

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION**

FREE CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 3

Call to Order: By Senator Ed Kennedy, Chair, on March 30, 1993,
at 3:30 p.m.

ROLL CALL

Members Present:

Sen. Ed Kennedy, Chair (D)
Sen. Bob Pipinich (D)
Sen. Ken Mesaros (R)
Rep. Dick Knox (R)
Rep. Doug Wagner (R)
Rep. Bob Ream (D)

Members Excused: None.

Members Absent: None.

Staff Present: Doug Sternberg, Legislative Council
Kathy Collins, Committee Secretary

Discussion:

Senator Kennedy gave a brief description of SJR 3 and explained what has happened to SJR 3 since its introduction.

Doug Sternberg stated the salmon copy represents SJR 3 in its present form and includes the initial changes made by the Senate Fish & Game Committee and the House Fish & Game Committee.

Representative Ream asked if the Senate's main concern with the changes made in the House was amendment #3 on the green sheet. Senator Mesaros stated Pat Graham, Director, Fish Wildlife & Parks (DFWP), had expressed he did not have a problem proceeding with the multiple-use aspect of SJR 3 as long as other agencies are willing to be involved. Senator Mesaros stated if one segment was to be studied--the impact of the gray wolf on big game populations--the impact of the gray wolf on multiple-use interests should also be looked at.

Senator Kennedy stated he had an amendment (Exhibit #1), which dealt with the impact on big game populations and the encouragement of the federal government to provide necessary

resources to aid the study. Senator Mesaros stated he also had a set of amendments (Exhibit #2).

Doug Sternberg stated Senator Kennedy's amendment basically revises the title to include some specific language that mirrors the first few subsections of the resolution itself to indicate clearly that the state is urging federal agencies to supply necessary resources and assistance. Mr. Sternberg stated Senator Mesaros' amendments reinserts the phrase "multiple-use and big game population studies" on page 2, line 16. Mr. Sternberg explained the other amendments from Exhibit #2.

Representative Ream stated he did not have a problem with amendment #4 (Exhibit #2), but he did have a problem with #2 and #3. Representative Ream asked if the Committee wanted to tell the DFWP to do a multiple-use study or the federal land-managing agency to do the study. Representative Ream stated it seemed to him if a thorough multiple-use study is to be done, it would be more properly done by the federal agencies. Representative Ream stated he did not think the federal agencies would give the money to the state to do the study.

Representative Wagner stated he did not think the state would be better served by the federal agencies conducting a multiple-use study. Representative Wagner said the state should conduct the study.

Representative Ream stated amendment #4 (Exhibit #2) does what Representative Wagner is concerned about. Representative Wagner stated federal dollars would be wonderful, but the state should be in charge of the study. Representative Ream stated there is no such thing as a multiple-use study--what is needed is to know the impact of the gray wolf on multiple-use.

Senator Pipinich suggested coordinating amendment #4 (Exhibit #2) with Senator Kennedy's amendments (Exhibit #1). Representative Ream stated he would have no problem with that. Mr. Sternberg stated it would be a good idea to strike "land uses" in amendment #1, Exhibit #1, and insert "multiple-use interests" to go along with amendment #4, Exhibit #2.

Senator Mesaros stated amendment #1, Exhibit #2 should be considered. Mr. Sternberg stated amendment #1 mirrors subsection 4 of SJR 3, and if the title is to be all-inclusive, it would be a good idea to include amendment #1 in the title. Mr. Sternberg stated it would be fairly easy to incorporate the language of the amendments into the title.

Senator Mesaros stated he would like the control of the study to be with the state and have the federal agencies cooperate with the state in the management of the gray wolf recovery program. Representative Knox stated he agreed with Senator Mesaros. Mr. Sternberg stated from a legal point of view, the state cannot preclude the Endangered Species Act or anything the federal

agencies are already doing. Representative Ream stated the DFWP is not a multiple-use agency, but rather it is a wildlife agency. He stated language should be inserted in SJR 3 to encourage the cooperation between the federal and state agencies to determine the impacts of wolf recovery on multiple-use interests.

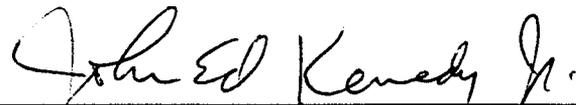
Doug Sternberg stated to incorporate the amendments, it would be advisable to rewrite Section 1 to say that the federal agencies be strongly encouraged to provide the resources to state agencies to initiate and complete big game habitat population studies and areas affected by the recovery of the wolf population, and the affected state and federal agencies cooperatively analyze the impacts of wolf recovery including its impact on big game populations and other multiple-use interests. Mr. Sternberg said initially the state agency would be doing the big game habitat population study which would then be considered cooperatively by both state and federal agencies in the analysis of the impact of the wolf recovery on all multiple-use interests.

