

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair John Brenden, on April 7, 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. Bradley Hamlett (D)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Jim Shockley (R)
Sen. Art Wittich (R)

Members Excused: Sen. Steven Gallus (D)

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 261, 4/4/2011; HB 285, 4/4/2011; HB 370, 4/4/2011

Executive Action: HB 209 - Reconsider
HB 261 - Tabled
HB 285 - Tabled
HB 370 - Do concur in

HEARING ON HB 261**Opening Statement by Sponsor:**

00:00:42 Rep. Matthew Rosendale (R), HD 38, opened the hearing on HB 261, Revise upland game bird hunting laws.

Proponents' Testimony:

00:04:17 Dave Risley, Fish and Wildlife Administrator, Fish, Wildlife and Parks (FWP)
00:05:12 Ronda Wiggers, lobbyist, Great Falls Area Chamber of Commerce (GFCC) and Helena Area Chamber of Commerce (HCC)
00:06:51 Mark Staples, lobbyist, Montana Tavern Association (MTA)

Opponents' Testimony:

00:08:29 Joe Perry, Upland Game Bird Advisory Council (UGBAC)
00:11:06 Julie French, UGBAC
00:12:47 Vito Quatraro, President, Headwaters Sportsman Association (HSA)
00:14:00 Tim Crawford, self

Informational Testimony:

None

Questions from Committee Members and Responses:

00:15:03 Sen. Facey
00:15:28 Rep. Rosendale
00:16:00 Sen. Facey
00:16:35 Mr. Risley, FWP
00:17:02 Sen. Balyeat
00:17:11 Mr. Risley
00:17:51 Mr. Crawford
00:18:40 Without objection, Hank Worsech, License Bureau Chief, FWP
00:19:02 Sen. Balyeat
00:19:09 Mr. Risley
00:19:44 Sen. Balyeat
00:19:49 Mr. Worsech
00:20:53 Sen. Balyeat
00:21:28 Rep. Rosendale
00:21:48 Sen. Shockley
00:22:26 Mr. Perry, UGBAC
00:22:50 Sen. Wittich
00:24:04 Rep. Rosendale
00:27:12 Sen. Barrett
00:27:23 Mr. Risley
00:28:06 Sen. Balyeat
00:28:12 Sen. Hinkle
00:28:27 Mr. Worsech

00:29:03 Sen. Brenden
00:29:24 Mr. Worsch
00:31:31 Sen. Brenden
00:31:58 Mr. Risley

Closing by Sponsor:

00:33:35 Rep. Rosendale

HEARING ON HB 370

Opening Statement by Sponsor:

00:37:02 Rep. Carolyn Squires (D), HD 96, opened the hearing on HB 370, Increase motor vehicle fee for state parks and Virginia & Nevada Cities.

Proponents' Testimony:

00:42:00 Chas Van Genderen, Parks Division Administrator, Fish, Wildlife and Parks (FWP)

EXHIBIT(fis78a01)

00:43:01 Jack Rich, Montana Outfitters and Guides Association (MOGA)
00:43:45 Brenda Thyer, Montana Heritage Commission (MHC)
00:46:16 John Barrows, self
00:49:02 Jono McKinney, CEO, Montana Conservation Corps
00:52:11 Chere Jiusto, Executive Director, Montana Preservation Alliance (MPA)

EXHIBIT(fis78a02)

00:53:59 Dan Thyer, MHC
00:55:08 Robert Simpson, self
00:56:06 Jana Suchy, self
00:59:26 Bob Walker, lobbyist, Our Montana
01:01:23 Daniel Highley, self
01:03:55 Mike Penfold, Frontier Heritage Alliance (FHA)
01:07:13 Howard Boggess, FHA
01:08:18 Will Abbot, self
01:10:34 Dewell Thyer, MHC

Opponents' Testimony:

01:11:21 Ronda Wiggers, lobbyist, Montana County Treasurers Association (MCTA)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:13:18 Sen. Wittich
01:13:56 Mr. Van Genderen, FWP
01:19:24 Sen. Jent

01:19:38 Mr. Van Genderen
 01:20:37 Sen. Barrett
 01:20:45 Mr. Van Genderen
 01:22:40 Sen. Balyeat
 01:23:10 Sen. Hamlett
 01:23:36 Ms. Wiggers, MCTA

Closing by Sponsor:

01:25:12 Rep. Squires
[EXHIBIT\(fis78a03\)](#)

EXECUTIVE ACTION ON HB 209

01:28:21 **Motion:** Sen. Wittich moved to **RECONSIDER THE MOTION** on **HB 209**.

Discussion:

01:28:39 Joe Kolman, Legislative Services Division (LSD)
 01:29:01 Sen. Wittich
 01:29:30 Sen. Barrett
 01:29:41 Mr. Kolman

01:30:17 **Vote:** Motion failed 4-6 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Shockley and Sen. Wittich voting aye. Sen. Gallus voted by proxy.

