

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chair Ted Washburn, on March 15, 2011 at 3:00 PM, in Room 152
Capitol

ROLL CALL

Members Present:

Rep. Mike Phillips, Vice Chair (D)
Rep. Jeffery W. Welborn, Vice Chair (R)
Rep. Carlie Boland (D)
Rep. Pat Connell (R)
Rep. Virginia Court (D)
Rep. Bill Harris (R)
Rep. Douglas (Doug) Kary (R)
Rep. Dan Kennedy (R)
Rep. Austin Knudsen (R)
Rep. Cleve J. Loney (R)
Rep. Mike Miller (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Jean Price (D)
Rep. Dan Skattum (R)
Rep. Max Yates (R)

Members Excused: Rep. Ted Washburn, Chair (R)
Rep. Franke Wilmer (D)

Members Absent: Rep. Kelly Flynn (R)
Rep. Robyn Driscoll (D)

Staff Present: Cara Gold, 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 43, 3/10/2011; SB 118, 3/10/2011; SB 160, 3/10/2011; HB
607, 3/10/2011
Executive Action: SB 115; SB 118; SB 134; SB 133; SB 136

00:00:05 The Vice Chair welcomed the committee and reviewed the committee rules.

HEARING ON SB 118

Opening Statement by Sponsor:

00:01:20 Sen. Larry Jent (D), SD 32, opened the hearing on SB 118, Revise laws on leasing of outfitter/guide equipment to include contracting.

EXHIBIT(fih58a01)

Proponents' Testimony:

00:02:50 Robin Cunningham, Fishing Outfitters Association of Montana (FOAM)

00:03:57 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

00:04:25 Rep. Driscoll entered the hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:04:46 Sen. Jent

HEARING ON SB 43

Opening Statement by Sponsor:

00:06:11 Sen. Jim Keane (D), SD 38, opened the hearing on SB 43, Revise the primitive parks act.

Proponents' Testimony:

00:07:57 Art Noonan, Montana Fish, Wildlife and Parks (FWP)

EXHIBIT(fih58a02)

00:10:42 Rep. Flynn entered the hearing.

00:16:10 Bob Walker, Our Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:07 Rep. Connell
EXHIBIT(fih58a03)
00:20:53 Art Noonan
00:21:33 Rep. Connell
00:22:35 Art Noonan
00:22:56 Chas Van Genderen, FWP
00:24:08 Rep. Connell
00:24:17 Sen. Keane
00:24:28 Rep. Connell
00:24:40 Sen. Keane
00:27:15 Rep. Kennedy
00:27:35 Joe Maurier, FWP
00:27:38 Rep. Kennedy
00:28:06 Joe Maurier
00:29:27 Rep. Price
00:29:54 Sen. Keane
00:30:34 Rep. Peterson
00:31:04 Art Noonan
00:31:49 Rep. Peterson
00:32:16 Art Noonan
00:33:41 Rep. Peterson
00:34:00 Art Noonan

00:34:43 Rep. Miller left the hearing.

00:34:59 Rep. Knudsen left the hearing.

00:35:05 Rep. Peterson
00:35:32 Art Noonan
00:37:15 Rep. Peterson
00:37:23 Art Noonan
00:37:34 Rep. Peterson
00:37:53 Art Noonan
00:38:00 Rep. Peterson
00:38:05 Art Noonan
00:38:35 Rep. Kary
00:39:10 Sen. Keane

00:39:13 Rep. Miller returned to the hearing.

00:39:24 Rep. Kary
00:39:35 Sen. Keane
00:40:34 Rep. Flynn
00:40:56 Sen. Keane
00:41:15 Chas Van Genderen
00:41:28 Rep. Flynn
00:42:10 Chas Van Genderen
00:43:15 Rep. Flynn

00:43:35 Chas Van Genderen
00:43:40 Rep. Wilmer entered the hearing.
00:44:37 Rep. Kennedy
00:45:12 Art Noonan
00:45:27 Rep. Flynn left the hearing.
00:46:22 Rep. Kennedy
00:47:02 Art Noonan
00:48:44 Rep. Yates
00:49:29 Art Noonan
00:49:49 Rep. Yates
00:50:01 Art Noonan
00:50:09 Rep. Yates
00:50:36 Art Noonan
00:50:47 Rep. Yates
00:50:57 Art Noonan
00:51:20 Rep. Court
00:51:58 Chas Van Genderen

Closing by Sponsor:

00:52:58 Sen. Keane
00:53:38 Rep. Knudsen returned to the hearing.
00:56:38 Rep. Washburn entered the hearing.

