

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN ROGER DEBRUYCKER, on January 23,
1997, at 7:00 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
Bob Tallerico, Legislative Fiscal Division
Theda Rossberg, Committee Secretary

Committee Business Summary:

HEARINGS AND EXECUTIVE ACTIONS:

DEPT. NATURAL RES. & CONS.
Water Resources Division
DEPARTMENT OF LIVESTOCK
Centralized Services
Diagnostic Laboratory
Milk & Egg Program
Inspection Control
Predator Control
Meat/Poultry Inspection
Milk Control Board
Disease Control

Tape 1,A
Speed 2.4

EXHIBIT 1. Roger Lloyd, Legislative Fiscal Division gave the committee and update on Department of Natural Resources and Conservation's Budget as of January 22, 1997.

EXHIBIT 2. Mr. Stultz, Administrator Regional Office, DNRC reviewed the arbitration account of anticipated sources and use of those funds.

Questions and Responses:

SEN. KEATING asked for some information concerning the Wetland Mitigation.

Mr. Stultz responded that some wetlands were destroyed above the Tongue River Dam and under federal regulations they have to replace those.

Discussion:

{Tape: 1; Side: A; Approx. Time Count: 9,0; Comments: Discussion continued on the Sources and Uses of funds.}

EXHIBIT 3, Broadwater Hydropower Project.

DEPARTMENT OF DNRC

EXECUTIVE ACTION WATER RESOURCE DIVISION

EXHIBIT 4, Page C-178 and C-179 - LANGUAGE ISSUES:

Motion/Vote: **SEN. KEATING MOVED TO APPROVE THE \$520,000 ONE TIME ONLY BIENNIAL APPROPRIATION FOR THE BROADWATER HYDROPOWER PROJECT.** Motion carried unanimously. See **EXHIBIT 3.**

EXHIBIT 5. Mr. Stultz reviewed the a request for a restricted appropriation in HB 2.

Discussion:

Mr. Stultz stated that was a new account created by the last legislative session.

He said they were working on a plan to transfer ownership of cabin sites at Deadman'S Basin to the current lease holders. If that happens revenue would be reduced by approximately \$10,000.

Motion/Vote: **SEN. KEATING MOVED TO APPROVE \$19,500 IN FISCAL 1998 AND \$18,500 IN FISCAL 1999 FOR THE LAND LEASE PROGRAM AND TO BE A RESTRICTED APPROPRIATION.** Motion carried unanimously. See **EXHIBIT 5.**

Mr. Lloyd explained that Item 3 was the Broadwater Irrigation Account and he couldn't find any expenditures out of that account.

Mr. Stultz stated the revenues were explained in the Broadwater Hydropower Project hand-out. See EXHIBIT 3.

He stated that they were obligated to have that account available for those revenues to be used for the benefit of the canal users.

Motion/Vote: SEN. KEATING MOVED TO APPROVE LANGUAGE ISSUE NO. 3.
Motion carried unanimously. See EXHIBIT 5.

Mr. Lloyd explained Item 4, of the language issues.

Mr. Stultz said they agreed with Mr. Lloyd's interpretation of Item 4 on the debt service and the following language should be deleted, "or to service the Broadwater hydropower bond debt if revenue deposited in the debt service account is insufficient for this purpose."

Discussion

{Tape: 1; Side: A; Approx. Time Count: 27.1; Comments: Discussion continued by Mr. Stultz.}

Motion/Vote: REP. WISEMAN MOVED TO APPROVE LANGUAGE ISSUE NO. 4 WITH THE DELETION OF TEXT AFTER BROADWATER HYDROPOWER FACILITY.
Motion carried unanimously.

Mr. Lloyd explained language issue Item 5.

Mr. Stultz said that account was set up for an enforcement action under the Water Use Act for violations that would have to go into judicial enforcement.

He stated that there was a violation in Kalispell where a well was being operated without a permit. After working with them for some time to get them into compliance, they were not fined.

Motion/Vote: SEN. KEATING MOVED TO ACCEPT LANGUAGE ITEM 5.
Motion carried unanimously.

Mr. Stultz said they agree with Mr. Lloyd that language Item 6 can be deleted.

