

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION

Call to Order:

CHAIRMAN GALEN HOLLENBAUGH, on January 21, 2009 at 8:35 A.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Rep. Galen Hollenbaugh, Chairman (D)
Sen. Rick Ripley, Vice Chairman (R)
Rep. Duane Ankney (R)
Sen. John Brenden (R)
Rep. Llew Jones (R)
Rep. Robert Mehlhoff (D)
Sen. Mitch Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: James Chamberlain, OBPP
Tyrrell Hibbard, Committee Secretary
Barbara Smith, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: Montana Fish, Wildlife, and Parks (FWP); Communication & Education Division overview and decision packages; HB 2, 1/17/2009

Executive Action: Entire FWP decision packages

00:00:10 Chairman Hollenbaugh
00:00:12 Barbara Smith, LFD
00:00:32 Chairman Hollenbaugh

Communication & Education, FISH, WILDLIFE, & PARKS

00:00:37 Ron Aasheim, Administrator, Communication & Education
Division, FWP, division overview and decision
packages

EXHIBIT(jnh14a01)

DP 801 Regulation Production

00:11:32 Mr. Aasheim
00:12:18 Sen. Ripley
00:12:43 Mr. Aasheim
00:14:11 Sen. Ripley left hearing.

DP 802 Restore Communication and Education Ops Budget

00:14:20 Mr. Aasheim
00:15:18 Chairman Hollenbaugh
00:15:26 Sen. Tropila
00:15:55 Chris Smith, Deputy Director, FWP
00:16:11 Sen. Ripley returned.
00:19:43 Sen. Tropila
00:19:48 Chairman Hollenbaugh
00:20:07 Mr. Smith
00:20:45 Sen. John Brenden
00:22:31 Mr. Smith
00:23:42 Rep. Mehlhoff
00:25:52 Mr. Smith
00:30:12 Rep. Mehlhoff
00:30:53 Chairman Hollenbaugh
00:31:05 Tim Burton, City Manager, City of Helena
00:33:07 Rep. Ankney
00:33:40 Mr. Burton
00:36:02 Rep. Ankney
00:36:38 Chairman Hollenbaugh
00:36:48 Mr. Burton
00:37:50 Chairman Hollenbaugh
00:39:02 Mr. Burton
00:40:16 Sen. Ripley
00:41:08 Ms. Smith
00:41:35 Rep. Mehlhoff
00:43:09 Chairman Hollenbaugh
00:43:18 Sen. Tropila
00:44:00 Mr. Smith

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00:45:10 Chairman Hollenbaugh
00:45:17 Break
01:02:08 Reconvene

01:02:23 Chairman Hollenbaugh
01:02:31 James Chamberlain, OBPP
01:02:59 Chairman Hollenbaugh
01:03:00 Ms. Smith
01:03:30 Rep. Ankney
01:05:10 Sen. Ripley
01:06:39 Ms. Smith
01:07:07 Sen. Ripley
01:07:13 Chairman Hollenbaugh
01:07:15 Rep. Mehlhoff
01:08:07 Chairman Hollenbaugh
01:08:11 Mr. Chamberlain
01:08:35 Chairman Hollenbaugh
01:08:40 Sen. Ripley
01:09:36 Chairman Hollenbaugh
01:11:18 Rep. Jones
01:12:54 Chairman Hollenbaugh
01:13:00 Rep. Mehlhoff
01:13:42 Ms. Smith
EXHIBIT(jnh14a02)
01:15:33 Chairman Hollenbaugh

EXECUTIVE ACTION ON FWP

01:15:49 Chairman Hollenbaugh
01:16:06 Ms. Smith
01:16:43 **Motion:** Rep. Mehlhoff moved **DP 101 BE ADOPTED.**
01:17:07 **Substitute Motion/Vote:** Sen. Ripley moved **TO ADOPT DP 101 AS ONE TIME ONLY AND TO REQUEST CLARIFYING LANGUAGE.** Motion carried unanimously by roll call vote.

