

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FISH AND GAME

**Call to Order:** Chair John Brenden, on March 10, 2011 at 3:00 PM, in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. John Brenden, Chairman (R)  
Sen. Joe Balyeat, Vice Chairman (R)  
Sen. Debby Barrett (R)  
Sen. Tom Facey (D)  
Sen. Greg Hinkle (R)  
Sen. Jim Shockley (R)

**Members Excused:** Sen. Steven Gallus (D)  
Sen. Bradley Hamlett (D)  
Sen. Larry Jent (D)  
Sen. Art Wittich (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Kevin McCue, Committee Secretary

**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: HB 336, 3/7/2011; HB 337, 3/7/2011; HB 361, 3/7/2011

Executive Action: HB 98 - Be concurred in  
HB 176 - Be concurred in  
HB 287 - Be concurred in  
HJ 1 - Be concurred in

**EXECUTIVE ACTION ON HB 98**

00:00:48 **Motion/Vote:** Sen. Facey moved that **HB 98 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Gallus, Sen. Hamlett, Sen. Jent and Sen. Wittich voted by proxy. Sen. Facey will carry the bill.

**EXECUTIVE ACTION ON HB 176**

00:02:37 **Motion/Vote:** Sen. Facey moved that **HB 176 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Gallus, Sen. Hamlett, Sen. Jent and Sen. Wittich voted by proxy. Sen. Brown will carry the bill.

**EXECUTIVE ACTION ON HB 287**

00:03:30 **Motion:** Sen. Facey moved that **HB 287 BE CONCURRED IN**.

**Discussion:**

00:04:05 Sen. Barrett  
 00:04:18 Sen. Facey  
 00:04:55 Sen. Balyeat

00:05:16 **Vote:** Motion carried unanimously by voice vote. Sen. Gallus, Sen. Hamlett, Sen. Jent and Sen. Wittich voted by proxy. Sen. Wittich will carry the bill.

00:05:44 Sen. Wittich and Sen. Jent joined the hearing.

**EXECUTIVE ACTION ON HJ 1**

00:06:23 **Motion/Vote:** Sen. Facey moved that **HJ 1 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Gallus and Sen. Hamlett voted by proxy. Sen. Balyeat will carry the bill.

**Discussion:**

00:07:23 Sen. Brenden  
 00:07:48 Sen. Shockley  
 00:08:37 Sen. Balyeat  
 00:09:27 Sen. Facey  
 00:09:43 Sen. Brenden  
 00:10:03 Sen. Hinkle  
 00:10:46 Recess

**HEARING ON HB 361**

**Opening Statement by Sponsor:**

00:25:39 Rep. Ted Washburn (R), HD 69, opened the hearing on HB 361, Requiring the issuance of archery-only elk permits at 2007 levels.

**EXHIBIT(fis54a01)**

**Proponents' Testimony:**

00:29:17 Dave Ponte, self

00:32:02 Paul Ellis, Coalition for the Responsible Management of Fish and Wildlife

**EXHIBIT(fis54a02)**

00:36:05 Mary Ellen Schnur, Coalition for the Responsible Management of Fish and Wildlife

**EXHIBIT(fis54a03)**

00:41:18 Rob Arnaud, Coalition for the Responsible Management of Fish and Wildlife

00:42:39 Henry Bedford, self

00:46:04 James P. Winchell, self

00:47:09 Toby Dahl, self

00:50:51 Ed Ryan, self

**EXHIBIT(fis54a04)**

00:52:04 Stuart Doggett, lobbyist, Montana Lodging and Hospitality Association (MLHA)

00:52:20 Chuck Denowh, lobbyist, United Property Owners of Montana (UPOM)

**EXHIBIT(fis54a05)**

00:54:17 Phillip Bowers, self

00:54:54 Riley Johnson, National Federation of Independent Business (NFIB)

