

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By CHAIRMAN AL BISHOP, on March 20, 1997, at 3:14 p.m., in Room 402

ROLL CALL

Members Present:

Sen. Al Bishop, Chairman (R)
Sen. Loren Jenkins, Vice Chairman (R)
Sen. Vivian Brooke (D)
Sen. William S. Crismore (R)
Sen. Steve Doherty (D)
Sen. Bea McCarthy (D)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Ken Miller (R)
Sen. Mike Taylor (R)

Members Excused: Senator Daryl Toews

Members Absent: None

Staff Present: Leanne Kurtz, Legislative Services Division
Serena Andrew, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: HB 265, SB 394, HB 387

{Tape: 1; Side: A; Approx. Time Count: 3:14}

EXECUTIVE ACTION ON HB 265

Motion: SENATOR KEN MILLER moved HB 265.

Motion: SENATOR MIKE TAYLOR made a substitute motion to TABLE HB 265.

Vote: SENATOR MILLER voted NO; the remainder of the committee voted AYE and the MOTION CARRIED.

EXECUTIVE ACTION ON SB 394

Amendments: CD-ROM: sb394, SB039401.ADS, and SB039401.alk

Motion: SENATOR BEA MCCARTHY moved amendment CD-ROM: sb394 (EXHIBIT #1) for purposes of discussion. It was prepared by the Department of Fish, Wildlife & Parks (DFWP).

Discussion: SENATOR KEN MESAROS asked if anyone on the committee had requested this amendment. No one acknowledged requesting the amendment and SENATOR MCCARTHY WITHDREW HER MOTION.

SENATOR LOREN JENKINS commented that he had talked to Pat Graham following the hearing on SB 394 and thought the amendment in question would tighten the bill by allowing the commission to restrict tags to areas of large whitetail populations. The amendment was prepared at his suggestion.

Motion/Vote: SENATOR JENKINS moved amendment CD-ROM: sb394. The motion CARRIED UNANIMOUSLY.

Motion: SENATOR MIKE TAYLOR moved to increase the B-8 nonresident doe tag from \$50 to \$75.

Motion: SENATOR MESAROS said SENATOR JABS had amendment SB039401.ADS (EXHIBIT #2) prepared. SENATOR MESAROS moved amendment SB039401.ADS.

SENATOR TAYLOR WITHDREW his motion because he felt SENATOR JABS' amendments should come first.

Discussion: SENATOR MESAROS said these amendments (SB-30401.ADS) insert specific fees and strike the language that would allow the commission to set fees.

Vote: The motion that amendment SB039401.ADS DO PASS CARRIED UNANIMOUSLY.

{Tape 1; Side: A; Approx. Time Count: 3:21}

SENATOR TAYLOR said he would like to raise the fees shown in amendment SB039401.ADS by \$25 each (Items 3, 4, 5 and 6).

SENATOR BILL CRISMORE asked Pat Graham to comment. Mr. Graham said the B-7, currently priced at \$100, goes down to \$50 in year 2006. SENATOR TAYLOR commented that he was confused.

CHAIRMAN BISHOP explained that Section 2 will sunset in 2006; it describes a temporary license.

SENATOR TAYLOR asked if he should look at 2006 or present law. CHAIRMAN BISHOP asked if SENATOR TAYLOR wanted the B-7 to be \$175 and SENATOR TAYLOR said that was what he had in mind.

Motion: SENATOR TAYLOR moved to AMEND THE AMENDMENT just adopted (SB039401.ADS) by changing Item 3 to \$175, Item 4 to \$75, Item 5 to \$175 and Item 6 to \$75 as shown in amendment sb039401.alk (EXHIBIT #3).

{Tape: 1; Side: A; Approx. Time Count: 3:27}

Discussion: SENATOR TAYLOR commented that this amendment would bring Montana into line with other states and he was sure no hunters would be lost through the price increase. The money might be needed in the future.

Mr. Graham said he didn't have the list of fees from other states with him, but thought \$250 for a B-11 and \$475 for a B-10 was close to the top. He agreed they would probably continue to sell, but with lower deer populations, a little less demand would not be a bad thing.

SENATOR KEN MILLER supported the amendment. If the bill should pass, it would allow more out-of-state deer hunters and he thought it would be good to raise the price of the license.

SENATOR MCCARTHY commented that she thought the purpose of the bill was to check the harvest of deer, not raise money.

SENATOR MILLER said the bill addressed nonresident hunters and had the potential to put more nonresident deer hunters in the field - he didn't want to report that to his local Rod & Gun Club without telling them the fees had been raised as well.

{Tape: 1; Side: A; Approx. Time Count: 3:31}

Vote: The motion CARRIED UNANIMOUSLY.

Motion: SENATOR CRISMORE moved the bill DO PASS AS AMENDED.

Discussion: SENATOR MESAROS said he thought the problem of deer management in Montana went beyond SB 394, but it might be one small step. He supported the bill.

CHAIRMAN BISHOP mentioned that SENATOR MILLER was concerned about an increase in nonresident deer hunters and requested comment.