01:18:12 Ms. Smith
01:18:20 **Motion:** Rep. Jones moved **DP 102 BE ADOPTED AS ONE TIME ONLY.**

Discussion:

01:18:50 Sen. Ripley
01:19:03 Rep. Mehlhoff
01:19:23 Sen. Ripley
01:19:42 Chairman Hollenbaugh

01:20:22 **Vote:** Motion carried 4-3 by roll call vote, with Sen.
Brenden, Rep. Ankney, and Sen. Ripley voting no.
01:20:32 Rep. Mehlhoff

01:20:51 Ms. Smith
01:20:59 **Motion/Vote:** Rep. Jones moved **DP 103 BE ADOPTED,
RESTRICTED.** Motion carried unanimously by voice vote.

01:21:38 Ms. Smith
01:21:51 **Motion:** Rep. Mehlhoff moved **DP 201 BE ADOPTED AS ONE
TIME ONLY.**

Discussion:

01:22:14 Sen. Brenden
01:24:16 Rep. Jones
01:24:31 Paul Sihler, Administrator, Field Services Division,
FWP
01:25:39 Sen. Ripley

01:26:52 **Vote:** Motion carried 5-2 by roll call vote, Sen.
Brenden and Sen. Ripley voting no.

01:27:39 Ms. Smith
01:27:51 **Motion/Vote:** Rep. Ankney moved **TO ADOPT DP 202.**
Motion carried unanimously by voice vote.

01:28:09 Ms. Smith
01:28:18 **Motion/Vote:** Sen. Tropila moved **DP 203 BE ADOPTED ONE
TIME ONLY AND RESTRICTED.** Motion carried by voice vote
unanimously.

01:28:48 Ms. Smith
01:29:14 Sen. Brenden
01:29:23 Ms. Smith
01:30:02 **Motion/Vote:** Sen. Ripley moved **TO ACCEPT THE PROPOSED
RATES ON PAGE C-18 of LEGISLATIVE BUDGET ANALYSIS.**
Motion carried unanimously by voice vote.

01:30:36 **Motion/Vote:** Rep. Jones moved **DP 204 BE ADOPTED.**
Motion carried unanimously by voice vote.

01:30:57 Ms. Smith
01:31:15 **Motion:** Sen. Ripley moved **DP 302 BE ADOPTED AS ONE
TIME ONLY AND A REPORT ON OUTCOMES TO EQC.**
01:31:46 **Substitute Motion:** Sen. Tropila moved **DP 302 AS
RESTRICTED.**
01:32:09 Ms. Smith

01:32:19 Chairman Hollenbaugh
01:32:31 **Vote:** Motion carried unanimously by voice vote.

01:32:41 Ms. Smith
01:32:46 **Motion/Vote:** Rep. Ankney moved **DP 304 BE ADOPTED.**
Motion carried unanimously voice vote.

01:33:08 Ms. Smith
01:33:22 **Motion:** Sen. Ripley moved **DP 301 BE ADOPTED AS ONE
TIME ONLY AND MOVE WEED MANAGEMENT BACK INTO THE PARKS
DIVISION.**

Discussion:

01:34:15 Rep. Mehlhoff
01:34:31 Ms. Smith

01:34:49 **Vote:** Motion carried unanimously by voice vote.

01:35:20 Ms. Smith
01:35:27 **Motion/Vote:** Rep. Ankney moved **DP 401 BE ADOPTED.**
Motion carried unanimously by voice vote.

01:36:00 Ms. Smith
01:36:30 **Motion/Vote:** Rep. Ankney moved **DP 502 BE ADOPTED AS
ONE TIME ONLY AND RESTRICTED.** Motion carried
unanimously by voice vote.

01:37:13 Ms. Smith
01:37:19 **Motion:** Rep. Jones moved **DP 503 BE ADOPTED.**

Discussion:

01:38:01 Sen. Ripley
01:38:15 Ms. Smith
01:38:16 **Substitute Motion:** Rep. Jones modified his motion to
be **RESTRICTED.**
01:38:38 Sen. Ripley
01:39:07 Chairman Hollenbaugh
01:39:15 Ken McDonald, Administrator, Wildlife Division, FWP

01:39:51 **Vote:** Motion carried unanimously by voice vote.

01:40:06 Ms. Smith
01:40:27 **Motion:** Sen Tropila moved **TO ADOPT DP 504 AS ONE TIME
ONLY AND RESTRICTED.**

Discussion:

01:40:42 Rep. Jones

01:40:54 Ms. Smith

01:41:18 **Vote:** Motion carried 6-1 by voice vote, Sen. Ripley voting no.

