

MINUTES

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

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By **CHAIRMAN ERNEST BERGSAGEL**, on February 5, 1999
at 8:00 A.M., in Room 317 Capitol.

ROLL CALL

Members Present:

Rep. Ernest Bergsagel, Chairman (R)
Sen. Tom A. Beck, Vice Chairman (R)
Sen. J.D. Lynch (D)
Rep. Matt McCann (D)
Rep. Tom Zook (R)

Members Excused: Sen. Chuck Swysgood (R)

Members Absent: None.

Staff Present: Cassandra Drynan, Committee Secretary
Jane Hamman, OBPP
Pam Joehler, Legislative Branch

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: **HOUSE BILL 5 & 14** - LONG RANGE
BUILDING PROGRAM, 2/5/1999
Executive Action: None

HEARING ON HOUSE BILL 5 & 14 - LONG RANGE BUILDING PROGRAM

CHAIRMAN BERGSAGEL announced that today the committee would be
hearing testimony from County Commissioners from the Fort Peck
Dam area.

{Tape : 1; Side : A; Approx. Time Counter : 0.3 - 0.7}

Ms. Connie Eissinger, Chairman of the McCone County Board of
Commissioners, stated that because of the Department of Fish
Wildlife and Parks' Block Management Program, the roads in her

county have been overused and because of the unusual amount of precipitation this year, are in bad shape. She suggested that the department was partly responsible and should pay for part of the road repair with funds they receive from their hunting and fishing permits. She then asked the committee if they would consider instituting an endowment fund for these purposes.

EXHIBIT (j1h29a01) testimony and letters of support.

{Tape : 1; Side : A; Approx. Time Counter : 0.8 - 4.8}

Mr. Tom Pugrud, Commissioner from Petroleum County, testified to the same respect and stated that FW&P needed to pay their fair share of the costs.

{Tape : 1; Side : A; Approx. Time Counter : 5 - 8.1}

Mr. Joe Spika, Commissioner from Fergus County, testified that the source of gravel needed to repair the roads was located far away and thus would be very expensive to obtain. He stated that an additional repair to these roads would be costly for the county.

{Tape : 1; Side : A; Approx. Time Counter : 8.1 - 10.7}

Mr. Francis Jacobs, Commissioner from Phillips County, testified that FW&P should help to pay for the repair of roads leading to recreational sites.

{Tape : 1; Side : A; Approx. Time Counter : 10.7 - 15.3}

Mr. Dave Kasten, landowner in McCone County, testified that FW&P should pay for road repair and weed control on lands used by hunters.

{Tape : 1; Side : A; Approx. Time Counter : 15.3 - 17}

Mr. Dave Reinhardt, Commissioner from Valley County, distributed **EXHIBIT (j1h29a02)**, photos of the destruction to the county's roads and letters of support, and stated that his county was in the same position as the others with respect to road conditions.

{Tape : 1; Side : A; Approx. Time Counter : 17 - 18.4}

REP. LARRY GRINDE, HD 94, spoke on behalf of the commissioners' request.

{Tape : 1; Side : A; Approx. Time Counter : 18.4 - 19.9}

REP. BILL THOMAS, HD 93, spoke on behalf of the request.

{Tape : 1; Side : A; Approx. Time Counter : 19.9 - 20.3}

CHAIRMAN BERGSAGEL stated that altogether these counties were asking for about \$120,000. Discussion followed.

{Tape : 1; Side : A; Approx. Time Counter : 20.3 - 22.4}

Mr. Pat Graham, with Fish Wildlife & Parks, distributed agreements with five counties from the 1980s, **EXHIBIT(jlh29a03)** **EXHIBIT(jlh29a04)** **EXHIBIT(jlh29a05)** **EXHIBIT(jlh29a06)** **EXHIBIT(jlh29a07)**. He then stated that the money from the block management program goes out to over 900 land owners and that perhaps a portion of the money should go to the county for maintenance and weed control. He addressed the Crooked Creek road repair and reported that the U.S. Fish and Wildlife had received \$1 million from the Federal government to repair this road, which was probably more than ample to complete the job and get some work done on other roads in the area. He also contended that if these six counties need help, fifty-six counties likely need help and that an annual payment for maintenance would lead to a marked increase in the licences for hunting and fishing. He subsequently pointed out that in order to insure that the impacts being paid for by the department are indeed coming from fishing and hunting activities, an additional expense would go to the monitoring of these activities.