**EXHIBIT(fis54a06)**

00:56:14 Doug Gardener, self

00:57:35 William Farris, self

00:59:17 Mike Moe, self

**EXHIBIT(fis54a07)**

01:00:10 Shayne Hinz, self

**EXHIBIT(fis54a08)**

01:00:58 Rachel Kinkie, lobbyist, Coalition for the Responsible Management of Fish and Wildlife

**EXHIBIT(fis54a09)**

01:02:03 Jesse Nelson, self

**Opponents' Testimony:**

01:04:37 Dave Risley, Fish and Wildlife Division Administrator, Fish, Wildlife and Parks (FWP)

**EXHIBIT(fis54a10)**

01:09:37 Raymond Gross, self

**EXHIBIT(fis54a11)**

01:12:38 Vito Quatraro, President, Headwaters Sportsmen's Association

01:16:15 Dan Moore, self

**EXHIBIT(fis54a12)**

01:18:50 Ben Lamb, lobbyist, Montana Wildlife Federation (MWF)

**EXHIBIT(fis54a13)**

01:24:15 Chris Marchion, Anaconda Sportsmen's Club

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:25:43 Sen. Balyeat  
01:27:04 Mr. Lamb, MWF  
01:35:37 Sen. Wittich  
01:37:16 Mr. Risley, FWP  
01:41:46 Sen. Wittich  
01:43:03 Rep. Washburn  
01:44:45 Sen. Barrett  
01:45:05 Mr. Moore  
01:45:49 Sen. Barrett  
01:46:47 Sen. Facey  
01:47:22 Mr. Farris  
01:51:01 Sen. Jent  
01:52:12 Mr. Risley  
01:53:14 Sen. Barrett  
01:53:34 Mr. Risley  
01:54:51 Sen. Brenden  
01:55:52 Mr. Risley

**Closing by Sponsor:**

01:56:05 Rep. Washburn  
01:59:30 Recess

**HEARING ON HB 336**

**Opening Statement by Sponsor:**

02:13:48 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 336, Revise penalties for waste of game.

**Proponents' Testimony:**

02:19:06 Jim Kropp, Law Enforcement Chief, Fish, Wildlife and Parks (FWP)  
**EXHIBIT(fis54a14)**  
02:19:56 Ben Lamb, Montana Wildlife Federation (MWF)

**Opponents' Testimony:**

None

**Informational Testimony:**

02:20:19 Barbara Harris, Assistant Attorney General

**Questions from Committee Members and Responses:**

02:20:42 Sen. Barrett  
02:20:52 Mr. Kropp, FWP

02:22:04 Sen. Balyeat  
02:22:22 Mr. Kropp  
02:23:14 Sen. Shockley  
02:23:31 Mr. Kropp  
02:24:46 Sen. Shockley  
02:25:24 Ms. Harris  
02:25:39 Sen. Hinkle  
02:26:17 Mr. Kropp

**Closing by Sponsor:**

02:28:14 Rep. Menahan

**HEARING ON HB 337**

**Opening Statement by Sponsor:**

02:29:09 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 337, Revising definitions related to fish and game violations.

**Proponents' Testimony:**

02:31:45 Jim Kropp, Law Enforcement Chief, Fish, Wildlife and Parks (FWP)

[EXHIBIT\(fis54a15\)](#)

02:32:15 Ben Lamb, Montana Wildlife Federation (MWF)

**Opponents' Testimony:**

None

**Informational Testimony:**

02:32:39 Barbara Harris, Assistant Attorney General

**Questions from Committee Members and Responses:**

02:32:55 Sen. Wittich  
02:33:17 Ms. Harris  
02:37:01 Sen. Shockley  
02:37:43 Ms. Harris  
02:38:04 Sen. Facey  
02:38:44 Ms. Harris

**Closing by Sponsor:**

02:39:17 Rep. Menahan

**ADJOURNMENT**

Adjournment:

02:39:51

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Kevin McCue, Secretary

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Additional Documents:

**EXHIBIT([fis54aad.pdf](#))**