

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN ROGER DEBRUYCKER**, on January 31,
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**
Executive Action: **Parks Division**
Wildlife Division
Conservation & Education Div.
Fisheries

Tape 1,A
Speed 2.4

Roger Lloyd, Legislative Fiscal Division stated that the committee may wish to get together with the Long Range Building Committee to coordinate how the funds should be spent for Operation and Maintenance for the Parks.

HEARING PARKS DIVISION

CHAIRMAN DEBRUYCKER asked what happened to the \$50,000 that was derived from Park fees.

Arnold Olsen, Administrator Parks Division, FWP stated that \$50,000 was approved in the Long Range Building Committee for land acquisition. That was for a trade of surplus lands at Bridger Bowl.

EXHIBIT 1. Mr. Olsen reviewed a map of Ulm Pishkun State Park that was set aside in 1971. He explained that the blue lines were the Turner land exchange which was adjacent to the Park, but was school trust lands. The reason for the land trade was because of the Native American Indians. Their concern was that putting anything on top of the jump would dishonor the site from a religious point of view. However, they fully support the educational center.

Mr. Olsen said they saved \$50,000 by building the educational center at the bottom of the jump rather than on top.

EXHIBIT 2. Questions on Ulm Pishkun State Park.

Mr. Olsen reviewed the Ten most asked questions and answers.

EXHIBIT 3. Ulm Pishkun State Park brochure.

EXHIBIT 4. Managing Costs in Montana State Parks. Mr. Olsen reviewed the benefits of transferring of sites, downsizing, etc.

{Tape: 1; Side: A; Approx. Time Count: 14.6; Comments: Mr. Olsen continued discussion on the Ulm Pishkun Park.}

Mr. Olsen said if they charged only a .50 per person fee at Ulm Pishkun Park they could generate \$26,000 from 52,000 visitors.

He stated that at the Regional Headquarters in Great Falls they had 120 volunteers in 1996 that donated 7,800 hours and served 25,000 visitors. Those volunteers would be equivalent to 4 FTE.

{Tape: 1; Side: A; Approx. Time Count: 17.4; Comments: Mr. Olsen discussed their capital program.}

Mr. Olsen reviewed charts explaining the division's cash flow.

Questions and Responses:

SEN. KEATING asked what \$3 million capital dollars meant.

Mr. Olsen those funds came from highway fuel taxes, motor boats, bed tax, etc.

He stated they have several primitive Parks and they were in good healthy condition.

SEN. NELSON asked what the cost of a visitor's center was.

Mr. Olsen responded that approximately \$2.2 million including road improvement and some work with the adjacent landowner, parking area, water well, etc.

EXHIBIT 5. Page C-60. Mr. Lloyd reviewed the options on the Policy Issue for the committee's consideration.

CHAIRMAN DEBRUYCKER asked Mr. Graham what their reaction would be if the committee adopted Option 2.

Mr. Graham stated that option merely addresses how they would deal with operations if they receive any capital.

{Tape: 1; Side: A; Approx. Time Count: 40.1; Comments: .}

Discussion:

Discussion on Parks capital projects.

Mr. Graham stated that on Thursday, February 6th and February 10th the department would be giving their overview to the Long Range Building Committee.

EXECUTIVE ACTION PARKS DIVISION

Motion/Vote: CHAIRMAN DEBRUYCKER MOVED TO APPROVE OPTION NO. 2 OF THE POLICY ISSUES AND CHANGING THE WORD "CERTIFY" TO "DOCUMENT." Motion carried unanimously. See EXHIBIT 5.

HEARING WILDLIFE DIVISION

Teaming With Wildlife:

Mr. Graham explained the history of Teaming With Wildlife.

Questions and Responses:

CHAIRMAN DEBRUYCKER asked if the department went to Washington, D.C. to lobby for the excise tax.

Mr. Graham replied there was no bill. They contacted various groups and there was a private coalition formed to examine the Teaming With Wildlife program. They did not do any lobbying, but did provide information to the State Senators.

