

Region 7 Citizen Advisory Committee (CAC)
Winter Meeting / Legislative Update
December 2, 2020 – via Zoom

FWP Staff in Attendance: Brad Schmitz, Erin O'Connor, Marla Prell, Mike Backes, Jack Austin, John Ensign, Ron Jendro, Jessica Plunkett, Deb O'Neill, Greg Lemon, Raymond Schell, Dustin Temple and Quentin Kujala

CAC Members in Attendance: Ed Joiner, Ed Bukoskey, George Luther and Bob Gilbert

Parks Board Members in Attendance: Angie Grove and Mary Moe

Legislators in Attendance: Ken Holmlund (HD 38), Geraldine Custer (HD 39), Jerry Schillinger (HD37), Brandon Ler (HD 35), Bob Phalen (HD 36) and Kathy Whitman (HD 96)

Introduction & Welcome

Brad began the meeting by welcoming everyone and asking all to introduce themselves.

We try to hold these gatherings of our CAC members, area Legislators and staff before very Legislative session. Ron Jendro from Helena is the FWP legislative liaison and will talk about what the Department is looking for in our legislative requests. Dustin Temple from Helena is our Chief Financial Officer will talk about how FWP budgets operate.

Budget Update

Dustin provided an update on the Department's budget and what requests we've made going into the upcoming Legislative Session. The budget that's been submitted was done so by Governor Bullock. Governor-elect Gianforte can review and revise it to his liking, so things may change. FWP is as close to a profit and loss concern as possible. FWP has to earn its money, the bulk of which comes through camping fees, license sales, etc. However, that doesn't necessarily give us authorization to spend our money.

FWP gets very little general fund money. Most of our funding comes from the licensing account. The last license fee increase was in 2015. The economy was very different then than it is now. More revenue has been generated by HB 140 than we anticipated, thus we had no need for a fee increase in 2019 and are not seeking one now. As of now, we should be in a situation where we shouldn't have to consider a fee increase until 2025.

State Parks is funded through four sources: coal tax trust interest, accommodations tax revenue, a portion of the fuel tax and the parks' earned revenue account. The earned revenue account is vehicle registration fees and park user fees. All accounts are seeing some decline this year, mainly due to Covid and its effect on travel, etc.

Ed Bukoskey stated that the PLPW group recently spoke a lot about recreation on rivers during the last year. He has heard a lot of conversation about a recreation fee and is wondering if Dustin's heard of it. Dustin replied that there has been an effort the last couple legislative sessions to come up with such a fee, and he believes we'll see the concept again this session.

Dustin continued by noting that our budget request is two pieces – personal services and operations, which Rep. Holmlund chairs the subcommittee for. Section F is the long-range building fund, which we have a fair number of requests for. We've been operating with some uncertainty in our

revenue streams this year as we didn't know what was going to happen with Covid and how it would affect us. A large portion of our revenue comes from nonresident license sales, which actually ended up being quite strong this year.

We want to take care of what we have in our building fund and property and have had a lot of deferred maintenance the last few years. We're hoping to get caught up on that now. The Fisheries division especially has a lot of deferred maintenance within the hatcheries. Hatchery systems are expensive to maintain and operate. We need to get our hatchery system current and get all hatcheries on a regular maintenance cycle.

Parks has some normal maintenance requests, including a few specific line items for a couple parks (none in this region).

Administrative facilities such as regional offices, Helena headquarters, etc., have some regular maintenance projects that need addressed.

We've asked for \$4 million from the License account through HB 5 for access projects and for regional staff to work with communities to determine what access may be available on the lower Yellowstone River. There are also two potential accesses on Flathead Lake for consideration.

HB 2 items fall under Rep. Holmlund's subcommittee. We are asking for 4.39 FTE agency-wide. This is all existing FTE. Of the 4.89, 2.5 FTE is for wolf specialists and 1.89 would be for Milltown State Park staff after their current natural resource grant program funding runs out in January.

In the 2017 session, Fisheries saw some cuts, which we got some back in 2019. We're now asking for a bit of operations dollars to help with water quality programs, creek work, etc. Enforcement hasn't had a budget increase in a long time. The cost of sending new wardens to the Law Enforcement Academy has increased a lot over the last couple years. We've also asked for some funding to be used for compensation for wardens who act as instructors for other wardens in different trainings that this staff is required to have. For Wildlife we've asked for a Chronic Wasting Disease (CWD) funding package to deal with the statewide effects of CWD, as well as some funding for grizzly bear management. As for regional offices we've asked for a budget increases to deal with additional costs associated with increasing costs in equipment maintenance, supplies, etc. The Public Access Lands Agreement (PALA) funding through the last session was a one-time only item and did not roll forward into the base budget, so we're asking for \$500k to continue that program.

Ed B. inquired about Pittman-Robertson funding. He believes the Department is going to get a lot of that funding this year but that may not be the case the next two years. Are we compensating for that? Dustin answered that we will to the extent that we can, however that money is only good for two years and we lose what we don't spend. Fortunately, we hedge against swings in federal revenue.

Mary Moe would like for legislators to be aware of two things as far as State Parks is concerned: 1) what a yeoman's service the state parks have done during the pandemic. They have had an extraordinary last six months. State Parks staff have gone above and beyond the call; and 2) the lower Yellowstone River provides an important opportunity for our region, so she hopes we look at it carefully. She is excited to see how it pans out.