Jean Johnson, Montana Outfitters & Guides Association, said current law authorizes 17,000 B-10 and 6600 B-11 licenses, and also allows 5000 B-7's. That comes to 28,600. However, the 5000 B-7's are not currently being used. This bill would not allow an increased number of nonresident licenses.

Vote: CHAIRMAN BISHOP and SENATOR TOEWS voted NO; the remainder of the committee voted AYE and the MOTION CARRIED.

{Tape: 1; Side: A; Approx. Time Count: 3:36}

EXECUTIVE ACTION ON HB 387

Amendments: hb038701.alk

Discussion: SENATOR JENKINS commented that the committee had tabled HB 387. He circulated a copy of the fish planting record he had received, mentioning that streams were described by number, rather than by name. The statewide mailing list was attached.

Mr. Graham said the mailing list was comprised of people/organizations who wanted to be on every mailing list.

SENATOR JENKINS said the purpose of REPRESENTATIVE SIMON'S bill was to have a report that could be easily interpreted by anyone.

Motion: SENATOR JENKINS moved the bill BE TAKEN FROM THE TABLE for more discussion.

SENATOR TAYLOR said he knew REPRESENTATIVE SIMON wanted people to have this information, and understood the existing report wasn't user-friendly. He thought it would be possible to verbally direct DFWP to prepare a user-friendly report, rather than putting it in law.

{Tape: 1; Side: A; Approx. Time Count: 3:41}

Vote: SENATOR TAYLOR voted NO; the remainder of the committee voted AYE and the MOTION CARRIED.

SENATOR MESAROS agreed with SENATOR TAYLOR that a bill was probably unnecessary. He had visited with REPRESENTATIVE SIMON and thought probably more information could be made available to the public in an easy-to-read format. If the bill should pass, he hoped minor modifications could be made to existing reports.

SENATOR McCARTHY objected to the bill because the fiscal note (FN) listed costs at over a million dollars. SENATOR JENKINS mentioned that he had received a revised FN. SENATOR McCARTHY said she didn't have the revised FN.

SENATOR JENKINS said there were amendments to the bill (EXHIBIT #4). CHAIRMAN BISHOP said the amendments were added before the bill was tabled.

SENATOR JENKINS asked how much it would cost to run a small booklet listing species and where they would be planted, the source of the fish or eggs and the hatchery where they were raised. Mr. Graham said the first year reflected costs of putting the report together and the second year reflected costs for printing, postage and updating. He acknowledged that the information in the current report would be difficult for the public to understand and said he had asked his staff to see what could be done to correct this.

SENATOR JENKINS asked if passing the bill would create a problem for DFWP. Mr. Graham said the department already produces a 5-year stocking plan but the bill calls for an annual plan.

{Tape: 1; Side: A; Approx. Time Count: 3:48}

SENATOR TAYLOR asked if the information could be compiled without passing a law. Mr. Graham said it could. SENATOR TAYLOR commented that the sponsor thought a law was required. Mr. Graham said he didn't think the department had ever been asked to do this; he hadn't personally been aware of a request. The current report could easily be reformatted.

SENATOR JENKINS asked REPRESENTATIVE SIMON how he felt about the committee's comments.

REPRESENTATIVE SIMON said the information might be available, but it was almost impossible to obtain. It's necessary to go to the department and search through their records. Mr. Ochenski tried to figure out what happens and found it extremely difficult to put the pieces of the puzzle together. He wanted the report to be "readable and understandable in a format the average citizen could deal with." The records are presently set up for DFWP use and he wanted them accessible to the public.

{Tape: 1; Side: B; Approx. Time Count: 3:51.}

SENATOR MESAROS asked if the requested report were something the commission could authorize without a law. Dale Tash, a Fish, Wildlife & Parks Commissioner from Dillon, said he had no doubt that would be possible.

SENATOR MCCARTHY asked the same question of Mr. Graham, who agreed with COMMISSIONER TASH.

SENATOR MCCARTHY commented that she was looking through the report and she could tell what it meant. She could also identify the species of fish.

Motion: SENATOR MILLER moved HB 387 BE CONCURRED IN AS AMENDED.

Discussion: SENATOR MILLER commented that he thought it was a good bill; DFWP could make reports user-friendly but doesn't. He thought the relationship between the department and the public had broken down, and a user-friendly report would help the department as much as anyone. He also believed it could be done at less cost than projected.

SENATOR TAYLOR mentioned that the sponsor had said sorting through the information was difficult.

George Ochenski said he had tried to obtain the information he wanted through proper channels and was asked to make his request

through a letter. He would like to see all the regional information pulled into a statewide report.

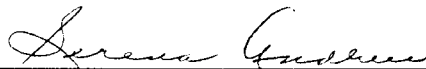
Vote: CHAIRMAN BISHOP and SENATORS McCARTHY and CRISMORE voted NO; the remainder of the committee voted AYE and the MOTION CARRIED. SENATOR MILLER offered to carry the bill.

ADJOURNMENT

Adjournment: The meeting adjourned at 3:57 p.m.



SEN. AL BISHOP, Chairman



SERENA ANDREW, Secretary