

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN ROGER DEBRUYCKER, on January 29,
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: FISH, WILDLIFE AND PARKS
Field Services
Law Enforcement Division
Administration and Finance

Executive Action: FISH, WILDLIFE AND PARKS
Field Services
Law Enforcement Division
Administration and Finance

Tape 1,A
Speed 4.8

HEARING FISH, WILDLIFE AND PARKS

EXECUTIVE ACTION FIELD SERVICES CONTINUED

BUDGET ITEMS

3) Public Wildlife Interface Management:

EXHIBIT 1, Page C-21 - Mr. Lloyd reviewed 3 items in the LFD
Issues they committee may wish to consider.

Jerry Wells, Administrator Field Services Division explained the reason for the FTE request.

{Tape: 1; Side: A; Approx. Time Count: 6.2; Comments: .}

Mr. Lloyd reviewed HB 195, Pages C-24 to C-26.

Questions and Responses:

By committee members and the department.

Discussion:

The department clarified some of the issues raised in regard to HB 195.

{Tape: 1; Side: A; Approx. Time Count: 25.1; Comments: .}

Pat Graham, Director Fish, Wildlife and Parks discussed Item 3 and the concerns of managing wildlife and the public confrontations. He asked the committee to consider foregoing the FTE in the Public Wildlife Interface Management proposal and using contracted services.

Mr. Graham stated that without the FTE, they could reduce the request to \$65,000.

Motion/Vote: SEN. KEATING MOVED TO APPROVE \$65,000 BIENNIAL APPROPRIATION FOR ITEM 3 AND RESTRICTED TO THE PUBLIC WILDLIFE INTERFACE MANAGEMENT PROGRAM. Motion carried unanimously.

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE HEARING ON FIELD SERVICES. Motion carried unanimously.

{Tape: 1; Side: A; Approx. Time Count: 35.2; Comments: .}

HEARING LAW ENFORCEMENT DIVISION

EXHIBIT 2 , Page C-37

Beate Galda, Administrator Law Enforcement Division gave a brief overview of the division.

Tape 1,B
Speed 4.8

{Tape: 1; Side B; Approx. Time Count: 0; Comments: .}

Ms. Galda's overview continued.

EXHIBIT 3 and 3A, Organizational Chart for the Enforcement Division that Ms. Galda reviewed.

{Tape: 1; Side: B; Approx. Time Count: 10.2; Comments: .}

EXHIBIT 4, Enforcement Division Performance Based Management and Budget Timeline. Mrs. Galda reviewed the history of the program since July 1995.

Questions and Responses:

CHAIRMAN DEBRUYCKER asked if the Enforcement Division was in charge of game farms.

Ms. Galda replied yes.

CHAIRMAN DEBRUYCKER stated that there were a lot of unhappy people out there according to correspondence he had received. They stated that the permits took too long to process, sometimes 3 to 4 months after they had applied for them and were still waiting.

Ms. Galda responded that they do have time limits and said there were one or two problems, but they were trying to monitor those better.

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 33.6; Comments: .}

Page C-43 and C-44 - Mr. Lloyd said there was an increase request for game farm of \$208,000 over the biennium. See LFD Issues, Page C-44.

Questions and Responses:

SEN. KEATING asked what kind of animals were in the game farms.

Ms. Galda responded the game farms consisted of elk and deer, mostly whitetail deer.

Tape 2,A
Speed 4.8

{Tape: 2; Side: A; Approx. Time Count: 0; Comments: .}

Ms Galda state that a game farm near Darby had fenced 1,100 acres of the existing game farm and is proposing to add another 1,800 acres. That area winters a lot of mule deer and elk.

Discussion:

SEN. KEATING stated that game farmer was fencing approximately 5 square miles of his private property. However, that farmer was impacting the forest area and other private property with the migration of the game animals.

Ms. Galda stated that the farmer would have to obtain and EIS for a cost of approximately \$65,000.

{Tape: 2; Side: A; Approx. Time Count: 5.4; Comments: Discussion continues on game farms.}

Discussion:

Discussion on the budget items, Page C-41.

SEN. KEATING said if the department wants to double the contacts they would have to double their force.

Questions and Responses:

SEN. KEATING asked where the funds were deposited.

MS. GALDA replied that 50% go to the general funds and 50% goes to the counties for fines.

{Tape: 2; Side: A; Approx. Time Count: 39.3; Comments: .}

EXECUTIVE ACTION LAW ENFORCEMENT DIVISION

Motion: SEN. KEATING MOVED TO APPROVE THE LAW ENFORCEMENT DIVISION WITH \$6,037,662 IN FY98 AND \$6,001,900 IN FY 99.

Discussion:

Mr. Lloyd stated that on Page C-44, Item 4 the request was for \$25,000 private funds for LCA. Therefore, that amount was unnecessary to be appropriated in HB 2 because the legislature does not appropriate private funds, so that amount could be reduced from the division's budget.

EXHIBIT 5. - Request for a Funding Adjustment.

Ms. Galda reviewed those adjustments.

Motion Withdrawn: SEN. KEATING WITHDREW HIS MOTION.

Motion/Vote: SEN. KEATING MOVED TO APPROVE THE FUNDING ADJUSTMENTS. Motion carried unanimously. See EXHIBIT

Motion/Vote: SEN. KEATING MOVED TO APPROVE THE LAW ENFORCEMENT BUDGET REQUEST LESS \$25,000, FOR \$6,012,662 IN FY98 AND \$5,976,900 IN FY99 AND THE DIVISION CAN ADJUST THE FIGURES AS THEY WISH. Motion carried 5-1 with CHAIRMAN DEBRUYCKER voting

no.