Ron Jendro continued by saying that we've made a modest ask for our proposals. They have already gone through the Environmental Quality Council, which gave us the thumbs up. Six bills went through and were approved.

The first proposal we've asked for is LC 365 - revising our unlawful possession statute. Some of the worst poaching our wardens encounter is joy killing or individuals killing multiple animals and leaving them lay. Our current possession law says that we can't charge a person with possession of these unlawfully killed animals. This proposal will change it so that once a person kills the animal it is in their possession no matter what. It would also allow us to charge a person under a felony possession statute.

Our second proposal, LC 366, is for Mothers' Day weekend to be a free fishing weekend, similar to the current free fishing weekend over Fathers' Day.

LC 367 proposes to revise the motorized trail program. This includes clean up language from HB 355 of the last session which made a summer motorized trail program and changed the decal for a winterized trail program. It effectively created two nonresident decals – one for snowmobiles and one for everything else which was confusing for all parties involved. LC 367 will make two decals for the winter trail program, one of which will be for residents and the other for nonresidents.

LC 368 proposes to revise the home to hunt license eligibility requirement. This is a reduced-price license for nonresidents. Under the current eligibility requirement we're getting taken advantage of – people are taking online Hunter Education to qualify and have never actually lived in MT. This revision will make it so that a person has to have lived in MT as well as have taken a Montana Hunter Ed class.

LC 369 will add to the eligible family members who can accompany nonresident youth in that it will add stepparents and legal guardians.

LC 370 is a clean-up bill. It will revise the license application requirement that currently asks for a person's occupation. We have seen weird things listed there and it essentially serves no purpose anymore. This revision will remove that field.

Roundtable Discussion

Angie Grove would like to give a shout out to the Fishing Access Site (FAS) crew as well as State Parks. She has received a lot of feedback on how amazing the FAS's were this summer.

Rep. Whitman inquired as to if we are considering putting through a bill for lifetime licenses for those 65 and over. Dustin replied that experience is that there would be a revenue impact to the agency with such a thing. At this time FWP is not running a bill like that.

Rep. Custer said she has had a lot of people tell her that they hate the new licensing system and the paper licenses. She wonders why we can't have licenses on our phones, as well as potentially have some GPS aspect included there. Jessica Plunkett replied that the upcoming new license system went out for bid once and at that included the Parks reservation system. We have since decided on a phased approach, the first phase of which is just replacing the current license system. We have gotten bids and have a meeting in two weeks. We are looking for a 2022 launch at the start of the new license year. The

Department is looking at digital carcass tag in the new system. FWP is prohibited from using GPS with tags.

Rep. Schillinger added that there would be pushback if there was a GPS aspect with tags. People would be leery of folks finding out there hunting spots, etc.

Ed B. is wondering if the Block Management landowner payment may go up? Are any legislators carrying a bill for this? Ron replied that he is not aware of anything like that from the PLPW group.

Bob Gilbert asked about the trails decal clean-up bill; was Rep. White ok with that? Ron replied that, yes, we worked with Rep. White on that and he is good with it. Bob mentioned the concept of lifetime licenses. He was on the license funding advisory committee and that group worked on doing away with FWP's numerous free and discounted licenses in order to ensure FWP's future. Bob asked about the Hell Creek road – is that a state secondary road or a county road? Brad replied that it is a county road.

Ed Joiner note that he was out in the field a lot this season. He saw a lot of nonresident hunters – more than usual – especially from Washington. Some got in trouble for doing things they shouldn't have been. In the Custer National Forest, he estimates eight of ten vehicles was from out of state which was really surprising. Overall, things went smoothly, even with Covid. He has been a Hunter Ed instructor for many years. There were no Hunter Ed classes or field days this year. He noted that there were some single moms in his area whose children took Hunter Ed online, but they were worried about not having a field day. He offered to take those kids out to the field with him. One odd thing that he noticed was that there was a lot of people trying to camp out on the reservation, some for months at a time, and some went to the Forest. The Forest folks have posted signs advising people of a 16-day limit for camping there. Finally, he had lots of difficulty with the new licensing system and his licenses, which he did end up losing once. He praised Erin for helping him out and getting his tags to him quickly. The note that the outdoors is still a great place to go and relax.

George Luther mentioned that he has had some discussion about what it would take to get people interested in access programs. There are other things out there that compete with access. The incentive to deal with the public is a concern to him. As for Block Management, he has talked to folks that said they hope the payment would go up in the future. Game numbers seem up, but animals are scattered in some areas. Upland game bird numbers seem very good; he's seen 60+ turkeys in some flocks. Unfortunately, predator numbers seem up, too. He added that it's been good to work with everyone, especially this year. Parks and Fisheries folks got pushed hard but did a good job handling the public.

Brad added a comment he received from Dale Kreiman, one of our CAC members who couldn't be with us tonight. Dale wanted mentioned that Block Management is becoming more and more important especially as there is lots of deer out there.

Closing

Brad closed by saying he wishes the best of luck to all of our area legislators in the upcoming session. Please feel free to call us with any questions, concerns, input needed, and we'll gladly help in any way we can. He wishes we could meet with our CAC folks. This Zoom type of meeting is hard to do, especially for some folks, and he appreciates everyone's patience.