

**MINUTES**

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

**JOINT SUBCOMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN ROGER DEBRUYCKER**, on February 6, 1997, at 7:00, 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  
Cindy Weaver, Legislative Fiscal Division  
Theda Rossberg, Committee Secretary

**NOTE; THESE MINUTES WERE TRANSCRIBED BY ELAINE BENEDICT!**

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: Fish, Wildlife and Parks,  
Department of Commerce -  
1/7/97  
Executive Action: Fish, Wildlife and Parks,  
Department of Commerce

**TAPE 1 RECORDED ON 4.8 SPEED SETTING**

**EXECUTIVE ACTION ON FISH, WILDLIFE AND PARKS**

**BUDGET ITEM: FISHERIES DIVISION**

**Informational Testimony:**

Dave Mott, Administrator of Administration and Finance Division.

**EXHIBITS 1, 2 & 3**

**{Tape: 1; Side: A; Approx. Time Count: 0.1; Comments: None.}**

Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 4.8; Comments: None.}

Motion: SEN. LARRY BAER moved to reconsider action on the Automated Licensing System New Proposal in order to have the issue scrutinized more thoroughly by the joint meeting of the House Appropriations and Senate Finance and Claims committees.  
{Tape: 1; Side: A; Approx. Time Count: 10.9; Comments: None.}

Amended Motion: SEN. BAER amended his motion to state that approval be postponed until both the House Appropriations and Senate Finance and Claims committees have had the opportunity to scrutinize the issue, whether separately or in a joint meeting.  
{Tape: 1; Side: A; Approx. Time Count: 11.8; Comments: None.}

Vote: Motion passed with REP. WILLIAM WISEMAN and REP. JOHN JOHNSON voting no.  
{Tape: 1; Side: A; Approx. Time Count: 13.2; Comments: None.}

Motion: SEN. BAER moved to withdraw approval for the Automated Licensing System New Proposal for the purposes stated above.  
{Tape: 1; Side: A; Approx. Time Count: 13.4; Comments: None.}

Vote: Motion passed with REP. WISEMAN and REP. JOHNSON voting no.  
{Tape: 1; Side: A; Approx. Time Count: 14.6; Comments: None.}

EXHIBIT 4

Motion/Vote: CHAIRMAN DEBRUYCKER moved to strike language item 4 as stated on Exhibit 4. Motion passed unanimously.  
{Tape: 1; Side: A; Approx. Time Count: 19.8; Comments: None.}

EXHIBIT 5

HEARING ON FISH, WILDLIFE AND PARKS

BUDGET ITEM: FISHERIES DIVISION

Informational Testimony:

Larry Peterman, Administrator of the Fisheries Division.

{Tape: 1; Side: A; Approx. Time Count: 22.6; Comments: None.}

Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 27.0; Comments: None.}

EXECUTIVE ACTION ON FISH, WILDLIFE AND PARKS

BUDGET ITEM: FISHERIES DIVISION

Motion/Vote: REP. WISEMAN moved to accept New Proposal 6, Factors Affect Ft Peck Paddle Fish as contained in the chart on page as presented on page C-30 of Volume 1 of the Governor's Budget and Legislative Budget Analysis. Motion passed unanimously.

{Tape: 1; Side: A; Approx. Time Count: 35.1; Comments: None.}

Questions/Discussion:

{Tape: 1; Side: A; Approx. Time Count: 35.3; Comments: None.}

Motion/Vote: REP. WISEMAN moved to accept New Proposal 7, Fish Health O&M. Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 8.2; Comments: None.}

BUDGET ITEM: GENETIC ANALYSIS OF FISH STOCK NEW PROPOSAL

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 8.4; Comments: None.}

Informational Testimony:

Mr. Peterman.

{Tape: 1; Side: B; Approx. Time Count: 8.8; Comments: None.}

Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 12.0; Comments: None.}

Motion/Vote: REP. JOHNSON moved to accept New Proposal 8, Genetic Analysis of Fish Stock. Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 15.1; Comments: None.}

BUDGET ITEM: WHIRLING DISEASE COORDINATION NEW PROPOSAL

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 15.4; Comments: None.}

BUDGET ITEM: FISH HATCHERY OPERATIONS AND MAINTENANCE

Motion: REP. JOHNSON moved to reconsider action on New Proposal 5, Fish Hatchery O&M.

{Tape: 1; Side: B; Approx. Time Count: 17.9; Comments: None.}

Vote: Motion failed with a vote of 3 to 3.

{Tape: 1; Side: B; Approx. Time Count: 23.0; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF COMMERCE

BUDGET ITEM: COMMUNITY DEVELOPMENT GRANTS PRESENT LAW ADJUSTMENT

Informational Testimony:

Newell Anderson, Administrator of Local Government Assistance Division.

