

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
COMMERCE**

Call to Order: By **CHAIRMAN JOHN WITT**, on January 27, 1999 at
8:07 A.M., in Room 201 Capitol.

ROLL CALL

Members Present:

Rep. John Witt, Chairman (R)
Sen. Tom Keating, Vice Chairman (R)
Sen. William Crismore (R)
Rep. Dick Haines (R)
Sen. Linda Nelson (D)
Rep. Joe Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Summer Alger, Committee Secretary
Roger Lloyd, Legislative Branch
Shirley Moore, OBPP
Doug Schmitz, OBPP

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

Committee Business Summary:

Hearing: HB 2 - Dept. Fish, Wildlife & Parks
Budget
Executive Action: HB 2 - Dept. Fish, Wildlife & Parks
Budget

HEARING ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

Larry Peterman, Administrator, Fisheries Division, continued with
the Fisheries Division overview presentation. To finish off the

presentation, he addressed the executive requests. **Roger Lloyd** commented on the top funding chart on page **C-21**, and on the Paddlefish Roe issue on page **C-23** of the Legislative Budget Analysis 2001 Biennium: Agency Budgets, Vol. 1, January 1999, LFD.

**The Legislative Budget Analysis (LBA) 2001 budget book will not be referred to as an exhibit, however, budget information from other sources will be noted as exhibits.*

Present Law Adjustments:

DP 301, DP 302, DP 303, DP 304, DP 305

Sen. Keating questioned **Mr. Lloyd** on the present law adjustments table on page **C-21** and asked if state special is a general license account. **Sen. Keating** asked about the base of the Paddlefish Roe Account and what the source of funding is.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : A; Approx. Time Counter : 17.1}

Motion/Vote: **SEN. KEATING** moved that **DP 301, DP 302, DP 303, DP 304, DP 305** BE ADOPTED. **SECONDED** by **SEN. CRISMORE**. Motion carried unanimously.

DP 306

Chairman Witt asked if the 310 permit review assistance group is all Dept. FW&P or if there are other agencies involved, and **Rep. Tropila** inquired as to how many permits are done per year. **Sen. Keating** questioned who this money will pay for, then **Chairman Witt** asked about the recourse of landowners who get their 310 permit application rejected.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : A; Approx. Time Counter : 27.6}

Motion/Vote: **SEN. KEATING** moved that **DP 306** BE ADOPTED. **SECONDED** by **REP. HAINES**. Motion carried 5-1 with **Crismore** voting no.

DP 307

Rep. Haines wanted to know more about the equipment, and also more about how they dealt with it the last biennium. **Chairman**

Witt asked where the "buy-outs" are, and **Rep. Tropila** inquired as to the number of mowers they will need.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 2.5}

Motion/Vote: **SEN. KEATING** moved that **DP 307 BE ADOPTED AS ONE-TIME-ONLY AND RESTRICTED. SECONDED** by **SEN. CRISMORE. Motion carried unanimously.**

DP 308

Chairman Witt asked if there is a heavy vehicle rebuilding program like DNRC.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 5.7}

Motion/Vote: **SEN. KEATING** moved that **DP 308 BE ADOPTED WITH THE SPENDING RESTRICTED TO TRUCKS. SECONDED** by **REP. HAINES. Motion carried 4-2 with Nelson and Witt voting no.**

DP 310

Larry Peterman introduced a request for an Information Technologist pay adjustment. This new decision package is not in the LBA 2001 write-up or the Executive Budget because the division missed the "snapshot" date. **Chairman Witt** asked if they do not get the money, will they still need them. **Rep. Haines** inquired as to what would happen if they did not get this money, then **Shirley Moore** commented that this is consistent with what the office has done with other agencies.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 11}

Motion/Vote: **SEN. CRISMORE** moved that **DP 310 BE ADOPTED. SECONDED** by **REP. HAINES. Motion carried 5-1 with Witt voting no.**

DP 309

Sen. Keating asked **Mr. Lloyd** about the LCA global language motion on page **C-4** of the LBA 2001 budget book.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 12.7}

Motion/Vote: SEN. CRISMORE moved that DP 309 BE ADOPTED.
SECONDED by SEN. KEATING. Motion carried unanimously.