Motion/Vote:

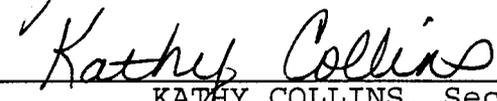
Senator Pipinich moved the amendments to SJR 3 which would incorporate Senator Kennedy's amendments, Senator Mesaros' amendments (#3 and #4) and Doug Sternberg's suggestion. The motion CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: 3:50 p.m.



SENATOR ED KENNEDY, Chair



KATHY COLLINS, Secretary

EK/kc

Free Conference Committee
on Senate Joint Resolution No. 3
Report No. 1, March 31, 1993

Page 1 of 2

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Joint Resolution No. 3, met and considered:

Senate Joint Resolution No. 3

We recommend that Senate Joint Resolution No. 3 (reference copy - salmon) be amended as follows:

1. Title, line 7.

Following: "TO"

Insert: "STATE WILDLIFE MANAGEMENT AGENCIES TO CONDUCT BIG GAME HABITAT POPULATION STUDIES IN AREAS AFFECTED BY THE RECOVERY PROGRAM; REQUESTING THAT AFFECTED STATE AND FEDERAL AGENCIES ANALYZE THE IMPACTS OF WOLF RECOVERY ON OTHER MULTIPLE-USE INTERESTS; ENCOURAGING THE APPROPRIATE FEDERAL AGENCIES TO PROVIDE THE NECESSARY RESOURCES TO STATE WILDLIFE MANAGEMENT AGENCIES TO IMPLEMENT HABITAT IMPROVEMENT PROJECTS IN COOPERATION, COORDINATION, AND CONSULTATION WITH OTHER MULTIPLE-USE INTERESTS; ENCOURAGING CONTINUED FEDERAL FUNDING OF A WOLF SPECIALIST IN MONTANA; AND URGING FEDERAL AGENCIES TO PURSUADE CONGRESS TO AMEND THE ENDANGERED SPECIES ACT TO GIVE STATE WILDLIFE MANAGEMENT AGENCIES THE NECESSARY FLEXIBILITY TO MANAGE THE GRAY WOLF"

2. Title, line 18.

Strike: "THE STATE OF MONTANA"

3. Page 2, line 19.

Strike: "THOSE"

Insert: "affected state and"

Following: "AGENCIES"

Insert: "cooperatively"

4. Page 2, line 20.

Strike: "LAND USES"

Insert: "multiple-use interests"

ADOPT

REJECT

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And that this Free Conference Committee report be adopted.

For the Senate:

John Ed Kennedy
Sen. Kennedy Chair

Paul Pipinich
Sen. Pipinich

Ken Mesaros
Sen. Mesaros

For the House:

Wood Knox
Rep. Knox Chair

Bob Ream
Rep. Ream

Douglas T. Wagner
Rep. Wagner

APK Amd. Coord.

SN Sec. of Senate

Amendments to Senate Joint Resolution No. 3
Reference (Salmon) Reading Copy

Requested by Senator Kennedy
For the Conference Committee

Prepared by Doug Sternberg, Council Staff
March 30, 1993

1. Title, line 7.

Following: "TO"

Insert: "STATE WILDLIFE MANAGEMENT AGENCIES TO CONDUCT BIG GAME
HABITAT POPULATION STUDIES IN AREAS AFFECTED BY THE RECOVERY
PROGRAM; REQUESTING THAT THE FEDERAL AGENCIES ANALYZE THE
IMPACTS OF WOLF RECOVERY ON OTHER LAND USES; AND ENCOURAGING
THE APPROPRIATE FEDERAL AGENCIES TO PROVIDE THE NECESSARY
RESOURCES TO STATE WILDLIFE MANAGEMENT AGENCIES TO IMPLEMENT
HABITAT IMPROVEMENT PROJECTS IN COOPERATION, COORDINATION,
AND CONSULTATION WITH OTHER MULTIPLE-USE INTERESTS"

2. Title, line 18.

Strike: "THE STATE OF MONTANA"

*See Conf Committee
3-30-93
Exhibit #1-SJR3*

Amendments to Senate Joint Resolution No. 3
Reference (Salmon) Reading Copy

Requested by ~~Senator Mesaros~~
For the Conference Committee

Prepared by Doug Sternberg, Council Staff
March 30, 1993

1. Title, line 7.

Following: "TO"

Insert: "CONDUCT MULTIPLE-USE AND BIG GAME STUDIES IN
COOPERATION, COORDINATION, AND CONSULTATION WITH OTHER
MULTIPLE-USE INTERESTS AND URGING FEDERAL AGENCIES TO
PURSUADE CONGRESS TO AMEND THE ENDANGERED SPECIES ACT TO
GIVE STATE WILDLIFE MANAGEMENT AGENCIES THE NEEDED
FLEXIBILITY TO MANAGE THE GRAY WOLF IN"

2. Page 2, line 16.

Following: "AND"

Insert: "multiple-use and"

3. Page 2, line 19.

Strike: "ANALYZE"

Insert: "provide resources to the state to study"

4. Page 2, line 20.

Strike: "LAND USES"

Insert: "multiple-use interests"

*Free Conf. Committee
3-30-93
Exhibit #2 - SJR3*