{Tape: 1; Side: B; Approx. Time Count: 23.6; Comments: None.}

Motion: SEN. THOMAS KEATING moved to reconsider action on Present Law Adjustment 13, Community Development Grants.

{Tape: 1; Side: B; Approx. Time Count: 25.7; Comments: None.}

Vote: Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 27.2; Comments: None.}

Motion/Vote: SEN. KEATING moved to accept the Present Law Adjustment 13 with the corrected amount of \$1,543,068 for each fiscal year. Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 27.3; Comments: None.}

BUDGET ITEM: LOCAL GOVERNMENT & AUDIT SYSTEMS BUREAU-  
AUDIT REVIEW FEES

Informational Testimony:

Mr. Anderson.

{Tape: 1; Side: B; Approx. Time Count: 28.2; Comments: None.}

Motion: SEN. KEATING moved to accept the fee system as presented on pages G-98 and G-99 of Volume 2 of the Governor's Budget and Legislative Budget Analysis.

{Tape: 1; Side: B; Approx. Time Count: 29.2; Comments: None.}

Vote: Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 30.4; Comments: None.}

BUDGET ITEM: LOCAL GOVERNMENT AUDIT & SYSTEMS BUREAU-  
DEFALCATION FEES

Informational Testimony:

Mr. Anderson.

{Tape: 1; Side: B; Approx. Time Count: 30.7; Comments: None.}

Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 32.5; Comments: None.}

Motion: REP. WISEMAN moved to accept to accept the fee system as presented on page G-102, restricted.

{Tape: 1; Side: B; Approx. Time Count: 33.3; Comments: None.}

Vote: Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 34.2; Comments: None.}

BUDGET ITEM: LOCAL GOVERNMENT ASSISTANCE ADMINISTRATION FEES

Informational Testimony:

Mr. Anderson.

{Tape: 1; Side: B; Approx. Time Count: 34.6; Comments: None.}

Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 35.3; Comments: None.}

Motion: REP. WISEMAN moved to accept the recharge rate of 1.77% in FY98 and 1.78% in FY99 as presented on page G-105. Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 35.8; Comments: None.}

Motion/Vote: SEN. LINDA NELSON moved to close action on the division. Motion passed unanimously.

{Tape: 1; Side: B; Approx. Time Count: 36.2; Comments: None.}

HEARING ON DEPARTMENT OF COMMERCE

BUDGET ITEM: MONTANA LOTTERY

Informational Testimony:

Jerry LaChere, Director of Montana Lottery.

EXHIBIT 6

{Tape: 1; Side: B; Approx. Time Count: 37.8; Comments: None.}

TAPE 2 RECORDED ON 2.4 SPEED SETTING

Questions/Responses:

{Tape: 2; Side: A; Approx. Time Count: 20.7; Comments: None.}

Informational Testimony (Resumed):

{Tape: 2; Side: A; Approx. Time Count: 22.4; Comments: None.}

Questions/Responses:

{Tape: 2; Side: A; Approx. Time Count: 27.2; Comments: None.}

EXECUTIVE ACTION OF DEPARTMENT OF COMMERCE

BUDGET ITEM: MONTANA LOTTERY

Motion/Vote: SEN. NELSON moved to accept the fee charge as present on page G-120. Motion passed unanimously.  
{Tape: 2; Side: A; Approx. Time Count: 32.2; Comments: None.}

Motion/Vote: REP. JOHNSON moved to close action on Montana Lottery. Motion passed unanimously.  
{Tape: 2; Side: A; Approx. Time Count: 34.7; Comments: None.}

HEARING ON DEPARTMENT OF COMMERCE

BUDGET ITEM: MONTANA PROMOTION DIVISION

Discussion:  
{Tape: 2; Side: A; Approx. Time Count: 38.2; Comments: None.}

Informational Testimony:

Matthew Cohn, Administrator of Travel Development Promotion Division.

EXHIBITS 7 & 8

{Tape: 2; Side: A; Approx. Time Count: 38.8; Comments: None.}

Questions/Responses:  
{Tape: 2; Side: A; Approx. Time Count: 74.7; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF COMMERCE

BUDGET ITEM: MONTANA PROMOTION DIVISION

Motion/Vote: SEN. KEATING moved to accept Present Law Adjustment 4, Increased Private Funds Support. Motion passed unanimously.  
{Tape: 2; Side: A; Approx. Time Count: 85.4; Comments: None.}

HEARING ON DEPARTMENT OF COMMERCE

BUDGET ITEM: CONSUMER AFFAIRS

Informational Testimony:

Annie Bartos, Chief Legal Counsel of Department of Commerce.