SEN KEATING asked if there was a contribution made to that national coalition.

Mr. Graham answered no, but they do pay dues of approximately \$12,000 to \$14,000 per year.

EXHIBIT 6. STATUTORY OBLIGATIONS.

Mr. Lloyd stated that an estimated \$350 million dollars could be raised from the excise tax and Montana would receive about \$8 million of that.

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE DIVISION. Motion carried unanimously.

Motion/Vote: SEN. NELSON MOVED TO REOPEN THE WILDLIFE DIVISION ON PRAIRIE POTHOLE. Motion carried unanimously.

EXHIBIT 7. WILDLIFE LCA AMENDMENT REQUEST.

Mr. Graham reviewed the North American Wetlands Conservation Act.

Motion/Vote: SEN. NELSON MOVED TO APPROVE THE WILDLIFE LCA AMENDMENT REQUEST FOR POT HOLES. Motion carried 4-1 with CHAIRMAN DEBRUYCKER voting no.

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE WILDLIFE DIVISION. Motion carried unanimously.

Tape 1,B
Speed 2.4

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

HEARING CONSERVATION EDUCATION DIVISION

EXHIBIT 8. Ron Aasheim, Administrator Conservation Education Division reviewed the organizational chart requested by the committee.

EXHIBIT 9, Page C-62. Mr. Aasheim gave an overview of the division. He used charts to explain their operations.

Ken Hoovestall, Montana Snowmobile Association said they had been working with the department on their education program and they were doing a good job in cooperation with their safety committee.

{Tape: 1; Side: B; Approx. Time Count: 17.9; Comments: .}

EXECUTIVE ACTION CONSERVATION EDUCATION DIVISION

EXHIBIT 10, Pages C-63, C-64 and C-65. BUDGET ITEMS:

6) Program Transfer:

Motion/Vote: SEN. WISEMAN MOVED TO APPROVE ITEM 6, PROGRAM TRANSFER. Motion carried unanimously.

7) Shooting Range Biennial Appropriation:

Mr. Lloyd reviewed the LFD Comment. He said there were some changes in the figures. Item 1, of the LFD Comment for \$115,000 was changed to \$117,800 and Item 2, was changed from \$4,800 to \$2,000.

He also said there were changes in Table 9, changing Item 7, Shooting Ranges from \$5,671 to \$43 in FY98 and changed (\$58,319) to (\$62,071). Also there were changes in the Other Base

Adjustments as follows: (\$602) changed to \$5,026 in FY98 and (602) changed to \$3,150 in FY99.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE ITEM 7, SHOOTING RANGE APPROPRIATION WITH THE REVISED FIGURES. Motion carried 5 - 1 with SEN.BAER voting no.

8) Publications:

Motion: SEN. KEATING MOVED TO APPROVE ITEM 8, PUBLICATIONS.

Discussion:

SEN. KEATING asked if the appropriations were offset with the revenue received from the sale of the Montana Outdoors magazine.

Mr. Aasheim replied that they did offset the appropriations with the revenue which was about 60% self-sufficient.

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 8, PUBLICATIONS. Motion carried 5-1 with SEN BAER voting no.

9) Off-Highway Vehicle Program:

No action taken on Item 9.

10) Replacement Equipment:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 10, REPLACEMENT EQUIPMENT. Motion carried unanimously.

11) Legislative Contract Authority:

Motion/Vote: REP. WISEMAN MOVED TO APPROVE ITEM 11, LEGISLATIVE CONTRACT AUTHORITY. Motion carried 5-1 with SEN. BAER voting no.

Other Base Adjustments:

Motion: SEN. KEATING MOVED TO APPROVE OTHER BASE ADJUSTMENTS WITH THE NEW FIGURES.

Discussion:

Motion carried 4-2 with SEN BAER and CHAIRMAN DEBRUYCKER voting no.