HEARING ON SB 160

Opening Statement by Sponsor:

00:56:58 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 160, Allow off-highway vehicles on designated roads/trails in state parks & FASs.
00:58:19 Rep. Kary left the hearing.

Proponents' Testimony:

00:59:10 Chas Van Genderen, FWP
EXHIBIT(fih58a04)
01:00:34 Roger Hagan, Montana Trail Vehicle Riders Association (MTVRA)
01:01:10 Rep. Kary returned to the hearing.
01:01:48 Doug Abelin, Self
01:03:04 Bob Walker, Our Montana
01:06:16 Mike Sedlock, MTVRA

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:07:52 Rep. Peterson
01:08:56 Chas Van Genderen
01:09:59 Rep. Peterson
01:10:40 Chas Van Genderen
01:11:13 Rep. Court
01:12:04 Chas Van Genderen
01:13:06 Rep. Phillips
01:13:30 Chas Van Genderen

01:14:00 Rep. Flynn returned to the hearing.

01:14:26 Rep. Phillips
01:14:39 Chas Van Genderen
01:14:58 Rep. Welborn
01:16:07 Sen. Vincent

Closing by Sponsor:

01:17:29 Sen. Vincent

01:20:00 Rep. Kennedy left the hearing.

HEARING ON HB 607

Opening Statement by Sponsor:

01:21:06 Rep. Jeffery Welborn (R), HD 72, opened the hearing on HB 607, Clarifying procedure for sale of B10 nonresident big game combo licenses.

01:22:32 Rep. Driscoll left the hearing.

Proponents' Testimony:

01:23:26 Joe Maurier, FWP
[EXHIBIT\(fih58a05\)](#)
01:25:36 Jean Johnson, MOGA
[EXHIBIT\(fih58a06\)](#)

01:28:51 Rep. Driscoll returned to the hearing.

01:31:41 Brett Todd, MOGA
[EXHIBIT\(fih58a07\)](#)
[EXHIBIT\(fih58a08\)](#)

Opponents' Testimony:

01:33:59 George Golie, Montana Wildlife Federation (MWF)

01:34:18 Rep. Kennedy returned to the hearing.

Informational Testimony: None**Questions from Committee Members and Responses:**

01:37:20 Rep. Harris

01:38:09 George Golie

01:38:18 Rep. Harris

01:38:32 George Golie

01:38:54 Rep. Peterson

01:38:57 Rep. Yates left the hearing.

01:39:28 Joe Maurier

01:40:17 Rep. Flynn

01:40:20 Rep. Yates returned to the hearing.

01:40:50 Joe Maurier

01:41:06 Rep. Flynn

01:41:40 Joe Maurier

01:43:14 Rep. Miller

01:43:34 Jean Johnson

01:44:53 Rep. Boland

01:45:31 Joe Maurier

01:45:36 Rep. Boland

01:45:42 Joe Maurier

01:46:47 Rep. Boland

01:46:57 Joe Maurier

01:47:21 Hank Worsech, FWP

01:48:15 Rep. Boland

01:48:28 Hank Worsech

01:48:42 Rep. Boland

01:48:54 Hank Worsech

01:49:24 Rep. Loney

01:49:43 Hank Worsech

01:49:57 Rep. Loney

01:50:05 Hank Worsech

01:50:21 Rep. Loney

01:50:38 Hank Worsech

01:51:07 Rep. Loney

01:51:22 Hank Worsech

01:51:38 Rep. Kennedy and Rep. Knudsen left the hearing.

01:52:04 Rep. Wilmer
01:52:42 Jean Johnson
01:54:46 Rep. Wilmer
01:55:26 Jean Johnson
01:56:16 Rep. Wilmer
01:56:24 Jean Johnson
01:57:24 Rep. Flynn

01:57:27 Rep. Knudsen returned to the hearing.

01:57:54 Hank Worsech
01:58:02 Rep. Flynn
01:58:42 Hank Worsech
01:59:02 Rep. Flynn
01:59:38 Hank Worsech
01:59:43 Rep. Flynn
02:00:15 Hank Worsech
02:00:24 Rep. Harris

02:00:38 Rep. Kennedy returned to the hearing.

02:01:08 Hank Worsech
02:01:12 Rep. Harris
02:01:41 Hank Worsech
02:01:48 Rep. Harris
02:02:19 Hank Worsech
02:02:28 Rep. Harris
02:02:46 Hank Worsech
02:03:21 Rep. Harris

02:03:24 Rep. Court left the hearing.