{Tape: 1; Side: A; Approx. Time Count: 36.1; Comments: EXECUTIVE ACTION continued.}

Mr. Lloyd suggested that the committee may wish to sponsor an amendment to HB 166, Item 6.

Motion/Vote: SEN. KEATING MOVED TO AMEND ITEM 6 WITH LANGUAGE TO "SPONSOR AND AMENDMENT TO HB 166 TO ELIMINATE THE STATUTORY APPROPRIATION FOR WATER WELL CONTRACTORS ADMINISTRATIVE COSTS."
Motion carried unanimously.

Mr. Lloyd explained that on Item 7, there were no funds requested in the budget office's budget. That account receives revenue from the sale of electric power.

Discussion:

Mr. Stultz stated that the account was set up to provide funds for expenses or emergencies that could occur on the existing dams.

Questions and Responses:

SEN. KEATING inquired as to what revenue went into that account.

Mr. Stultz replied in FY97 the deposits were \$393,000 from the sale of electricity. Once the balance reaches \$400,000 a percentage goes to the Water Users account.

Discussion:

{Tape: 1; Side: A; Approx. Time Count: 54.5; Comments: Discussion continues on the State Hydro Earnings Account.}

Motion/Vote: REP. WISEMAN MOVED TO APPROVE LANGUAGE ISSUE ITEM 7. Motion carried 5-1 with CHAIRMAN DEBRUYCKER voting no.

EXHIBIT 6. CHAIRMAN DEBRUYCKER stated that he would like to re-open the discussion on New Proposals, Item 1, Rocky Boy Study.

He said Rocky Boy was stuck with another federal mandate and they can't use their water.

Tape 1,B
Speed 2.4

Motion: CHAIRMAN DEBRUYCKER MOVED TO APPROVE \$310,000 FOR THE ROCKY BOY STUDY TO BE FUNDED WITH GENERAL FUND.

Discussion:

SEN. BAER said he opposed that appropriation only to make a point. He stated that it was an illegal mandate imposed by the federal government and they must take a position to enforce their tenth amendment rights.

Motion carried 5-1 with SEN BAER voting no.

Discussion:

REP. WISEMAN told Ms. Vadenbech he wanted someone to look at 100 year rainfall records in that Rocky Boy study.

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE WATER RESOURCES DIVISION IN DNRC. Motion carried unanimously.

{Tape: 1; Side: B; Approx. Time Count: 10.6; Comments: .}

HEARING DEPARTMENT OF LIVESTOCK

EXHIBIT 7, Page C-116. Lawrence Peterson, Executive Officer Montana Board of Livestock said the Department of Livestock was established to provide state responsibility for the control and eradication of animal diseases, etc.

Mr. Peterson introduced the staff of the different divisions.

HEARING CENTRALIZED SERVICES PROGRAM

Bob Tallerico, Legislative Fiscal Division suggested taking the Disease Control Program last because of the Bison issue which will be the most complicated.

Les Graham, Representing Montana Wool Growers, Montana Cattle Women, Montana Dairy Association and the Montana Association of Livestock markets said they fully support the suggestions of the department and their budget and the two proposals that Mr. Peterson addressed.

Jim Peterson, representing the Montana Stockgrowers Association supports the program.

EXHIBIT 8. Mr. George Harris, Administrator Centralized Services Program reviewed an organizational chart of the Department of Livestock.

EXHIBIT 9. Mr. Harris gave an overview of the functions of Centralized Services Program.

Mr. Tallerico stated that one FTE was transferred from the Milk Control Program to the Centralized Services Program.

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 23.2; Comments: Discussion on the FTE transfer.}

EXHIBIT 10. Mr. Harris reviewed the Department of Livestock Classification Review.

Questions and Responses:

SEN. BAER asked if there was a major consensus among the cattlemen and livestock people that their willing to pay the increased fees.

Jim Hagenbarth, Chairman Board of Livestock stated they were a 7 member board that acts as the director of the Department of Livestock. He said they have tried and tried to address the personnel issue and they have not succeeded. They support their employees and the proposed salary increase.

Discussion:

Mr. Graham said the people from the other industries support the fee increases.

Mr. Peterson stated that there was no intention on the part of the Department or the Board of Livestock to have a fee increase to pick up the additional costs. He said the per capita revenue that was collected last year were higher than anticipated and would be used for salary increase.

