

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN ROGER DEBRUYCKER, on February 18,  
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:

HEARINGS: FISH, WILDLIFE AND PARKS -  
Management Division  
Administration and Finance  
FORESTRY DIVISION  
DEPARTMENT OF COMMERCE

EXECUTIVE ACTION: FISH, WILDLIFE AND PARKS  
Management Division  
Administration and Finance Division  
DEPARTMENT OF COMMERCE

Tape 1,A

HEARING FISH, WILDLIFE AND PARKS  
Management Division

Bob Martinka, Management Division gave an overview of the  
division.

Budget Items:4) Commission Meetings:

Roger Lloyd, Legislative Fiscal Division said that last session the Legislature increased the commission meetings and work sessions from 12 to 16.

Mr. Martinka stated they were holding more meetings around the state instead of Helena for more public exposure.

{Tape: 1; Side: A; Approx. Time Count: 14.7 ; Comments: .}

No action was taken on Item 4.

5) Contract Support:

EXHIBIT 1, Pages C-68 and C-69. Mr. Lloyd reviewed seven items included under Contract Support and LFD Issues.

Discussion:

Mr. Martinka stated that the FTE request was for the Billings Regional Headquarters. They would probably ask for a modified FTE again to fill that position.

Mr. Lloyd explained that a modified FTE doesn't show in the budget Table and hasn't received any appropriations, but they can move authority from other places such as operations to hire a FTE. Then the budget office sets up appropriations for a FTE, which is called modified.

Questions and Responses:

REP. WISEMAN asked what the trend was for game farms in the next biennium because of legal requirements.

Mr. Martinka said most of the rogue game farms have disappeared due to the legal process. However, there are a number of new farms.

SEN. KEATING asked what had to be done to keep trout off the endangered species list.

Mr. Martinka responded that the examples of their efforts include the grayling, west slope cut throat and the bull trout. They have taken some legal actions to keep the west slope cut throat off the endangered species list.

Mo Action taken on Item 5.

6) Area Office Adjustment:

Mr. Lloyd reviewed his LFD Comments. See EXHIBIT 1, Page C-69.

Discussion:

Mr. Martinka said that was a new program in the base year and didn't get the office up and going until December, January and the reason for the base adjustment.

{Tape: 1; Side: A; Approx. Time Count: 32.5; Comments: .}

Questions and Responses:

SEN. KEATING asked if the department spent the funds elsewhere.

Mr. Martinka responded that some of the funds were spent from the base year because of new phone systems in their offices and in some regional offices. About \$30,000 was spent on upgrading the phone systems.

Sen. Nelson asked how the towns were selected for regional offices.

Mr. Martinka answered that they were selected by size of the town.

SEN. NELSON mentioned that there were no office in Eastern Montana.

Mr. Martinka responded that they were considering an office in Glendive.

EXECUTIVE ACTION FISH, WILDLIFE AND PARKS  
MANAGEMENT DIVISION

Motion: REP. WISEMAN MOVED TO APPROVE ITEM 6, AREA OFFICE ADJUSTMENT.

Discussion:

SEN. BAER stated he had a problem with allocating funds when they were used elsewhere.

Vote: Motion carried 4-2 with SEN. NELSON and SEN. BAER voting no.

8) Weed Control:

Motion/Vote: CHAIRMAN DEBRUYCKER MOVED TO APPROVE ITEM 8, WEED CONTROL. Motion carried unanimously.

10) Cyclical Printing:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 10, CYCLICAL PRINTING. Motion carried unanimously.

11) Operating for Upgraded Phones

Motion/Vote: REP WISEMAN MOVED TO APPROVE ITEM 11, OPERATING FOR UPGRADED PHONES. Motion carried unanimously.

12) Replacement Equipment:

13) Grants:

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEMS 12, REPLACEMENT EQUIPMENT AND ITEM 12, GRANTS. Motion carried unanimously.

14) Legislative Contract Authority:

Mr. Lloyd explained the LFD Issues. See EXHIBIT 1, Page C-70.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE ITEM 14, LEGISLATIVE CONTRACT AUTHORITY. Motion carried unanimously.

15) Cost Share Habitat Improvements:

*{Tape: 1; Side: A; Approx. Time Count: 48.5; Comments: .}*

Mr. Lloyd clarified that the legislature approved \$75,000 general license account and \$10,000 federal funds for habitat improvements. See EXHIBIT 1, Page C-70.

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 15, COST SHARE HABITAT IMPROVEMENTS. Motion carried unanimously.

Discussion:

Pat Graham, Director Department of Fish, Wildlife and Parks stated commission meetings were scheduled for Great Falls, Dillon, Havre and Libby to move them out of Helena. He asked the committee to consider \$3,000 to \$4,000 to cover those out-of-town meetings.

Motion: REP. WISEMAN MOVED TO RECONSIDER ITEM 4 AND APPROVE \$3,000 PER YEAR FOR OUT-OF-TOWN MEETINGS.

Discussion:

SEN. BAER asked if \$3,000 was enough, why didn't the department request that amount in the beginning.

Mr. Graham replied that there were was also additional expense because of more meetings.

Vote: Motion carried unanimously.

EXECUTIVE NEW PROPOSALS

1) Survey of Program Progress:

*{Tape: 1; Side: A; Approx. Time Count: 57.1; Comments: .}*

EXHIBIT 2, Page C-71. Mr. Lloyd explained the LFD Issues for the new proposals.

Discussion;

Mr. Martinka said the department produces a lot of statistics and they would like to get a better level of satisfaction from the users.

Questions and Responses:

REP. WISEMAN inquired if there was some way to flag the survey and bring those results back to the subcommittee in FY99.

