

## SPEAKING POINTS HB 24

Montana Sportsmen's Alliance

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Butte

### MSA appreciates the opportunity to offer comments on this bill.

- The bill is redundant as it builds yet another bureaucracy to deal with FWP lands and policies that have been successfully handled by the FWP Commission for 40 years, and increases the size of government when we are trying to shrink it.
- The FWP Director, who oversees all FWP programs, would not have a seat on the Parks Board. Rather, possibly in conflict with other statutes that authorize and operate FWP.
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- The Fiscal note states that the cost for this bill is \$9,000 which covers the costs of the Board to be established. However, it doesn't identify long-term costs to sustain the Board and its operations as well as the impacts on other FWP Divisions.
- Many of the Parks were purchased with hunting and fishing license dollars used in many cases to match federal LWCF dollars. LWCF funds come with restrictions that HB-24 seems to violate.
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- For instance in the bill, Camp Baker/Eden Bridge is moved to Parks oversight. However, it was originally purchased with Fishing Access Site funds which are fishing license dollars.
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- HB 24 takes Water Safety funds and authority away from the Law Enforcement Division which has handled and developed professional expertise in this area for over 40 years. Wardens are trained in swift and cold water rescue, boat accident investigation and teach boating safety with the Coast Guard Auxiliary
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- They are good at their job. In the past 10 years, 2 wardens have received Governor's Medals of Valor for performing life-threatening water rescues; another two have been recognized as Boating Law Enforcement Officers of the Year by the Western States Boating Administrators, a national water safety organization.
- This bill gives oversight to the Board of all waters on and adjacent to Parks properties, thus placing one more regulation-making organizational authority (as well as the subsequent rules and regulations) on the state's waterways increasing confusion for the public with multiple agencies operating simultaneously.

- Flathead Lake would be under this Board *and* the FWP Commission for making and enforcing rules such as no-wake zones, etc. Again, the resulting regulatory redundancy would pose problems not only for the agency but perhaps, more importantly, confusion for the user public with multiple jurisdictions operating simultaneously on the same water body.
- The bill initially appears to give authority to Parks only for waters adjacent or within the boundaries of state Parks. Yet, in other places it puts all Water Safety/Boat authority/activities as well as snowmobiles, and OHV's under Parks. The result would be a direct loss to the Enforcement Division of the annual funds to operate these programs: Coast Guard funding \$354,042 (3.72 FTE); Boat Decal .91 FTE) \$92,532; Snowmobile \$99,049 (.75 FTE); Off-Road Vehicle \$55,954 (.60 FTE). A total of \$618,150
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- Parks does not have the enforcement capability to oversee these responsibilities statewide, which could put federal funding - that is, Coast Guard monies, in jeopardy as the Coast Guard demands a formal, statewide water safety and education program to maintain funding which is a 50-50 match.
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- The continued utilization of so-called Park Wardens as established by Parks creates unnecessary costs to build and maintain a second, redundant law enforcement entity within FWP. These positions are not supervised by law enforcement personnel and have been problematic from the time of their establishment and raise serious liability issues. They were implemented contrary to FWP Legal Unit as well as state Attorney General advice and opinion.
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- 5 of these positions in the state. Their authority is supposedly restricted to the physical boundaries of their respective State Parks with no LE supervision presenting liability training, and operational issues.
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- In a rural state LE agencies have to help each other out. Parks people with authority limited to park boundaries will limit the effectiveness of Mutual Aid agreements