01:41:40 Ms. Smith

01:42:04 **Motion:** Rep. Mehlhoff moved **TO ADOPT DP 505.**

01:42:10 Ms. Smith

01:42:15 **Substitute Motion/Vote:** Rep. Mehlhoff moved **TO CHANGE FUNDING TO 25 PERCENT GENERAL LICENCE AND 75 PERCENT FEDERAL PR/WB.** Motion carried unanimously by voice vote.

01:42:41 Ms. Smith

01:43:04 **Motion:** Sen. Tropila moved **TO ADOPT DP 501 AS RESTRICTED.**

Discussion:

01:43:27 Sen. Ripley

01:43:34 Ms. Smith

01:43:38 Chairman Hollenbaugh

01:43:57 Ms. Smith

01:44:03 Sen. Tropila

01:44:47 **Vote:** Motion carried 5-2 by voice vote, Sen. Brenden and Sen. Ripley opposed.

01:44:52 Ms. Smith

01:45:00 **Motion/Vote:** Chairman Hollenbaugh moved **DP 550 BE ADOPTED AS ONE TIME ONLY.** Motion carried unanimously by voice vote.

01:45:50 Ms. Smith

01:46:37 Chairman Hollenbaugh

01:46:48 **Motion:** Chairman Hollenbaugh moved **DP 601 BE ADOPTED.**

01:47:10 **Substitute Motion:** Sen. Tropila moved **TO AMEND DP 601 AS ONE TIME ONLY AND RESTRICTED.**

01:47:26 Sen. Ripley

01:47:40 Chairman Hollenbaugh

01:47:52 **Vote:** Motion failed by roll call vote, Sen. Tropila, Rep. Mehlhoff, and Chairman Hollenbaugh voting aye.

01:49:12 Ms. Smith

01:49:17 **Motion:** Rep. Mehlhoff moved **DP 602 BE ADOPTED.**

Discussion:

01:49:42 Sen. Brenden
01:51:08 Rep. Mehlhoff
01:52:48 Chas Van Genderen, Acting Administrator, Parks
Division, FWP
01:53:45 Rep. Mehlhoff
01:54:03 Mr. Van Genderen
01:54:12 Rep. Mehlhoff
01:54:14 Mr. Van Genderen
01:54:45 Rep. Mehlhoff
01:55:03 Mr. Van Genderen
01:55:48 Sen. Ripley
01:56:07 Mr. Van Genderen
01:56:28 Sen. Ripley
01:56:33 Mr. Van Genderen
01:56:39 Chairman Hollenbaugh

01:56:50 **Vote:** Motion failed by roll call vote, Rep. Mehlhoff
and Chairman Hollenbaugh voting aye.

01:57:46 Break
02:09:07 Reconvene

02:09:12 **Motion:** Sen. Brenden moved **TO ADD LANGUAGE TO DP 201
REQUESTING THE LEGISLATIVE FINANCE COMMITTEE TO MONITOR
THE PROGRESS OF BLOCK MANAGEMENT.**
02:09:48 Chairman Hollenbaugh
02:10:13 Sen. Brenden

Discussion:

02:11:01 Rep. Mehlhoff
02:11:35 Sen. Brenden
02:11:41 Rep. Jones
02:13:15 Sen. Brenden
02:14:21 Sen. Ripley
02:15:22 **Substitute Motion:** Sen. Tropila moved **TO AMEND DP 201
AS ONE TIME ONLY AND RESTRICTED AND INCLUDING SEN.
BRENDEN'S LANGUAGE REQUIREMENT.**
02:15:47 Chairman Hollenbaugh
02:16:32 **Motion:** Sen Brenden moved **TO RECONSIDER DP 201 TO ADD
LANGUAGE REQUIRING THE INTERIM FINANCE COMMITTEE TO
MONITOR THE GOALS OF THE BLOCK MANAGEMENT PROGRAM, ONE
TIME ONLY AND RESTRICTED.**
02:17:14 Sen. Ripley

02:17:45 Sen. Brenden withdrew his amendment without objection.

02:18:12 Ms. Smith

02:18:51 **Motion:** Rep. Mehlhoff moved **DP 604 BE ADOPTED.**

02:19:18 **Substitute Motion/Vote:** Sen. Tropila moved **TO ADOPT DP 604 AND REVERT CAPITAL AUTHORITY.** Motion carried unanimously by voice vote.