Motion: REP. WISEMAN MOVED TO APPROVE ITEM 1, SURVEY OF PROGRAM PROGRESS AND TO REPORT BACK TO THE FY99 SUBCOMMITTEE ON THE SURVEY RESULTS.

Amended Motion/Vote: REP. WISEMAN AMENDED HIS MOTION TO INCLUDE THAT THE FUNDING WOULD BE FROM GENERAL LICENSE FUNDS AND FEDERAL FUNDS, FEDERAL FUNDS TO BE SPENT FIRST. Motion carried 4-2 with SEN. KEATING and SEN. BAER voting no.

*{Tape: 1; Side: A; Approx. Time Count: 65.3; Comments: Mr. Graham said there were some items in Administration and Finance Division they would like to discuss.}*

HEARING DEPARTMENT NATURAL RESOURCES AND CONSERVATION  
ADMINISTRATION & FINANCE DIVISION

EXHIBIT 3. Dave Mott, Administrator Administration & Finance Division reviewed a revised request to Develop Geographic Information Systems.

*{Tape: 1; Side: A; Approx. Time Count: 72.7; Comments: .}*

Discussion:

Mr. Graham stated that SEN. DEVLIN had sponsored a Bill that would require The department to print maps for the Block Management areas. He agreed not to introduce that Bill if the department would develop a map.

Questions and Responses:

REP. WISEMAN asked if after the maps were finishes, would the department eliminate the FTE's.

Mr. Mott responded that it was a matter of public service and availability for everyone, which they currently don't have.

Motion/Vote: SEN. JOHNSON MOVED TO REOPEN AND RECONSIDER PREVIOUS ACTION ON THE GEOGRAPHIC INFORMATION SYSTEMS. Motion carried 4-2 with SEN. BAER and SEN. KEATING voting no.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE THE .5 FTE TO DEVELOP THE GEOGRAPHIC INFORMATION SYSTEMS. RESTRICTED TO ONE-TIME-ONLY. Motion failed 3-3.

Tape 1,B

Mr. Mott requested upgrading of data processing. They were proposing contracted services budget with seven regional offices at \$6,000 each, three area offices for \$2,000 each through college interns if available or contracted services.

Motion/Vote: REP. JOHNSON MOVED TO APPROVE THE DATA PROCESSING SUPPORT SERVICE AS PROPOSED BY THE DEPARTMENT. Motion failed 3-3

Motion/Vote: REP. WISEMAN MOVED TO CLOSE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS. Motion carried unanimously.

{Tape: 1; Side: B; Approx. Time Count: 6.8; Comments: .}

HEARING FORESTRY DIVISION

EXHIBIT 4. Don Artley, Administrator Forestry Department stated that Mineral and Granite Counties were requesting to enter the State-County Cooperative Fire Protection Program.

Mr. Artley said the funding for FY98 was \$55,000 instead of \$56,000 and \$45,000 in FY99. Thereafter the funding would be \$28,740 each year. The funding would be two-thirds general fund and one-third from fire assessments.

Discussion:

Motion/Vote: SEN. KEATING MOVED TO RECONSIDER PREVIOUS ACTION AND REOPEN THE FORESTRY DIVISION. Motion carried unanimously.

Motion: SEN. KEATING MOVED TO APPROPRIATE \$55,000 IN FY98 AND \$45,000 IN FY99 AND .75 FTE EACH YEAR OF THE BIENNIUM FOR MINERAL AND GRANITE COUNTIES TO ENTER THE STATE-COUNTY COOPERATIVE FIRE PROGRAM. FUNDING WILL BE TWO-THIRDS AND THE COUNTY PAYING ONE-THIRD. ALSO THERE WILL BE A CORRESPONDING DECREASE IN FTE IN THE SLASH PROGRAM.

{Tape: 1; Side: b; Approx. Time Count: 17.6; Comments: .}

Discussion:

SEN. BAER asked if there was a way to reduce the use of general funds in that program.

Mr. Artley responded they were limited in their funding flexibility, but would use federal funds if they became available.

Vote: Motion carried unanimously.

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

SEN. KEATING requested the committee to support him in addressing DEQ about raising air quality fees when they appear at the next committee meeting.

{Tape: 1; Side: B; Approx. Time Count: 22.6; Comments: .}

HEARING DEPARTMENT OF COMMERCE

Steve Meloy, Department of Commerce stated that the insurance involvement with both operational and mechanical problems of tram-ways. There were very few claims linked to mechanical problems and if the tram-way operators use the insurance company it would reduce the cost of the Board of Tram-Ways from hiring an engineer.

Questions and Responses:

SEN. KEATING inquired as to whether or not it would take legislative action.

Mr. Meloy said the Board was created by Statute and it would take a Bill to repeal the Board of Tram-Ways. The appropriations could be dealt with after that.

Discussion:

EXECUTIVE ACTION DEPARTMENT OF COMMERCE

Motion/Vote: SEN. JOHNSON MOVED TO REOPEN THE DEPARTMENT OF COMMERCE. Motion carried unanimously.

Motion/Vote: SEN. KEATING MOVED TO DRAFT A COMMITTEE BILL TO REPEAL THE BOARD OF TRAM-WAYS. Motion carried unanimously.

Motion/Vote: REP WISEMAN MOVED TO CLOSE THE DEPARTMENT OF COMMERCE. Motion carried unanimously.

EXHIBIT 5. Mr. Lloyd presented a copy of letter addressed to Mr. Seacat recommending a performance audit on the Permitting and Compliance Division in the Department of Environmental Quality for the CHAIRMAN'S approval.

ADJOURNMENT

Adjournment: 10:30 A.M.

  
REP. ROGER DEBRUYCKER, Chairman

  
THEDA ROSSBERG, Secretary

RD/TR