{Tape: 1; Side: B; Approx. Time Count: 37.3; Comments: .}

EXECUTIVE NEW PROPOSALS:

1) Volunteer/Intern Coordinator:

Mr. LLOYD reviewed the LFD Issue on Item 1.

Discussion:

Mr. Aasheim said the request for the FTE was for someone to train the volunteers.

No action taken on Item 1, Volunteer/Intern Coordinator.

2) Hunter Education Enhancement:

Mr. Lloyd reviewed the LFD Issues on Item 2.

Discussion:

EXHIBIT 11. Mr. Aasheim said the proposal for \$130,000 should be reduced to by \$50,000 in FY98 and FY99.

Motion/Vote: SEN. NELSON MOVED ITEM 2, HUNTER EDUCATION ENHANCEMENT WITH THE \$50,000 REDUCTION RESULTING IN A \$80,000 REQUEST FOR FY98 AND \$60,000 REQUEST FOR FY99. Motion carried unanimously.

{Tape: 1; Side: B; Approx. Time Count: 50.9; Comments: .}

Discussion:

Committee members discussed the departments other requests.

Questions and Responses:

SEN. BAER asked what the two inter-active shooting devices were.

Mr Aasheim replied that they were trailers that had a video screen in them and they use laser guns or bows and arrows. Different hunting sequences appear on the screen and gives the person a chance to actually shoot in hunting situations.

SEN. KEATING inquired as to the percentage of young people that take the education courses.

Mr. Aasheim stated that it was about 99% They don't mix the adult training with the younger people. However, a number of parents do attend the education sessions.

{Tape: 1; Side: B; Approx. Time Count: 63.7; Comments: Questions and Responses on hunting education continues.}

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 67.0; Comments: Mr. Aasheim continued discussion on hunter education.}

Mr. Lloyd asked Mr. Aasheim how much of the request was for advanced adult education and how was the funding broken down among three areas.

Mr. Aasheim said the shooting ranges were \$50,000 and the advanced program was \$54,000 and the enhanced education was \$35,000.

Mr. Lloyd requested some written explanation on the advanced hunters education so that can be included in the next budget book as to what had actually been approved.

Motion: REP. WISEMAN MOVED TO APPROVE ITEM 2, HUNTER EDUCATION ENHANCEMENT.

Discussion:

SEN. BAER said he didn't see any value in expanding hunter safety for juveniles.

Vote: Motion carried 4 - 2 with SENATORS KEATING and BEAR voting no.

{Tape: 1; Side: B; Approx. Time Count: 75.6; Comments: Montana Outdoors Magazine overview.}

EXHIBIT 12, Page C-66. Mr. Lloyd reviewed the expenditures for the Montana Outdoors magazine and what the funding source was. He stated that the general license account subsidizes the funding for that magazine. The committee may wish to consider whether or not that was appropriate.

Discussion:

Mr. Aasheim discussed the rationale for using the general license monies.

SEN. BAER said that was a beautiful magazine, but he would like to see it self-supported. If something operates at a loss, get rid of it.

SEN. NELSON said that if the cost of that magazine was raised from \$7 to \$10 that would still be a good buy.

Motion/Vote: SEN. BEAR MOVED TO ADOPT ITEM 1, TO REDUCE PRESENT LAW REQUEST BY \$180,027 OF COAL TAX INTEREST AND LICENSE REVENUE.

Discussion:

SEN. KEATING stated that if that motion passes, it would kill the magazine and there seems to be a certain demand for it.

Mr. Graham said they will try to come up with a plan to make the magazine self-sufficient.

{Tape: 1; Side: B; Approx. Time Count: 80.1; Comments: Discussion continues on the funding of the Montana Outdoor magazine.}

Tape 2,B
Speed 2.4

Motion: SEN. KEATING MOVED TO APPROVE LANGUAGE THAT THE DEPARTMENT MOVE TOWARDS FINANCING THE MONTANA OUTDOORS MAGAZINE WITH 75% OF EARNED REVENUE FROM SALES AND IF THAT WAS ACHIEVED THE APPROPRIATION FROM THE GENERAL LICENSE ACCOUNT WOULD BE REDUCED.

