

**MINUTES**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON FISH AND GAME**

**Call to Order:** Chairman Gregory D. Barkus, on January 27, 2009 at 3:00 P.M., in Room 422 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Gregory D. Barkus, Chairman (R)  
Sen. John Brenden, Vice Chairman (R)  
Sen. Debby Barrett (R)  
Sen. Steven Gallus (D)  
Sen. Larry Jent (D)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:**

Sen. Joe Balyeat (R)  
Sen. Trudi Schmidt (D)  
Sen. Jim Shockley (R)

**Members Absent:** None.

**Staff Present:** Lindsey Hern, Committee Secretary  
Hope Stockwell, 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: SB 162, 1/14/2009; SB 163,  
1/14/2009

Executive Action: SJ 15; SB 59; SB 164

**HEARING ON SB 162**

**Opening Statement by Sponsor:**

00:01:09 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 162, Restrict ability to limit hunting permits for certain species.

**Proponents' Testimony:**

00:04:28 Chuck Denowh, United Property Owners of Montana (UPOM)

[EXHIBIT\(fis19a01\)](#)

[EXHIBIT\(fis19a02\)](#)

00:04:52 Sen. Jim Shockley and Sen. Joe Balyeat came to the committee.

00:07:02 Mark Robbins, Self, UPOM

00:09:26 Toby Dahl, UPOM

00:10:32 Matt Wickens, Montana Farm Bureau (MFB), Self

00:12:06 Mac Minard, Montana Outfitters and Guide Association (MOGA)

00:14:25 Jay Bodner, Montana Stockgrowers Association (MSA)

00:16:21 Cory Swanson, Citizens for Balanced Use

00:18:02 Deanna Robbins, UPOM, Self

**Opponents' Testimony:**

00:18:47 George Golie, Montana Wildlife Federation (MWF)

00:22:26 Chris Smith, Deputy Director, Fish Wildlife and Parks (FWP)

[EXHIBIT\(fis19a03\)](#)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:29:09 Sen. Jent

00:30:04 Sen. Barrett

00:30:37 Sen. Jent

00:31:20 Sen. Barrett

00:31:29 Sen. Jent

00:32:11 Sen. Barrett

00:32:20 Sen. Jent

00:32:23 Mr. Denowh, UMOM

00:33:24 Sen. Jent

00:33:53 Mr. Denowh, UMOM

00:34:03 Sen. Balyeat

00:35:43 Mr. Smith, FWP

00:37:02 Sen. Balyeat  
00:38:37 Mr. Smith, FWP  
00:41:23 Sen. Balyeat  
00:42:06 Mr. Smith, FWP  
00:42:25 Sen. Shockley  
00:42:45 Mr. Smith, FWP  
00:43:06 Sen. Shockley  
00:43:41 Mr. Smith, FWP  
00:44:44 Sen. Brenden  
00:45:14 Mr. Smith, FWP  
00:46:32 Sen. Brenden  
00:46:39 Mr. Smith, FWP  
00:46:46 Sen. Brenden  
00:47:10 Mr. Smith, FWP  
00:47:19 Sen. Brenden  
00:47:38 Mr. Denowh, UPOM  
00:48:04 Sen. Jent  
00:48:57 Mr. Bodner, MSA  
00:49:33 Sen. Jent  
00:50:07 Mr. Bodner, MSA  
00:50:33 Sen. Jent  
00:50:42 Sen. Balyeat left the committee.  
00:51:15 Mr. Bodner, MSA  
00:51:49 Sen. Jent  
00:51:54 Chairman Barkus  
00:52:32 Mr. Smith, FWP  
00:52:53 Chairman Barkus  
00:53:11 Mr. Smith, FWP

**Closing by Sponsor:**

00:53:22 Sen. Barrett

**HEARING ON SB 163**

**Opening Statement by Sponsor:**

01:00:52 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 163, Make hunting and fishing rules subject to economic impact statement of MAPA.