Questions and Responses:

{Tape: 1; Side: B; Approx. Time Count: 45.4; Comments: .}

SEN. KEATING asked how the department arrived at the \$1,078,799 of general fund.

Mr. Harris explained that in the Meat Inspection Program it was 50% federal and 50% from general fund and they cannot use fees or state special revenues to make their match.

The department was asking for a \$142,497 adjustment for FY98 and FY99.

EXECUTIVE ACTION CENTRALIZED SERVICES

Motion/Vote: SEN. JOHNSON MOVED TO ACCEPT THE DEPARTMENT OF LIVESTOCK CLASSIFICATION REVIEW FOR \$142,497 EACH YEAR. Motion carried unanimously.

BUDGET ITEMS: EXHIBIT 9.

4) Data Processing Equipment:

Mr. Harris explained the request was for computer equipment update to stay current with the system.

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 55.1; Comments: Discussion on equipment continues.}

Tape 2,A

Speed 2.4

{Tape: 2; Side: A; Approx. Time Count: 0; Comments: Discussion continues on Item 4, Equipment Replacement.}

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 4, EQUIPMENT AND OTHER BASE ADJUSTMENTS. Motion carried unanimously.

5) Consulting and Prof. Services:

Mr. Tallerico reviewed the LFD Issues. He stated he would draft language that addresses the expenditures for the subcommittee to consider.

Questions and Responses:

SEN. BAER inquired as to what the litigation was that was mentioned in Item 5, Consultant & Professional Services.

Mr. Peterson explained that they were experiencing litigation on the Bison issue from environmental groups, animal rights groups, etc. Their staff attorney didn't have the expertise to deal with those litigations in federal court, so they contracted for an attorney that was qualified.

Motion/Vote: SEN. JOHNSON MOVED TO APPROVE ITEM 5, CONSULTING AND PROFESSIONAL SERVICES. Motion carried unanimously.

6) Travel & Meetings:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 6, TRAVEL & MEETINGS. Motion carried unanimously.

7) Leased Vehicle Replacement:

Motion/Vote: REP WISEMAN MOVED TO APPROVE ITEM 7, LEASED VEHICLE REPLACEMENT. Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO APPROVE OTHER BASE ADJUSTMENTS. Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO CLOSE THE CENTRALIZED SERVICES DIVISION. Motion carried unanimously.

{Tape: 2; Side: A; Approx. Time Count: 12.9; Comments: .}

DIAGNOSTIC LABORATORY PROGRAM

EXHIBIT 11, Pages C-121 and C-122. Dr. Larry Stackhouse, Administrator Diagnostic Laboratory Program from Bozeman gave an overview of the functions of that program.

EXECUTIVE ACTION DIAGNOSTIC LABORATORY PROGRAM

BUDGET ITEMS:4) Lab Equipment Replacement:

Mr. Peterson reviewed the Lab Equipment Replacement.

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 4, LAB EQUIPMENT REPLACEMENT AND OTHER BASE ADJUSTMENTS. Motion carried unanimously.

NEW PROPOSALS;1) Diagnostic Laboratory FTE:

Mr. Peterson explained the FTE request for the Diagnostic Laboratory.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE THE DIAGNOSTIC LABORATORY FTE. Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO CLOSE THE DIAGNOSTIC LABORATORY DIVISION. Motion carried unanimously.

{Tape: 2; Side: A; Approx. Time Count: 23.8; Comments: .}

MILK AND EGG PROGRAM

EXHIBIT 12, Pages C-126 and C-127. Dr. Hal Sheets, Administrator Milk and Egg Program reviewed the program functions.

Questions and Responses:

SEN. KEATING asked if the number of dairy farms had increased.

Dr. Sheets replied no, they had decreased. In 1989 there were 248 producers and currently there were between 150 and 160 producers.

SEN. KEATING inquired as to how many egg producers there were in the state.

Dr. Sheets said most of the egg production is with the Hutterite Colonies and outside imports. The two egg producers in Miles City and Billings were no longer in business.