Discussion:

Mr. Aasheim stated the department would try to achieve that goal through several options. They would try to recruit more subscriptions through direct mail advertising. He said they would look at selling advertisements, subscription fee increases, etc.

Vote: Motion carried unanimously.

Note: No action was taken on SEN. BEAR'S motion for lack of a second.

Motion/Vote: CHAIRMAN DEBRUYCKER MOVED TO CLOSE THE CONSERVATION EDUCATION DIVISION. Motion carried unanimously.

{Tape: 2; Side: a; Approx. Time Count: 11.3; Comments: .}

HEARING FISHERIES DIVISION

EXHIBIT 13, Page C-27. Larry Peterman, Administrator Fisheries Division gave an overview of the division.

EXHIBIT 14. Organizational Chart

Mr. Peterman reviewed the different hatcheries and the type of fish that were raised.

He stated that there were 382,000 licensed anglers, both resident and non resident, in the state in 1995. The revenue from those anglers was approximately \$151 million.

{Tape: 2; Side: A; Approx. Time Count: 29.4; Comments: .}

Mr. Peterman discussed proposed fishing accesses. He also discussed the Native Species Management program.

Questions and Responses:

SEN. KEATING inquired at to how the Sturgeon got on the list of Endangered Species.

Mr. Peterman replied that the White Sturgeon was petitioned from a group from the northwest and the Palat Sturgeon was petitioned by a group from North Dakota.

He explained the reason for the Sturgeon being placed upon the Endangered Species list. Most of the problems were caused by dams disrupting the stream flow. There were recovery plans being developed for both species.

{Tape: 2; Side: A; Approx. Time Count: 34.7; Comments: .}

Mr. Peterman discussed the Whirling Disease problem. He stated that the Governor established a Whirling Disease Task Force in May of 1995.

EXHIBIT 15 - Summary of the Final Report and Action Recommendations by the Montana Whirling Disease Task Force.

Mr. Peterman reviewed charts on Whirling Disease and how it spreads.

Questions and Responses:

SEN. BAER asked what can be done about Whirling Disease.

Mr. Peterman said they had developed a research plan and a management plan from the Whirling Disease Task Force recommendations.

EXHIBIT 16, Pages C-33 and C-34. Mr. Lloyd reviewed the LFD Issues on Whirling Disease.

EXHIBIT 17. Request for a Funding Adjustment.

Mr. Lloyd said the request was a funding switch for a reduction in federal revenue and an increase in State Special Revenue.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE THE REQUEST FOR THE FUNDING SWITCH. Motion carried unanimously.

{Tape: 2; Side: A; Approx. Time Count: 52.3; Comments: .}

EXECUTIVE ACTION FISHERIES DIVISION

EXHIBIT 18. BUDGET ITEMS:

7) Replacement Equipment:

Mr. Peterman said the equipment was getting old and needed replacement.

Questions and Responses:

SEN. KEATING asked if that was a historic equipment replacement request.

Mr. Peterman replied that the \$17,645 was a little over what they had actually spent in the last two bienniums. They have spent approximately \$50,000 so far in 1997.

Note: No action was taken on Item 7, Replacement Equipment.

8) Cyclical Adjustments:

Mr. Peterman said that was for printing fishing regulations. Additional regulations were printed the second year to cover any short-falls and include any addendums that might change. In the even years they have a cost of about \$50,000 and in odd numbered years a cost of about \$25,000.

Discussion:

Committee discussion on printing costs.

Motion/Vote: REP. KEATING MOVED TO APPROVE ITEM 8, CYCLICAL ADJUSTMENTS. Motion carried unanimously.

ADJOURNMENT

Adjournment: 12:25 P.M.



REP. ROGER DEBRUYCKER, Chairman



THEDA ROSSBERG, Secretary

RB/TR