02:03:39 Rep. Harris
02:04:39 Rep. Washburn

Closing by Sponsor:

02:05:15 Rep. Welborn
02:05:45 Rep. Court returned to the hearing.
02:20:04 Rep. Flynn left the hearing.
02:20:42 Rep. Washburn

EXECUTIVE ACTION ON SB 115

02:21:03 **Motion:** Rep. Phillips moved that **SB 115 BE CONCURRED IN.**

Discussion:

02:21:28 Rep. Connell
02:21:59 Rep. Kennedy
02:22:40 Rep. Connell
02:23:18 Hope Stockwell, Legislative Services Division (LSD)
02:24:20 Rep. Kennedy
02:24:33 Hope Stockwell, LSD
02:25:00 Rep. Kennedy
02:25:12 Rep. Washburn

02:25:32 **Vote:** Motion carried 17-3 by roll call vote with Rep. Connell, Rep. O'Hara and Rep. Peterson voting no. Rep. Flynn voted by proxy. Rep. Kary will carry the bill.

02:26:45 Hope Stockwell

EXECUTIVE ACTION ON SB 133

02:27:05 **Motion:** Rep. O'Hara moved that **SB 133 BE CONCURRED IN.**

02:27:21 **Substitute Motion/Vote:** Rep. O'Hara made a substitute motion that **SB 133 BE TABLED.** Substitute Motion carried 13-7 by roll call vote with Rep. Court, Rep. Loney, Rep. Miller, Rep. Peterson, Rep. Skattum, Rep. Welborn and Rep. Yates voting no. Rep. Flynn voted by proxy.

EXECUTIVE ACTION ON SB 134

02:29:04 **Motion:** Rep. Kary moved that **SB 134 BE CONCURRED IN.**

Discussion:

02:29:20 Rep. Phillips
02:30:10 Rep. Peterson
02:30:43 Rep. Harris

02:31:42 **Vote:** Motion failed 9-11 by roll call vote with Rep. Flynn, Rep. Harris, Rep. Kary, Rep. Kennedy, Rep. Knudsen, Rep. Loney, Rep. Washburn, Rep. Welborn and Rep. Yates voting aye. Rep. Flynn voted by proxy.

02:32:44 **Motion/Vote:** Rep. Phillips moved that **SB 134 BE TABLED AND THE VOTE REVERSED.** Motion carried 18-1 by voice vote with Rep. Welborn voting no. Rep. Flynn was not present and did not vote.

EXECUTIVE ACTION ON SB 136

02:33:16 **Motion:** Rep. Knudsen moved that **SB 136 BE CONCURRED IN.**

Discussion:

02:33:21 Hope Stockwell

02:33:49 Rep. Kennedy

02:34:04 Hope Stockwell

02:36:23 **Motion:** Rep. K. Peterson moved that **SB 136 BE AMENDED.**

EXHIBIT(fih58a09)

Discussion:

02:36:50 Rep. Knudsen

02:37:40 Rep. Peterson

02:38:14 **Vote:** Motion carried 18-2 by voice vote with Rep. Court and Rep. Miller voting no. Rep. Flynn voted by proxy.

02:38:46 **Motion:** Rep. O'Hara moved that **SB 136 BE CONCURRED IN AS AMENDED.**

Discussion:

02:38:59 Rep. Phillips

02:39:33 Rep. Harris

02:40:06 Rep. Wilmer

02:41:02 Rep. Knudsen

02:41:27 Rep. Yates

02:42:18 Rep. Washburn

02:42:25 Rep. Phillips

02:42:49 **Vote:** Motion carried 12-8 by roll call vote with Rep. Boland, Rep. Court, Rep. Driscoll, Rep. Flynn, Rep. Harris, Rep. Kary, Rep. Welborn and Rep. Yates voting no. Rep. Flynn voted by proxy. Rep. McClafferty will carry the bill.

02:43:49 Rep. Phillips

02:44:54 Hope Stockwell

02:45:27 Rep. Peterson

EXECUTIVE ACTION ON SB 118

02:45:49 **Motion/Vote:** Rep. K. Peterson moved that **SB 118 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Flynn voted by proxy. Rep. Phillips will carry the bill.

02:47:08 Hope Stockwell

ADJOURNMENT

02:47:28 Adjournment

Cara Gold, Secretary

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Additional Exhibits:

[EXHIBIT\(fih58a10\)](#)

Additional Documents:

[EXHIBIT\(fih58aad.pdf\)](#)