

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

#### JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN ROGER DEBRUYCKER, on January 14,  
1997, at 8:00 A.M., in Room 201

#### ROLL CALL

##### Members Present:

Rep. Roger DeBruycker, Chairman (R)  
Sen. Thomas F. Keating, Vice-Chairman (R)  
Sen. Larry L. Baer (R)  
Rep. John Johnson (D)  
Sen. Linda J. Nelson (D)  
Rep. William R. Wiseman (R)

Members Excused: None

Members Absent: None

Staff Present: Roger Lloyd, Legislative Fiscal Division  
Theda Rossberg, Committee Secretary

##### Committee Business Summary:

Hearing(s) & Date(s) Posted: DEPARTMENT OF LIVESTOCK  
DEPT. OF NAT. RESOURCES

Executive Action: DEPARTMENT OF LIVESTOCK

#### HEARING DEPARTMENT OF LIVESTOCK

#### Tape 1,A

EXHIBIT 1. Page C-116 and C-133. Mr. Lloyd reviewed the Supplemental Appropriation for the Meat Inspection Program and New Proposals.

EXHIBIT 2. George Harris, Administrator Centralized Services, Department of Livestock gave testimony on the Meat Inspection Program.

{Tape: 1; Side: A; Approx. Time Count: 16.7; Comments: .}

#### Questions and Responses:

SEN. KEATING asked if \$6,444 was high for the cost of a computer.

**Mr. Harris** responded that it was rather a sophisticated because is was a portable computer, but also can be set up back at their office, eliminating having to buy two computers. It is network and has all of the software.

**SEN. KEATING** asked if they had meat inspectors under contracted services.

*{Tape: 1; Side: A; Approx. Time Count: 20.4; Comments: .}*

**Lawrence Peterson, Executive Officer Board of Livestock** responded to the bison issue.

**EXHIBIT 3, Page 124.** **Mr. Lloyd** said that **Bob Tallerico** had a write-up on the budget issue with bison control.

**Tape 1,B**

**Mr. Harris** said the department has five new inspection plants waiting for inspection in addition to the three new ones.

**Questions and Responses:**

**SEN. KEATING** asked how Joe's Pasty Shop in Butte became involved with meat inspection rather than a health department.

**Carol Onstead, Department of Livestock** responded that the product has to have a certain percentage of meat in it for resale. She explained the training requirements for a meat inspector.

*{Tape: 1; Side: B; Approx. Time Count: 13.6; Comments: .}*

**EXECUTIVE ACTION DEPARTMENT OF LIVESTOCK**  
**MEAT INSPECTION SUPPLEMENTAL**

**EXHIBIT 2.**

**Motion/Vote:** **SEN. KEATING** MOVED TO RECOMMEND TO THE FULL APPROPRIATIONS COMMITTEE THAT THE DEPARTMENT OF LIVESTOCK RECEIVE \$25,598 GENERAL FUND AND \$25,599 FEDERAL FUNDS IN HB 3 SUPPLEMENTAL. Motion carried unanimously.

**HEARING DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**

**EXHIBIT 4.** **Ray Beck, DNRC** explained some of the history of the RAD Trust Fund.

**Discussion:**

**Mr. Beck** explained the RIGWA Tax.

Tape 2,A

*{Tape: 2; Side: A; Approx. Time Count: 0; Comments: Overview on the RAD proceeds and allocations continued.}*

John Tubbs, DNRC explained the different percentages derived from the different accounts. See EXHIBIT 4.

Mr. Tubbs reviewed Table 2 showing the RAD Trust interest earnings and expenditure accounts. EXHIBIT 4, Page 3.

Questions and Responses:

*{Tape: 2; Side: A; Approx. Time Count: 12.7; Comments: Continued overview of the RAD interest earnings and expenditures.}*

Mr. Tubbs said that in 1996 Tongue River Dam received nearly \$3 million appropriated in HB 5. Construction will start next spring.

Questions and Responses:

SEN. KEATING asked if the department would show the cash receipts they would have instead of the outstanding amounts.

Mr. Tubbs responded to SEN. KEATING'S question.

Mr. Lloyd cautioned that the \$4 million had been appropriated and the Legislature expects that to be spent for what they appropriated it for. If none of that \$4 million is spent in FY97 and is added to the fund balance then the Legislature thinks it has \$4 million to spend for new grants. The fact is that it doesn't because that \$4 million is reserved for previous grants. If that is continued biennium after biennium the \$4 million will be doubled.

Questions and Responses:

REP. WISEMAN asked if the funds weren't spent why weren't they reverted to the general fund at the end of the biennium.

Tape 2,B

Mr. Tubbs responded that was authorized for the Tongue River Dam project and the majority of that appropriation will be spent in FY98 and FY99.

*{Tape: 2; Side: B; Approx. Time Count: 3.6; Comments: .}*

Mr. Lloyd commented that in the Long Range Building Subcommittee REP. BERGSLAGEL will be considering what happens to outstanding funds from previous grants. They must decide if the grant that was given to them in 1991 is of the same priority as the current

request. If the Legislature so desires, they can go back and cancel previous grants.

**Mr. Tubbs** said the grant from 1991 was the ground study on the Flathead Reservation. It took two and a half years in negotiations to monitor for pesticides. It took the Bureau of Mines that long in the Little Bitterroot to get the tribes to agree.

**Tape 3,A**

{Tape: 3; Side: A; Approx. Time Count: 0; Comments: Mr. Tubbs continued the overview on the RAD Proceeds and Interest.}

**Questions and Responses:**

**REP. WISEMAN** inquired as to what was happening at Lakeside on the Flathead Lake. He asked if the Legislature was granting money to Lakeside or loaning it.

**Mr. Tubbs** responded that they came in with an emergency water request and the department asked for financial information from the district. It was clear that they could afford to borrow funds. However, the statutes say you cannot borrow money in a water district until it was voted upon. So, the Board of Investments decided to lend them \$50,000, and they picked up the additional \$90,000. If the vote fails the Board gets paid off. The vote didn't happen until the November election, which passed and they are paying back the loan.

**HEARING DEPARTMENT OF NATURAL RESOURCES AND COMMERCE**

**Bud Clinch**, Director Department of Natural Resources and Conservation gave an overview with a slide presentation.

**Tape 3,B - Tape 4,A - Tape 4,B was the slide presentation.**

{Tape: 4; Side: B; Approx. Time Count: 14.4; Comments: .}

**EXHIBIT 5**, Pages C-139, C-140 and C-142. **Mr. Lloyd** reviewed Agency Issues and some language appropriations the committee may wish to be reviewing.

**EXHIBIT 6**, Page C-153. **Mr. Lloyd** reviewed the Common School Trust Constitutional Issues.

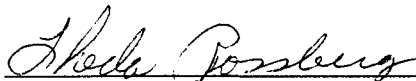
**EXHIBIT 7**. **Mr. Greg Petesch**, Director of the Legal Services Division findings on the Constitutionality of Utilizing Trust Revenues to Fund Trust Administration.

**REP. WISEMAN** requested an outline of the department's employees and how many supervisors there were in each division.

ADJOURNMENT

Adjournment: 12:00 P.M.

  
REP. ROGER DEBRUYCKER, Chairman

  
THEDA ROSSBERG, Secretary

DB/TR