Tape 2,B
Speed 4.8

{Tape: 2; Side: B; Approx. Time Count: 0; Comments: .}

Discussion:

Discussion regarding an annual report to the Legislative Audit Committee or the Legislative Finance Committee.

Page C-38 - Mr. Lloyd said the committee may wish to consider the language as proposed by the executive on reporting twice a year on meeting their goals.

Motion/Vote: SEN. BAER MOVED TO ADOPT THE LANGUAGE PROPOSED ON PAGE C-38. Motion carried unanimously.

Discussion

Ms. Galda stated that they would like the game farms budget of \$104,000 to be a biennial appropriation so they have the flexibility to use that in one fiscal year if necessary.

Motion/Vote: SEN. KEATING MOVED TO APPROVE \$104,000 BIENNIAL APPROPRIATION FOR GAME FARMS. Motion carried unanimously.

Mr. Lloyd said the increase the division was requesting was included in SEN. KEATING'S motion. He asked if Goal No. 3 would have to be changed.

Mr. Graham stated on performance based budget will they have to look at that in all divisions.

Mr. Lloyd said there was no specific direction in HB 2.

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE LAW ENFORCEMENT DIVISION. Motion Carried unanimously.

{Tape: 2; Side: B; Approx. Time Count: 17; Comments: .}

HEARING ADMINISTRATION AND FINANCE DIVISION

Page C-8 - Mr. Lloyd reviewed the program description and the funding.

Dave Mott, Administrator Administration and Finance Division reviewed his background training.

Mr. Mott stated that last year they licensed 450,000 hunters and anglers, residents and non-residents. He reviewed the businesses that sell licenses for the department.

Mr. Mott said that licenses for moose, sheep and goats were not sold over the counter. They were restricted to drawings.

He said the department also manages the vehicles such as those use by wardens.

EXECUTIVE ACTION ADMINISTRATION AND FINANCE DIVISION

BUDGET ITEMS:

8) Change in License Structure:

Mr. Lloyd reviewed the LFD Issues on Item 8.

Mr. Mott explained that they used to sell doe tags over the counter from license agents. However, because of declining population they would go through the license drawing process.

Discussion:

Mr. Mott said a license agent sold a license for .50. But with the drawing there has to be an application filled out. If that application was not drawn they would refund that fee of \$3.00.

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 8, CHANGE IN LICENSE STRUCTURE. Motion carried unanimously.

Tape 3,A
Speed 4.8

{Tape: 3; Side: A; Approx. Time Count: ; Comments: Executive Action continued.}

9) Phased in Budget Modification:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 9, PHASED IN BUDGET MODIFICATION. Motion carried 4 - 2 with CHAIRMAN DEBRUYCKER and SEN. BAER voting no.

10) Physical Inventory of Property:

Motion/Vote: REP. WISEMAN MOVED TO APPROVE ITEM 10, PHYSICAL INVENTORY OF PROPERTY. Motion carried unanimously.

11) Reimbursement to the General Fund:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 11, REIMBURSEMENT TO THE GENERAL FUND. Motion carried unanimously.

12) Vehicle Account Transfer:

Motion: SEN. KEATING MOVED TO APPROVE ITEM 12, VEHICLE ACCOUNT TRANSFER.

Discussion:

Mr. Lloyd stated that there were 3 proprietary accounts that had to have the rates set. The vehicle and Aircraft account was one of those accounts.

Vote: Motion carried unanimously.

13) Legislative Contract Authority:

Mr. Lloyd reviewed the LFD Issues for Item 13.

Mr. Mott explained that there should be a \$30,000 adjustment in Other Base Adjustments which would be (3,790) each year.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE THE ADJUSTMENT TO OTHER BASE ADJUSTMENTS LEAVING A BALANCE OF (\$3,790). Motion carried unanimously.

Motion/Vote: SEN. WISEMAN MOVED TO APPROVE ITEM 13, LEGISLATIVE CONTRACT AUTHORITY FOR \$30,000 EACH FISCAL YEAR WITH THE (3,790) ADJUSTMENT IN OTHER BASE ADJUSTMENTS. Motion carried 5 - 1 with SEN. BAER voting no.

14) Equipment Replacement:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 14, EQUIPMENT REPLACEMENT. Motion carried unanimously.

{Tape: 3; Side: A; Approx. Time Count: 13.0; Comments: .}

EXECUTIVE NEW PROPOSALS:

1) Automated Licensing System:

Discussion:

The committee members and Mr. Mott discussed the proposed automated licensing system.

EXHIBIT 6. - Automated Licensing System.

Mr. Mott reviewed the costs incurred with and without the Automated Licensing System.

{Tape: 3; Side: A; Approx. Time Count: 34.1; Comments: .}

Mr. Lloyd reviewed the issues and Table 3 on Page C-12 of the budget book.

Tape 3,B
Speed 4.8

{Tape: 3; Side: B; Approx. Time Count: ; Comments: Discussion continued on the benefits of the automated licensing system..}


Note: There was no action taken on the Automated Licensing System, Item 1.


SEN. KEATING stated that item can be addressed in the full appropriations committee.

SEN. JOHNSON said the committee could reconsider that program at another time.

ADJOURNMENT

Adjournment: 12:00 P.M.


REP. ROGER DEBRUYCKER, Chairman


THEDA ROSSBERG, Secretary

RD/TR