Sen. Keating asked Chairman Witt about a possible language restriction that special license money not be used for the paddlefish roe program, but that it be funded by the sale of paddlefish roe.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - FISHERIES DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 15}

Motion/Vote: SEN. KEATING moved that LANGUAGE IN HB 2 BE ADOPTED SO THAT THE PADDLEFISH ROE PROGRAM WILL BE FUNDED ENTIRELY BY THE PADDLEFISH ROE ACCOUNT. SECONDED by REP. TROPILA. Motion carried unanimously.

Rep. Tropila asked Mr. Peterman where the money came from for fish cleaning stations, and Chairman Witt asked if those stations were labor intensive.

George Oshenski commented on the Fisheries Division and on the Bull trout issue ~ there may be higher funding priorities than equipment and computers.

Sen. Crismore asked about the amount of mitigation money from Libby Dam, then Rep. Haines asked Mr. Peterman to comment on Whirling Disease. Rep. Tropila inquired about the susceptibility of Brook trout to this disease.

Chairman Witt asked for the agencies thoughts on Vision 2005 and its 5000+ irrigated acres goal.

Rep. Tropila asked about a warm water hatchery possibility in Miles City, and Chairman Witt inquired into the truth that FW&P put Walleye in Canyon Ferry Reservoir. Rep. Tropila and Ken Hoovestol, Walleyes Unlimited, discussed the need for land for hatcheries.

Break @ 9:22am {Tape : 2; Side : A; Approx. Time Counter : 17}

Roger Lloyd handed out and discussed Differences from Executive Budget as of 1/27/99.

EXHIBIT (jnh21a01)

HEARING ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT MANAGEMENT

Arnie Olson, Administrator, Department Management, gave a brief overview of this division, and **Sen. Keating** asked if the general license account is the state special being reduced.

Present Law Adjustments:

DP 901

Sen. Keating asked if there was a base for the book of department statutes, **Sen. Nelson** asked if the public reimburses the agency for costs of the booklets, and **Rep. Tropila** inquired about the printshop.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT**

{Tape : 2; Side : B; Approx. Time Counter : 3.4}

Motion/Vote: **SEN. KEATING** moved that **DP 901 BE ADOPTED. SECONDED** by **REP. HAINES**. Motion carried unanimously.

DP 902

Sen. Keating asked if they could use federal dollars for this purpose, and **Rep. Tropila** inquired about the per diem costs. **Chairman Witt** then asked the committee if other commissions are paid per diem.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT**

{Tape : 2; Side : B; Approx. Time Counter : 19.6}

Motion/Vote: **SEN. KEATING** moved that **DP 902 BE ADOPTED. SECONDED** by **SEN. CRISMORE**. Motion carried unanimously.

DP 903 & DP 904

Decision package 903 was requested due to an accounting error,
and **Chairman Witt** why the DP 904 funding switch is taking place.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT**

{Tape : 2; Side : B; Approx. Time Counter : 9.7}

Motion/Vote: SEN. KEATING moved that DP 903 & DP 904 BE ADOPTED.
SECONDED by SEN. NELSON. Motion carried unanimously.

DP 905

Sen. Keating asked about the base on this decision package and
the base on deferred maintenance.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT**

{Tape : 2; Side : B; Approx. Time Counter : 19.6}

Motion/Vote: SEN. KEATING moved that DP 905 BE ADOPTED AT THE
LEVEL OF A \$40,000/YEAR INCREASE. SECONDED by REP. HAINES. Motion
carried unanimously.