EXECUTIVE ACTION MILK AND EGG PROGRAM

{Tape: 2; Side: A; Approx. Time Count: 27.1; Comments: .}

4) Travel Adjustment:5) Vehicle Replacement:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 4, TRAVEL ADJUSTMENT AND ITEM 5, VEHICLE REPLACEMENT AND OTHER BASE ADJUSTMENTS. Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO CLOSE THE MILK AND EGG PROGRAM. Motion carried unanimously.

HEARING INSPECTION AND CONTROL PROGRAM

EXHIBIT 13, Pages C-128 and C-129. Mark Bridges, Administrator Inspection and Control Program gave an overview of the program.

Questions and Responses:

SEN. KEATING asked if cattle rustling and livestock thefts were included in that program.

Mr. Bridges answered yes. There was an increase of missing livestock over the last four or five years. The worked on 70 livestock theft cases and 100 to 150 misdemeanor cases.

REP WISEMAN inquired as to what happened to the Canadian stock trucks that were coming across the boarder and if they were inspected by the department.

Mr. Bridges said those trucks were coming into the United States at the Sweetgrass boarder and they were sealed. A number of those trucks were trucks were stopped because of paper work. They were destined to Utah for slaughter.

Mr. Bridges said the cattle that were coming in for feed lots were not sealed. Some of those cattle were assessed \$1 at Customs for the National Feed Council.

REP. WISEMAN asked Mr. Bridges if he could find out how many cattle trucks were coming into Montana destined for slaughter and for feed lots.

4) Travel Adjustment:

Mr. Bridges reviewed the travel adjustment.

Motion: SEN. KEATING MOVED TO APPROVE ITEM 4, TRAVEL ADJUSTMENT.

Discussion:

CHAIRMAN DEBRUYCKER asked why there was such a large increase in the travel request.

Mr. Bridges said there were 8 people attending meetings and that request included air fare, per diem and hotel rooms. That travel would be for out-of-state travel and in-state travel.

Mr. Bridges stated they screen the travel requests and they were cut back as much as possible.

Vote: Motion carried unanimously.

5) Inspection and Control Equipment:

Mr. Bridges explained that there were two vehicles coming due for replacement and the request would be reduced in the next biennium. Those vehicles serve Yellowstone County, Part of Treasure County and parts of Big Horn County.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE ITEM 5, INSPECTION AND CONTROL EQUIPMENT. Motion carried unanimously.

Other Base Adjustments:

Motion: SEN. KEATING MOVED TO APPROVE OTHER BASE ADJUSTMENTS. Motion carried unanimously.

Discussion:

SEN. KEATING asked what a non-state building meant.

Mr. Bridges explained in the previous biennium they had excess aircraft parts that they had to store that went to surplus.

SEN. KEATING asked Mr. Bridges if he would find out how much interest income was returned to the general fund in the last couple of years because of surplus property.

Vote: Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO CLOSE THE INSPECTION AND CONTROL PROGRAM. Motion carried unanimously.

HEARING PREDATOR CONTROL PROGRAM

EXHIBIT 14, Pages C-130 and C-131. Mr. Bridges was also the administrator of the Predator Control Program. He reviewed the program with the committee members.

Mr. Tallerico stated that in Personal Services there was funding for a grade 15 pilot FTE. See EXHIBIT 14, Page C-130.

Mr. Peterson stated that the Department of Livestock would like to eliminate the funding for the pilot in the Personal Services Program. They contract for a pilot, however they need that FTE in case something happened to the contract pilot.

Mr. Bridges stated that during the last legislative session there was a proposal to eliminate that pilot. The funding was put back into contracted services and left the pilot position unfunded.

{Tape: 2; Side: A; Approx. Time Count: 54.7; Comments: .}

Discussion:

SEN. KEATING asked what was stopping hunters from going out and killing coyotes.

Mr. Bridges said they were still hunting coyotes but their pelts weren't worth much.

Questions and Responses:

SEN. NELSON asked if there would be a long wait for coyote control if they had a problem in her area.

Mr. Bridges said no, the department would contract with trappers or fixed wing aircraft to respond to that situation.

Tape 2,B
Speed 2.4

{Tape: 2; Side: B; Approx. Time Count: 0; Comments: Predator control discussion continues.}

EXECUTIVE ACTION PREDATOR CONTROL

BUDGET ITEMS:

Motion/Vote: SEN. KEATING MOVED TO ELIMINATE THE FUNDING FOR THE PILOT POSITION IN PERSONAL SERVICES AND KEEP THE FTE. Motion carried unanimously.

