

To: House Appropriations from Senator Cobb March 5, 2007  
Natural Resource House Appropriations Bill

### **Recommendations for Changes to Bill:**

I did not have actual amendments written up since the staff is tired and overworked as well as a conceptual amendments can be considered without the actual written amendment finished for committee action if it is understood at the time of the vote. If there is no interest in the conceptual amendment, then the staff does not have to write the amendment up either for committee consideration or floor action.

#### **Subcommittee action restore**

1. recommend that The House Appropriations amend the bill to take into consideration the subcommittee's work done in the original HB 2 and place that work into this appropriation bill instead of what was cut by others in the new bill. The administration may say that there were a lot of hearings and that the people should be heard by the subcommittee action. You may wish to ask the administration if they support the subcommittee action in light of all the testimony by the public. I think they will either not say or say they want the Governor's bill anyway. That in effect says they were not concerned with what the public said either.

#### **New FTE**

2. that if there are any new FTE's that they be line itemed and restricted. To often the staff are not hired on July 1st and usually later in the fiscal year. If the dept. really needs the staff then they need to hire on time to get the new additional work done.

#### **TSEP**

3. If it is possible I would put those projects that were killed in the TSEP bill in this bill. If you have to vote on each project separately do so. At the very least you could put the projects that need general fund that are below the cut off place for TSEP money into this bill. I realize there is a big fight on this issue. My concern is that there is going to be likely less federal money in the future coming to the states and now is the time to get this match money.

#### **Reclamation Grants**

4. If it is possible I would request you place the several projects for reclamation grants that needed general fund to fund, etc in this bill. There was about 2.6 million general fund dollars needed that would bring in around 20 million in federal dollars.

#### **Livestock**

5. I do not know what is going on with the hiring of the new Director of Livestock ( see attached). You may wish to consider not funding part or all of the dept. of Livestock or make certain funding contingent until a new Director is appointed. You may wish to inquire what the problem is and when it is going to be resolved and if it is not then why should you be funding programs without a Director?

#### **Fiscal Notes**

6. There are a number of possible bills that may pass that have fiscal notes attached that deal with these various depts. I started listing them on a draft to this committee but there are quite a few. Some are spending authority that does not deal with general fund. Others are agencies asking for small amounts that deal with new duties that may or may not be able to

be absorbed by the agency. I thought that the three House members of the subcommittee of natural resources could take an hour or two today or before executive action and go through them and decide if they should have contingent language added to this bill that if certain specific bills pass the legislature the appropriation is already in this bill. I would request you put at least some of the bills that will pass to have contingent language appropriation in this House Bill.

I realize that this is usually done in the end in a conference committee but it would be really neat if the House regardless of which appropriation bill finally comes out made a lot of the decisions ahead of time. Especially if those members that served on those particular subcommittees helped make the decisions now. Even if there is no decision made on this, it would still be good if there are conference committees that the subcommittees be allowed to go back and make recommendations to the conference committees on appropriations dealing with their respective agencies. I realize there are a lot of cats and dogs that will die as well as minority sponsored bills that will die, but there are others that need to be made contingent appropriations if they pass that are probably not so partisan. And then of course there are the majority party bills that also probably need appropriations contingent if they pass.

#### **Committee work vs debate on the floor**

7. It is my understanding that a lot of amendments are planned for the House Floor and that not much action will occur in the full House Appropriations. I would though encourage any small details or as many smaller amendments be taken care of in the full House Appropriations. To often in the end once things get moving, the small appropriations that really make a difference get lost. The full floor debates are really about fundamental differences between political parties and individual members viewpoints on appropriations. Sometimes an appropriation whether a cut or an increase that would pass easily in a committee has little or no chance on the floor of the House in full debate of the philosophy of appropriations and budgets and political differences.

Thank you for your time. I know the House will work out the appropriation issues in their own time and effort and wish you all the best. Sincerely; Senator John Cobb

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OFFICE OF THE GOVERNOR  
STATE OF MONTANA

BRIAN SCHWEITZER  
GOVERNOR



JOHN BOHLINGER  
LT. GOVERNOR

February 21, 2007

Mr. William Hedstrom, Chairman  
Mr. George Harris, Acting Executive Officer  
Montana Board of Livestock  
PO Box 202001  
Helena, Montana 59620

By: Hand-Delivery

Dear Mr. Hedstrom and Mr. Harris:

As my policy advisors and legal counsel have discussed with you for several weeks now, there are a number of long-standing irregularities and inconsistencies with how the Board of Livestock has been operating. Among those concerns are:

- Failure to give appropriate public notice of impromptu conference call board meetings, subjecting actions at those board meetings to become null and void;
- Operating for at least two decades using outdated and legally questionable bylaws;
- Operating beyond the scope of the Executive Order that reorganized the Department of Livestock in 1971 by establishing an executive position in the organizational chart that was not included in the order;
- Changing the position of executive officer from "serve at the pleasure of" to "permanent" without legal authority, and against the advice of my counsel and counsel from the Attorney General's office.

It has come to my attention that there was a conference call board meeting yesterday that resulted in the Board taking actions beyond the scope of its authority. The Board voted to change the legal status of the executive officer position that it is in the process of recruiting. The position has always been an exempt, non-permanent position.

As Governor, I cannot sanction the radical action changing the traditional, historic status that has, since the inception of the position, ensured that the executive officer works at the direction of the Board of Livestock, which is the Director of the Department of Livestock.