02:20:01 Ms. Smith

02:20:04 **Motion/Vote:** Rep. Ankney moved **DP 605 BE ADOPTED.** Motion carried unanimously by voice vote.

02:20:38 Ms. Smith

02:20:42 **Motion/Vote:** Sen. Brenden moved **TO ADOPT DP 606.** Motion carried unanimously by voice vote. (Note for audio file: motion moved by Sen. Brenden, not Rep. Ankney.)

02:21:01 Ms. Smith

02:21:10 Rep. Ankney

02:21:35 Mr. Van Genderen

02:21:48 Rep. Ankney

02:22:10 Mr. Van Genderen

02:22:41 **Motion/Vote:** Rep. Ankney moved **DP 607 BE ADOPTED.** Motion carried 6-1 by voice vote with Sen. Ripley opposed.

02:23:05 Ms. Smith

02:23:30 Chairman Hollenbaugh

02:24:05 Ms. Smith

02:24:15 **Motion/Vote:** Sen. Ripley moved **DP 802 BE ADOPTED AS ONE TIME ONLY.** Motion carried unanimously by voice vote.

02:24:42 Ms. Smith

02:25:08 **Motion/Vote:** Sen. Ripley moved **TO TRANSFER \$40,000 FROM FISHERIES DIVISION BUDGET TO PARKS DIVISION FOR WEED CONTROL.** Motion carried unanimously by voice vote.

02:25:30 Ms. Smith

02:26:03 **Motion/Vote:** Rep. Jones moved **DP 902 BE ADOPTED.** Motion carried unanimously by voice vote.

02:26:21 Ms. Smith

02:26:32 **Motion/Vote:** Sen. Brenden moved **DP 903 BE ADOPTED.** Motion carried unanimously by voice vote.

02:27:02 Ms. Smith
02:27:13 **Motion/Vote:** Sen. Ripley moved that **DP 904 DO NOT PASS.** Motion carried 4-3 by roll call vote, Sen. Tropila, Rep. Mehlhoff, and Chairman Hollenbaugh voting no.

02:28:40 **Motion/Vote:** Sen. Brenden moved that **DP 905 DO NOT PASS.** Motion carried 5-2 by roll call vote, Sen. Tropila and Chairman Hollenbaugh voting no.

02:29:35 Ms. Smith
02:29:41 Rep. Jones
02:31:17 Sue Daly, Chief of Finance, FWP
02:31:42 Rep. Jones
02:32:06 Sen. Brenden
02:32:18 Chairman Hollenbaugh
02:32:27 Rep. Mehlhoff
02:33:42 Chairman Hollenbaugh
02:33:52 Ms. Smith

02:34:22 **Motion/Vote:** Sen. Brenden moved **TO ADOPT PROPOSED RATES ON PAGE C-60 OF LEGISLATIVE BUDGET ANALYSIS.** Motion carried unanimously by voice vote.

02:35:13 Ms. Smith
02:35:16 **Motion/Vote:** Sen. Brenden moved **TO ADOPT FWP VEHICLE FUND PROPOSED RATES.** Motion carried unanimously by voice vote.

02:35:28 Ms. Smith
02:35:32 **Motion/Vote:** Sen. Ripley moved **TO ADOPT PROPOSED PERCENTAGE MARKUP OF GOODS IN THE WAREHOUSE.** Motion carried unanimously by voice vote.

02:35:55 Ms. Smith
02:36:28 **Motion:** Sen. Ripley moved **TO ADOPT FWP BASE BUDGET AS ONE TIME ONLY.**

Discussion:

02:36:42 Rep. Mehlhoff
02:37:37 Sen. Ripley
02:38:27 Rep. Mehlhoff
02:38:36 Chairman Hollenbaugh

02:38:45 **Vote:** Motion carried 4-3 by roll call vote, Sen. Tropila, Rep. Mehlhoff, and Chairman Hollenbaugh voting no.

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02:39:28 Ms. Smith

02:39:53 Chairman Hollenbaugh

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ADJOURNMENT

02:40:07 Adjournment: 11:15 A.M.

TYRRELL HIBBARD, Secretary

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Additional Documents:

EXHIBIT ([jnh14aad.pdf](#))