01:01:08 Sen. Balyeat returned to the committee

**Proponents' Testimony:**

01:04:08 Mr. Denowh, UPOM  
01:04:34 Sen. Trudi Schmidt came to the committee, Sen. Shockley and Sen. Jent left the committee.  
01:05:41 Mark Robbins, Self, UPOM

01:07:05 Mr. Minard, MOGA  
01:08:28 Chairman Barkus left the committee.  
01:09:06 Mr. Bodner, MSA  
01:10:43 Mr. Swanson, Citizens for Balanced Use, Families for  
Outdoor Recreation  
01:11:45 Mark Baumeister, Self, Mark's Montana Trophy Hunts  
01:14:18 Chairman Barkus returned to the committee.  
01:14:27 Mr. Wickens, MFB  
01:15:15 Aeric Reilly, Montana Wool Growers (MWG)

**Opponents' Testimony:**

01:15:48 Mr. Smith, FWP  
[EXHIBIT \(fis19a04\)](#)  
01:16:46 Sen. Jent returned to committee.  
01:20:49 Mr. Golie, MWF

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:23:02 Sen. Gallus  
01:24:19 Mr. Smith, FWP  
01:25:02 Sen. Gallus  
01:25:40 Mr. Smith, FWPs  
01:26:42 Sen. Brenden  
01:27:23 Mr. Smith, FWP  
01:27:29 Sen. Balyeat  
01:28:44 Mr. Smith, FWP  
01:30:12 Sen. Balyeat  
01:30:37 Mr. Smith, FWP  
01:30:46 Sen. Shockley returned to the committee.  
01:31:17 Chairman Barkus  
01:31:45 Mr. Goalie, MWF  
01:31:50 Chairman Barkus  
01:31:53 Mr. Golie, MWF  
01:31:56 Chairman Barkus  
01:32:15 Mr. Golie, MWF  
01:32:52 Chairman Barkus  
01:33:27 Mr. Golie, MWF  
01:33:34 Sen. Balyeat  
01:34:00 Sen. Shockley  
01:34:50 Mr. Golie, MWF  
01:35:10 Sen. Shockley  
01:36:03 Mr. Golie, MWF  
01:36:50 Sen. Tropila

**Closing by Sponsor:**

01:37:13 Sen. Barrett

**Additional Business:**

01:41:36 Chairman Barkus  
01:41:42 Joe Maurier, Director, FWP  
01:43:05 Sen. Gallus  
01:43:52 Chairman Barkus

**EXECUTIVE ACTION ON SJ 15**

01:53:31 **Motion:** Sen. Shockley moved that **SJ 15 DO PASS.**

01:54:01 **Motion:** Sen. Brenden moved that **SJ 15 BE AMENDED.**  
**EXHIBIT(fis19a05)**

**Discussion:**

01:54:25 Hope Stockwell, Legislative Service Division, (LSD)  
01:55:31 Chairman Barkus  
01:55:34 Ms. Stockwell, LSD  
01:55:52 Chairman Barkus  
01:56:09 Ms. Stockwell, LSD  
01:56:14 Sen. Balyeat  
01:56:34 Ms. Stockwell, LSD  
01:57:32 Sen. Shockley

01:58:27 **Vote:** Motion that **SJ 15 BE AMENDED** carried unanimously  
by voice vote.

01:58:45 **Motion:** Sen. Balyeat moved that **SJ 15 DO PASS AS**  
**AMENDED.**

**Discussion:**

01:59:09 Sen. Jent  
01:59:49 Sen. Brenden  
02:00:43 Sen. Balyeat  
02:01:39 Chairman Barkus  
02:02:06 Sen. Jent  
02:02:36 Sen. Tropila  
02:02:55 Sen. Brenden

02:03:02 **Vote:** Motion that **SJ 15 DO PASS AS AMENDED** carried  
unanimously by voice vote. Sen. Schmidt voted by proxy.

**EXECUTIVE ACTION ON SB 59**

02:03:41 **Motion/Vote:** Sen. Brenden moved that **SB 59 BE TABLED**.  
Motion carried 8-1 by roll call vote with Sen. Shockley  
voting no. Sen. Schmidt voted by proxy.