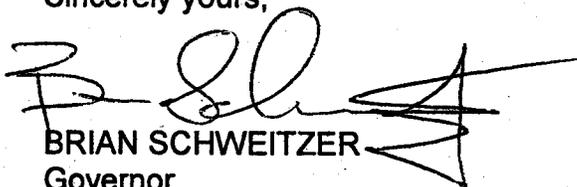
Therefore, I am directing the Board to postpone advertising the executive officer position until the above concerns are resolved. Please work directly on the concerns with my legal counsel and policy staff.

As you are aware, the Board of Livestock is the Department head (2-15-3101, MCA). As the Department head of an executive branch agency, the Board may transfer employees between positions, remove persons appointed to positions, and change the duties, titles and compensation of employees (2-15-112(2)(a), MCA). The Board does not have the authority to change the status of a position from appointed to permanent.

That change requires an Executive Order from my office or legislation. Any disputes regarding departments in the executive branch ultimately fall under the purview of the Governor as head of the executive branch (Montana Constitution, Article VI, Section 4, and 2-15-103, MCA).

Working together to resolve these serious concerns will only help to expedite the hire of the new executive officer.

Sincerely yours,



BRIAN SCHWEITZER  
Governor

Copy to: Members, Montana Board of Livestock



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# Montana Shooting Sports Association

P.O. Box 4924, Missoula, Montana 59806 - 406-549-1252 - [mssa@mtssa.org](mailto:mssa@mtssa.org)

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Asserting the Rights of Gun Owners in Montana

March 5, 2007

Shooting Range Funding

Representative John Sinrud, Chairman  
Appropriations Committee  
Capitol Station  
Helena, Montana 59620

Dear Representative Sinrud,

Today Appropriations will hold a public hearing on HB 805, including the budget for FWP and for the Shooting Range Development Program (SRDP). I would be there to speak to you about the SRDP funding if I could, but I cannot, although this is IMPORTANT to us. We estimate that about 90% of the homes in Montana contain firearms. These people and families need safe and suitable places to shoot - to learn, to practice and to hone their skills.

MSSA kicked off the SRDP in about 1989 using hunters' license dollars to make matching grants to local clubs to begin or improve shooting ranges (now in statute at 87-1-276-9.) The ranges funded under this program must allow some sort of public access. Since the inception of the program, shooting ranges all over Montana have benefited, *significantly*.

We have tried to grow the SRDP funding each session and were successful until 2005. FWP always resists increase in funding, as they resisted inception of the Program, because they are very jealous of "their" money. But, this is sportsmen's money, not FWP money.

MSSA warned FWP that we would ask for \$1 million for shooting ranges this session, so they could integrate that amount into their budget. They declined to cooperate.

MSSA alerted prospective legislators in our 2006 Candidate Questionnaire that we would ask for \$1 million for the SRDP. 32 prospective legislators promised in their CQ that they would support a \$1 million appropriation for the SRDP, including Heinert, Everett, Beck, Witte, Jones, Blasdel, Taylor, Hendrick, O'Hara, Butcher, Campbell, Stahl, Hilbert, Ankney, Olson, Van Dyk, McGillvray, Arntzen, Lange, Boggio, Ross, Sales, Wells, Koopman, Rice, Sesso, Mendenhall, Klock, Ward, Villa, MacLaren, and Nooney.

Please fund the SRDP at \$1 million. It is a great use of sportsmen's funds.

Thank you.

Sincerely,

Gary Marbut, president

MAR 06 2007

EXHIBIT \_\_\_\_\_

DATE \_\_\_\_\_

HB \_\_\_\_\_



**GARFIELD COUNTY CONSERVATION DISTRICT**  
JORDAN SERVICE CENTER  
P.O. BOX 369 - JORDAN, MT 59337  
Phone: (406) 557-2740 Fax: (406) 557-6191

March 1, 2007

Dear Appropriations Committee Members,  
John Sinrud, Janna Taylor, Eve Franklin, Bill Beck, Tim Callahan, Edith Clark, William Glaser, Ray Hawk, Cynthia Hiner, Joey Jayne, Dave Kasten, Bill McChesney, Penny Morgan, John Musgrove, Rick Ripley, Jon Sesso, Jack Wells, and Craig Witte

The Garfield County Conservation District would like to express our strong support for funding the Missouri River Conservation Districts Council through HB-805. The Council continues to provide Conservation Districts along the Missouri River corridor with a much needed unified and strong voice on Missouri River issues. The Council with members in each of the Conservation Districts along the river accurately represents the local perspective of Missouri River issues. In its current state, HB-805 does not provide enough funding for the Council to maintain or expand its current operations, and we would like to see increased funding specifically for the Council.

The Garfield County Conservation District is aware of the vast federal management of the Missouri River corridor and it is difficult for an individual Conservation Districts concerns to be heard and make a difference. The Council however gives Conservation Districts along the River the unified voice that we so very strongly support and feel the need for. As a Conservation District we feel as though the Council is beginning to make a difference. Some examples of this are the increased communication between federal staff and local landowners at the Monument, the increasing communication and potential for joint projects with the U.S. Fish and Wildlife Service at the Charles M. Russell National Wildlife Refuge, and a better understanding of the U.S. Army Corps of Engineers' operation of the Fort Peck Dam and the Corps' recognition of Montana's unique needs along the reservoir and river.

In addition to these efforts, the Council worked to bring the \$57 million Conservation Reserve Enhancement Program to Montana and continues to advocate for changes that will make the program more effective. The Council has also provided valuable training on land use planning issues along the Missouri River by providing up-to-date, relevant, and much-needed information to the local decision-makers.

The Garfield County Conservation District urges you to support the Council so that they can continue representing the local needs and interests along the Missouri River and continue working toward the sustainability of the river and its multiple uses.

With our Strong Support,  
The Garfield County Conservation District

Rachel Takala, District Administrator