EXHIBITS 9, 10, 11, 12 & 13

{Tape: 2; Side: B; Approx. Time Count: 11.1; Comments: None.}

Questions/Responses:

{Tape: 2; Side: B; Approx. Time Count: 29.9; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF COMMERCE

BUDGET ITEMS: CONSUMER AFFAIRS

Motion: REP. WISEMAN moved to accept Present Law Adjustments 4 & 5, Consumer Affairs Operating and Indirect Administrative Costs.  
{Tape: 2; Side: B; Approx. Time Count: 41.6; Comments: None.}

Vote: Motion passed unanimously.  
{Tape: 2; Side: B; Approx. Time Count: 42.2; Comments: None.}

Motion: REP. JOHNSON moved to accept "Other Base Adjustments" as presented in the chart on page C-266. Motion passed unanimously.  
{Tape: 2; Side: B; Approx. Time Count: 43.4; Comments: None.}

Motion/Vote: SEN. NELSON moved to close action on Consumer Affairs. Motion passed unanimously.  
{Tape: 2; Side: B; Approx. Time Count: 43.7; Comments: None.}



HEARING ON DEPARTMENT OF COMMERCE

BUDGET ITEM: MONTANA SCIENCE & TECHNOLOGY ALLIANCE

Dave Desch, Senior Investments Manager of Montana Science & Technology Alliance.  
{Tape: 2; Side: B; Approx. Time Count: 46.1; Comments: None.}

Questions/Responses:  
{Tape: 2; Side: B; Approx. Time Count: 51.9; Comments: None.}

Informational Testimony (Resumed):  
{Tape: 2; Side: B; Approx. Time Count: 52.2; Comments: None.}

Questions/Responses:  
{Tape: 2; Side: B; Approx. Time Count: 60.4; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF COMMERCE

BUDGET ITEM: MONTANA SCIENCE & TECHNOLOGY ALLIANCE

Motion/Vote: SEN. KEATING moved to accept Present Law Adjustments 4, 5, 6 & "Other Base Adjustments" as presented in the chart on page C-257. Motion passed unanimously.  
{Tape: 2; Side: B; Approx. Time Count: 84.4; Comments: None.}

Motion/Vote: SEN. NELSON moved to close action on Montana Science & Technology Alliance.  
{Tape: 2; Side: B; Approx. Time Count: 85.7; Comments: None.}

HEARING ON DEPARTMENT OF COMMERCE

BUDGET ITEM: WEIGHT & MEASURES BUREAU

Jack Kane, Weights & Measures Bureau Chief.  
{Tape: 2; Side: B; Approx. Time Count: 86.7; Comments: None.}

TAPE 3 RECORDED ON 2.4 SPEED SETTING

Questions/Responses:

{Tape: 3; Side: A; Approx. Time Count: 3.9; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF COMMERCE

BUDGET ITEM: WEIGHT & MEASURES BUREAU

Motion/Vote: SEN. KEATING moved to accept Goals 1, 2, 3 & 4 as presented on pages C-218 and C-219. Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 11.4; Comments: None.}

Motion: REP. WISEMAN moved to accept Present Law Adjustment Equipment Replacement with the corrected amounts of (\$56,626) in FY98 and (\$3,126) in FY99.  
{Tape: 3; Side: A; Approx. Time Count: 13.7; Comments: None.}

Vote: Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 14.5; Comments: None.}

Motion/Vote: SEN. KEATING moved to accept Present Law Adjustment 5 as presented in the narrative on page C-221. Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 15.1; Comments: None.}

Motion/Vote: SEN. KEATING moved to accept Present Law Adjustment 6 as presented in the narrative on page C-221. Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 16.0; Comments: None.}

Motion/Vote: SEN. NELSON moved to accept Present Law Adjustment Laboratory Rent Increase as presented in the narrative on page C-221. Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 16.4; Comments: None.}

Motion/Vote: SEN. KEATING moved to close action of Weights & Measures Bureau.  
{Tape: 3; Side: A; Approx. Time Count: 16.6; Comments: None.}

HEARING ON DEPARTMENT OF COMMERCE

BUDGET ITEM: BOARD OF HORSE RACING

Informational Testimony:

Sam Murfitt, Executive Secretary of Board of Horse Racing.  
{Tape: 3; Side: A; Approx. Time Count: 17.3; Comments: None.}

Questions/Responses:

{Tape: 3; Side: A; Approx. Time Count: 20.7; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF COMMERCE

BUDGET ITEM: BOARD OF HORSE RACING

Motion/Vote: REP. JOHNSON moved to accept Present Law Adjustments 4 & 5, Changes in Board Member Composition and Board Operations. Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 26.8; Comments: None.}

Motion/Vote: REP. JOHNSON moved to accept "Other Base Adjustments". Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 27.0; Comments: None.}

Motion/Vote: SEN. KEATING moved to close action on Board of Horse Racing. Motion passed unanimously.  
{Tape: 3; Side: A; Approx. Time Count: 27.2; Comments: None.}

ADJOURNMENT

Adjournment: 12:00

  
REP. ROGER DEBRUYCKER, Chairman

  
THEDA ROSSBERG, Secretary

RD/EMB