4) Predator Control:

Other Base Adjustments:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 4, PREDATOR CONTROL AND OTHER BASE ADJUSTMENTS. Motion carried unanimously.

Motion/Vote: SEN. NELSON MOVED TO CLOSE THE PREDATOR CONTROL PROGRAM. Motion carried unanimously.

HEARING MEAT/POULTRY INSPECTION PROGRAM

EXHIBIT 15, Pages C-132 and C-133. Dr. Sheets gave an overview of the program.

EXECUTIVE ACTION MEAT/POULTRY INSPECTION PROGRAM

BUDGET ITEMS:

4) Leased Vehicles:

Motion: SEN. NELSON MOVED TO APPROVE ITEM 4, LEASED VEHICLES.

Discussion:

Carol Ohmstead, Department of Livestock said vehicles were on a three year rotation.

Vote: Motion carried unanimously.

{Tape: 2; Side: B; Approx. Time Count: 10.0; Comments: .}

NEW PROPOSALS: EXHIBIT 15, Page C-133.

Mr. Tallerico reviewed his LFD Comments.

1) Meat Inspection:

Mr. Peterson said they reduced their supplemental for 1997, but they need the \$105,502 for FY98 and FY99 for the additional meat inspectors.

2) New Leased Vehicles:

Motion/Vote: SEN. JOHNSON MOVED TO APPROVE ITEM 1, MEAT INSPECTION AND ITEM 2, NEW LEASED VEHICLES. Motion carried unanimously.

Motion/Vote: SEN. JOHNSON MOVED TO APPROVE OTHER BASE ADJUSTMENTS. Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO CLOSE THE MEAT/POULTRY INSPECTION PROGRAM. Motion carried unanimously.

{Tape: 2; Side: B; Approx. Time Count: 13.2; Comments: .}

HEARING MILK CONTROL BUREAU

EXHIBIT 16, Pages C-135 and C-136. Mr. Harris stated that they no longer control retail pricing. He gave an overview of the Bureau.

Discussion:

SEN. NELSON inquired as to whether or not they track retail milk prices.

Mr. Harris said they couldn't control the price of milk, that was up to the producers. However, they do keep track of other states and their milk pricing. When they get inquiries as to the high prices of milk they inform the producers, retailers, plants, etc. of the complaints.

EXECUTIVE ACTION MILK CONTROL BUREAU

BUDGET ITEMS;

Other Base Adjustments:

Motion/Vote: REP WISEMAN MOVED APPROVE OTHER BASE ADJUSTMENTS. Motion carried unanimously.

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE MILK CONTROL BUREAU. Motion carried unanimously.

HEARING DISEASE CONTROL PROGRAM

EXHIBIT 17, Pages C-123, C-124 and C-125. Dr. Clarence Siroky, Administrator of the Disease Control Program gave an overview of the program.

Mr. Tallerico stated that Item 03, Fixed Costs was inadvertently eliminated by the computer, but that item was zero so no action was needed.

EXECUTIVE ACTION DISEASE CONTROL PROGRAM

BUDGET ITEMS:

4) Disease Control Pickups and Sedans:

Mr. Peterson said they needed to moved \$26,922 in FY99 to FY98 because there was already 130,000 miles on that pickup. See the Table on Page C-123 (EXHIBIT 17). The \$10,500 in Item 4 was for fuel, the rental, repair and maintenance from the Department of Transportation.

Motion/Vote: SEN. NELSON MOVE TO APPROVE ITEM 4 WITH THE ADJUSTMENTS CHANGING FY98 APPROPRIATION TO \$47,422 AND FY99 APPROPRIATION TO \$18,000. Motion carried unanimously.

Mr. Harris said there was a change on Page C-123 for Benefits and Claims and there should be \$7,000 added to (\$6,709) which makes a total of \$291 in FY98 and F&99.

6) Benefits and Claims:

Motion/Vote: SEN. NELSON MOVED TO APPROVE ITEM 6, BENEFITS AND CLAIMS FOR \$291 FOR FY98 AND FY99. Motion carried unanimously

Discussion:

{Tape: 2; Side: B; Approx. Time Count: 57.2; Comments: Discussion about game farms.}

5) Bison Disease Control:

EXHIBIT 17, Pages C-124 and C-125. Mr. Tallerico gave an overview on the LFD Issues on Bison Control.