{Tape : 1; Side : A; Approx. Time Counter : 22.4 - 31.5}

SEN. LYNCH asked what the agreements with the counties said. **Mr. Graham** responded that the agreements directed the department to pay for the construction of the roads and the counties to be responsible for their maintenance. **SEN. LYNCH** asked the county commissioners exactly what they were asking the department to pay for.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 2.8}

REP. MCCANN asked if any of the money from the licences for fishing and hunting was somehow paying for the maintenance of these roads.

Mr. Graham responded that they used these moneys to pay for their recreation access roads and weed control on FW&P lands, but that in order to use the money for other purposes, the cause of the wear and tear must be specifically tied back to recreational use caused by FW&P promotions. Discussion followed.

{Tape : 1; Side : B; Approx. Time Counter : 2.8 - 5.9}

SEN. LYNCH suggested that perhaps the Bed Tax should be used for maintenance as tourism causes a lot of wear and tear.

{Tape : 1; Side : B; Approx. Time Counter : 6 - 6.6}

SEN. BECK mentioned that Western Montana and Eastern Montana receive money from different sources for the maintenance of roads, and that the amount of money they receive may not be of equal value. He went on to say that the overall impact by public and private use, though coming from different origins, is likely similarly for both regions. Discussion followed.

{Tape : 1; Side : B; Approx. Time Counter : 6.7 - 7.6}

SEN. LYNCH commented that maybe the department could pay to get some gravel to these roads and avoid paying for the labor to re-grade them. **Mr. Graham** responded. Discussion followed concerning money from the Gas Tax that goes to maintaining public roads.

{Tape : 1; Side : B; Approx. Time Counter : 8 - 11.8}

SEN. BECK asked if the FW&P would collect more funding if the bill passed that was aiming to prevent the highway patrol and other programs from receiving Gas Tax money.

{Tape : 1; Side : B; Approx. Time Counter : 11.8 - 13.3}

CHAIRMAN BERGSAGEL asked if it was possible to partially fund the commissioners' request using FW&P moneys. **Mr. Graham** requested some time to research the issue and stated that he would get back to the committee on Monday. Discussion followed. **CHAIRMAN BERGSAGEL** addressed the gravel issue. **Mr. Graham** responded that there were a couple of options that he would look into.

{Tape : 1; Side : B; Approx. Time Counter : 13.3 - 19}

REP MCCANN asked how long Crooked Creek Road was. **Mr. Pugrud** responded. Discussion followed concerning the \$1 million Federal allocation for this road.

{Tape : 1; Side : B; Approx. Time Counter : 19.1 - 21.8}

Mr. Pat Graham discussed the oil drilling bill that affects Makoshika State Park. He stated that if this bill (sponsored by Rep. Lenhart) was passed that the department would need approximately a \$100,000 appropriation to pay for mineral rites in the park. Discussion followed.

{Tape : 1; Side : B; Approx. Time Counter : 22 - 26.5}

EXHIBIT (j1h29a08) Hunting impacts on McCone County roads

EXHIBIT (j1h29a09) EXHIBIT (j1h29a10) EXHIBIT (j1h29a11) letters of support

**HEARING ON HOUSE BILL 5 & 14 - LONG RANGE BUILDING PROGRAM -
CLOSED**

ADJOURNMENT

Adjournment: 9:00 A.M.

REP. ERNEST BERGSAGEL, Chairman

CASSANDRA DRYNAN, Secretary

EB/CD

EXHIBIT (j1h29aad)