Res Paddlefish	3.00	5.00
Res Sheep	50.00	75.00
Res Sportsman	45.50	60.00
Res Turkey	3.00	5.00
Nres Antelope	120.00	145.00
Nres Bird	53.00	55.00
Nres Conservation	2.00	5.00
Nres Deer Combo	200.00	238.00
Nres Deer Combo, Outfitter	200.00	248.00
Nres Elk Combo	450.00	462.00
Nres Elk Combo, Outfitter	450.00	472.00
Nres Elk Combo, Landowner	450.00	472.00
Nres Fish, 2 day	8.00	10.00
Nres Fish, Season	36.00	40.00
Nres Goat	320.00	450.00
Nres Moose	320.00	450.00
Nres Paddlefish	10.00	15.00
Nres Sheep	320.00	450.00
Drawing Fee	2.00	3.00
Elk Permit	0.00	3.00
Archery	7.00	8.00

HOUSE OF REPRESENTATIVES

PLEASE PRINT.

VISITOR'S REGISTER

Natural Resources

SUBCOMMITTEE DATE 2-5-91

DEPARTMENT _____

DIVISION _____

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NAME	REPRESENTING
Joe Matt <i>Manager</i>	FWP
Eric Cox <i>adm. Support Services</i>	FWP
K. L. Cool <i>Director</i>	FWP
Ed Zaidlicz	State Parks Futures Council
Sam Sulon	MT Dept FWP
J. Zubek	FWP
Ron Asheim <i>adm. Support Services</i>	
Erwin Kent <i>Adm. Law Enforcement</i>	
Terry Peterson <i>adm. Support</i>	
Joe Chedres <i>adm. Support</i>	