Tape 3,A
Speed 2.4

Mr. Tallerico stated that in the Table 2, Page C-125 where he listed expenditures for 1998 and 1999, those expenses were for bison control. The executive request for bison control was listed on Page C-123. The committee has not taken any action on Item 5, Bison Disease Control.

Mr. Peterson said under the legislation that recognized the potential of brucellosis in Yellowstone Park, there was a provision that directs the department as to what to do with the animals that were shot in the field.

He stated that they donated some to charitable organizations, to Native American groups for consumption and they can sell the hides and the heads. They cannot sell the meat.

Mr. Peterson discussed the suit between the State of Montana and the Interior Department and the Department of Agriculture. They have reached a settlement and there is an interim management plan for bison that were leaving the Park.

{Tape: 3; Side: A; Approx. Time Count: 5.4; Comments: Mr. Peterson's continued discussion on the problems of disposing of bison.}

He said as of yesterday they have disposed of 600 bison.

Brian Severan, Rancher explained the bison problem with the ranchers adjacent to the Park. The Park was overgrazed and they migrate to the adjacent ranchers for feed because there was no feed in the Park. The bison were eating trees and anything they could find.

{Tape: 3; Side: A; Approx. Time Count: 13.2; Comments: Continued testimony by Mr. Severan.}

Discussion;

Dr. Siroky said there were 300 head of bison in West Yellowstone and 500 head in the Eagle Creek Drainage which was a wilderness Preserve and they cannot do anything in that area and the feed was gone because of over-grazing. There were 60 to 80 head on the highways. There officers shot 13 head in the Madison Valley.

Mr. Graham stated that if the per capita was increased that would be less expensive for the industry. He said they spent over \$30 million over 20 years eradicating brucellosis.

Mr. Hagenbarth stated that his family spent over \$250,000 in vaccinating their herd and testing twice and never having found the disease.

Questions and Responses:

SEN. NELSON asked what the total bison population was in the Park.

Dr. Siroky stated that last summer there were 3500 head of bison in the Park. 85% of the cows were pregnant and 18 month old calves were pregnant.

{Tape: 3; Side: A; Approx. Time Count: 26.9; Comments: Questions and Responses on the Park bison continue.}

SEN. BAER asked if they were marketing some of the bison to produce some revenue to offset the cost.

Mr. Peterson stated they were doing that.

EXHIBIT 18, Bison Spending Authority Request. **Mr. Harris** said he had an overview that would answer some of those questions.

CHAIRMAN DEBRUYCKER asked if they would have that same situation that was spread all over the papers and television showing the wounded buffalo and the animal activists.

Mr. Peterson said they haven't had that problem so far. If it happened on private property that owner could sign a complaint. He said the national media had cooled off.

He stated if the offal (waste parts) was left after the slaughter it was gone within 2 to 3 hours due to predators, birds, etc.

Mr. Severance said they had over a hundred gut piles on his property. Some was in people's yards that weren't being cleaned up.

{Tape: 3; Side: A; Approx. Time Count: 45.4; Comments: .}

Questions and Responses Continued:

SEN. KEATING asked if the department was testing the bison for brucellosis as they were slaughtered.

Dr. Siroky replied yes. Through the Department of Livestock every animal was tested. The infection rate was close to 50%.

5) Bison Disease Control:

Motion: CHAIRMAN DEBRUYCKER MOVED TO APPROVE \$104,760 IN FY98 AND \$104,160 IN FY99 FOR SECURED TRANSPORTING AND \$270,000 FOR FY98 AND FY99 FOR SALE PROCEEDS. ALSO INCLUDE LANGUAGE TO REQUIRE THE AGENCY TO SUBMIT A LIST OF ALL COSTS.

Mr. Tallerico reminded the committee that he would submit language that would require the agency to accumulate all costs.

CHAIRMAN DEBRUYCKER included that language in his motion.

Vote: Motion carried unanimously.

ADJOURNMENT

Adjournment: 12:10 P.M.



REP. ROGER DEBRUYCKER, Chairman



THEDA ROSSBERG, Secretary

RD/TR