DP 906

An early MT Sikes Act brochure was handed out to the committee.
EXHIBIT (jnh21a02)

Sen. Keating asked if there is another federal program that would
give a better match, and **Roger Lloyd** asked about federal Dingell-
Johnson money. **Sen. Crismore** inquired about weed control, and
Rep. Haines questioned the balance of funds, then inquired if
they are taking advantage of the 3:1 funding source. **Rep. Tropila**
asked **Mr. Lloyd** if the committee could put a caveat on it that if
it did not work, the money would return to the counties, or
something of the sort. **Mr. Lloyd** then commented that the
committee could add in the motion that the department would give
the legislature program updates.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT**

{Tape : 3; Side : A; Approx. Time Counter : 8.3}

Motion/Vote: SEN. CRISMORE moved that DP 906 BE ADOPTED AND THAT LANGUAGE BE PUT INTO HB 2 DIRECTING THAT THE DEPARTMENT GIVE PROGRAM UPDATES. SECONDED by REP. HAINES. Motion carried 5-1 with Keating voting no.

DP 908

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT

{Tape : 3; Side : A; Approx. Time Counter : 9.2}

Motion/Vote: SEN. KEATING moved that DP 908 BE ADOPTED. SECONDED by SEN. CRISMORE. Motion carried unanimously.

New Proposals:

DP 907

Chairman Witt asked if the decision package is the same as the DNRC proposal. **Rep. Haines** inquired about the cadastral database. There was a handout on the MT Cadastral Database Project.
EXHIBIT (jnh21a03)

Dave Mott clarified that the agencies are cost sharing for the large project, and **Rep. Haines** asked who was coordinating this. **Chairman Witt** then asked **Mr. Lloyd** what the committee had appropriated to DNRC for the cadastral database.

EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT

{Tape : 3; Side : A; Approx. Time Counter : 23.2}

Motion/Vote: REP. HAINES moved that DP 907 BE ADOPTED AS ONE-TIME-ONLY AND RESTRICTED. SECONDED by REP. TROPILA. Motion carried 5-1 with Keating voting no.

DP 909

This new decision package is not in the LBA 2001 budget book or the Executive Budget because the department missed the "snapshot" date. A handout was given to the committee.
EXHIBIT (jnh21a04)

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - DEPARTMENT
MANAGEMENT**

{Tape : 3; Side : A; Approx. Time Counter : 28.7}

Motion/Vote: SEN. KEATING moved that DP 909 BE ADOPTED. SECONDED
by SEN. CRISMORE. Motion carried unanimously.

Break @ 10:47am *{Tape : 3; Side : B; Approx. Time Counter : 0.3}*

**HEARING ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION & FINANCE
DIVISION**

Dave Mott, Administrator, Administration & Finance Division, gave
a brief overview of this division.

Present Law Adjustments:

DP 102

Sen. Nelson asked about fines for licenses, and Rep. Tropila
inquired about the general fund. Sen. Crismore asked about last
session and mule deer change/notification.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 3; Side : B; Approx. Time Counter : 24.7}

Motion/Vote: SEN. CRISMORE moved that DP 102 BE ADOPTED.
SECONDED by SEN. KEATING. Motion carried unanimously.

DP 103

Chairman Witt asked where all the mule deer are, then addressed
Western Montana and the noxious weed problem there. Sen. Keating
asked about the reduction in the budget request. Sen. Keating
asked about the base for this decision package.

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 4; Side : A; Approx. Time Counter : 8.8}

Motion/Vote: SEN. KEATING moved that DP 103 BE ADOPTED AT THE
LEVEL OF \$30,000/YEAR AND .75 FTE. SECONDED by SEN. CRISMORE.
Motion carried unanimously.

DP 104

**EXECUTIVE ACTION ON HB 2 - DEPT. FW&P BUDGET - ADMINISTRATION &
FINANCE DIVISION**

{Tape : 4; Side : A; Approx. Time Counter : 14.3}

Motion/Vote: SEN. KEATING moved that DP 104 BE ADOPTED. SECONDED
by SEN. NELSON. Motion carried unanimously.

DP 105

Dave Mott gave an automated presentation of automatic licensing
versus carbon copy booklets. **Sen. Keating** asked if the automated
licensing system matches up with the child support program.

Chairman Witt asked how many of the computers they will have to
purchase.

ADJOURNMENT

Adjournment: 11:54 A.M.

REP. JOHN WITT, Chairman

SUMMER ALGER, Secretary

JW/SA

EXHIBIT (jnh21aad)