02:05:50 Ms. Stockwell  
02:06:13 Chairman Barkus

**EXECUTIVE ACTION ON SB 164**

02:06:29 **Motion:** Sen. Barrett moved that **SB 164 DO PASS**.

**Discussion:**

02:06:52 Ms. Stockwell, LSD  
02:07:25 Sen. Barrett  
**EXHIBIT (fis19a06)**  
02:07:52 Ms. Stockwell, LSD  
02:07:59 Sen. Shockley

02:08:13 **Motion:** Sen. Shockley moved that **SB 164 BE AMENDED**.  
(Exhibit 6)

**Discussion:**

02:08:29 Ms. Stockwell, LSD  
02:09:48 Sen. Shockley  
02:10:14 Sen. Balyeat  
02:10:27 Sen. Shockley  
02:10:46 Sen. Barrett  
**EXHIBIT (fis19a07)**  
02:11:32 Sen. Shockley  
02:11:44 Mr. Smith, FWP  
02:12:14 Sen. Shockley  
02:12:20 Sen. Brenden  
02:13:29 Chairman Barkus  
02:14:29 Sen. Balyeat  
02:14:55 Ms. Stockwell, LSD  
02:15:41 Sen. Shockley

02:15:45 **Vote:** Motion that **SB 164 BE AMENDED** carried 5-4 by  
voice vote with Sen. Brenden, Sen. Gallus, Sen.  
Schmidt, and Sen. Tropila voting no. Sen. Gallus and  
Sen. Schmidt voted by proxy

**Discussion:**

02:16:55 Sen. Barrett

02:17:40 Sen. Balyeat  
02:18:06 Sen. Barrett  
02:19:24 Sen. Jent  
02:21:05 Sen. Shockley  
02:22:07 Sen. Jent  
02:23:38 Sen. Shockley  
02:23:47 Sen. Brenden  
02:23:57 Sen. Balyeat  
02:25:45 Sen. Shockley  
02:26:38 Sen. Barrett  
02:28:46 Chairman Barkus

02:30:04 **Motion:** Sen. Shockley moved that **SB 164 BE AMENDED.**  
**EXHIBIT(fis19a08)**

**Discussion:**

02:30:42 Chairman Barkus  
02:30:51 Ms. Stockwell, LSD  
02:30:57 Sen. Shockley  
02:30:59 Ms. Stockwell, LSD  
02:31:34 Sen. Shockley

02:32:35 **Vote:** Motion that **SB 164 BE AMENDED** carried 5-4 by roll call vote with Sen. Gallus, Sen. Jent, Sen. Schmidt, and Sen. Tropila voting no. Sen. Gallus and Sen. Schmidt voted by proxy.

02:33:28 **Motion:** Sen. Shockley moved that **SB 164 BE AMENDED.**  
**EXHIBIT(fis19a09)**

**Discussion:**

02:34:16 Sen. Shockley  
02:34:58 Sen. Brenden  
02:35:42 Sen. Barrett

02:36:25 **Vote:** Motion that **SB 164 BE AMENDED** carried 5-4 by roll call vote with Sen. Gallus, Sen. Jent, Sen. Schmidt, and Sen. Tropila voting no. Sen. Gallus and Sen. Schmidt voted by proxy.

02:37:15 **Motion/Vote:** Sen. Shockley moved that **SB 164 DO PASS AS AMENDED.** Motion carried 5-4 by roll call vote with Sen. Gallus, Sen. Jent, Sen. Schmidt, and Sen. Tropila voting no. Sen. Gallus and Sen. Schmidt voted by proxy.

02:38:57 Ms. Stockwell

[EXHIBIT](#) (**fis19a10**) SB 202 Heard 01/20/09

**ADJOURNMENT**

Adjournment: 5:38 P.M.

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Lindsey Hern, Secretary

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Additional Documents:

**EXHIBIT ([fis19aad.pdf](#))**