HEARING ON HB 285

Opening Statement by Sponsor:

01:31:10 Rep. Bill Harris (R), HD 30, opened the hearing on HB 285, Revise elk hunting permits for limited drawing districts.
[EXHIBIT\(fis78a04\)](#)

Proponents' Testimony:

None

Opponents' Testimony:

01:36:18 Vito Quatraro, President, Headwaters Sportsman Association (HSA)
 01:37:06 Sen. Barrett left the hearing.
 01:39:31 Steve Wilson, Ravalli County Fish and Wildlife Association (RCFWA)
[EXHIBIT\(fis78a05\)](#)
 01:42:39 Fred Upchurch, self
 01:46:30 Joe Perry, Conrad Sportsmen Alliance
 01:47:01 Ron Ashabraner, Safari Club International
 01:47:25 Adam Barker, Montana Bowhunters' Association (MBA)
 01:49:52 Jesse Nelson, self
 01:50:49 Tim Crawford, self

01:51:22 Ben Lamb, lobbyist, Montana Wildlife Federation (MWF)

EXHIBIT(fis78a06)

01:52:42 Chuck Denowh, lobbyist, United Property Owners of Montana (UPOM)

01:55:34 David Van Tighem, Russell Country Sportsman Association (RCSA)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:56:01 Sen. Wittich

01:56:55 Mr. Lamb, MWF

01:58:52 Sen. Brenden

01:59:35 Mr. Quatraro, HSA

Closing by Sponsor:

02:06:35 Rep. Harris

EXECUTIVE ACTION ON HB 261

02:13:12 **Motion:** Sen. Balyeat moved that **HB 261 BE CONCURRED IN.**

02:13:16 **Motion:** Sen. Facey moved that **HB 261 BE AMENDED** with a conceptual amendment.

Discussion:

02:14:06 Sen. Brenden

02:14:16 Sen. Facey

02:14:58 Sen. Hinkle

02:15:08 Mr. Kolman

02:16:08 Sen. Facey

02:16:53 Mr. Worsech, FWP

02:17:22 Sen. Shockley

02:17:45 Sen. Hamlett

02:17:59 Mr. Kolman

02:18:36 Sen. Wittich

02:19:09 Sen. Balyeat

02:19:31 **Motion:** Sen. Facey withdrew his motion that **HB 261 BE AMENDED** with a conceptual amendment.

02:19:38 **Vote:** Motion failed 5-5 by roll call vote with Sen. Balyeat, Sen. Barrett, Sen. Brenden, Sen. Hinkle and Sen. Wittich voting aye. Sen. Barrett and Sen. Gallus voted by proxy.

02:20:39 **Motion/Vote:** Sen. Facey moved that **HB 261 BE TABLED**. Motion carried 5-3 by roll call vote of those present and voting with Sen. Balyeat, Sen. Brenden and Sen. Wittich voting no.

EXECUTIVE ACTION ON HB 285

02:22:21 **Motion:** Sen. Balyeat moved that **HB 285 BE CONCURRED IN**.

Discussion:

02:22:34 Sen. Shockley

02:22:59 Mr. Kolman

02:24:49 **Motion/Vote:** Sen. Balyeat moved that **HB 285 BE AMENDED**. Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting no. Sen. Gallus voted by proxy.

EXHIBIT(fis78a07)

02:25:56 **Motion/Vote:** Sen. Facey moved that **HB 285 BE AMENDED**. Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting no. Sen. Barrett and Sen. Gallus voted by proxy.

EXHIBIT(fis78a08)

Discussion:

02:26:51 Sen. Shockley

02:26:55 Mr. Kolman

02:27:08 **Motion/Vote:** Sen. Facey moved that **HB 285 BE CONCURRED IN AS AMENDED**. Motion failed 1-9 by roll call vote with Sen. Brenden voting aye. Sen. Barrett and Sen. Gallus voted by proxy. Without objection, Sen. Facey requested the bill **BE TABLED AND THE VOTE REVERSED**.

EXECUTIVE ACTION ON HB 370

02:28:39 **Motion:** Sen. Balyeat moved that **HB 370 BE CONCURRED IN**.

02:29:43 **Motion:** Sen. Brenden moved that **HB 370 BE AMENDED**.

EXHIBIT(fis78a09)

Discussion:

02:30:09 Mr. Kolman

02:31:29 Sen. Shockley

02:31:35 Sen. Wittich

02:32:04 Sen. Hamlett

02:32:27 Sen. Facey

02:32:31 Sen. Balyeat

02:32:54 Sen. Shockley

02:33:04 Sen. Brenden

02:33:25 **Vote:** Motion failed 5-5 by roll call vote with Sen. Balyeat, Sen. Barrett, Sen. Brenden, Sen. Hinkle and Sen. Wittich voting aye. Sen. Barrett and Sen. Gallus voted by proxy.

Discussion:

02:34:09 Sen. Hinkle
02:34:45 Sen. Wittich
02:35:27 Sen. Facey
02:35:38 Sen. Balyeat
02:35:56 Sen. Brenden
02:38:36 Sen. Balyeat
02:38:47 Sen. Shockley

02:39:18 **Motion/Vote:** Sen. Balyeat moved that **HB 370 BE CONCURRED IN**. Motion carried 6-4 by roll call vote with Sen. Balyeat, Sen. Barrett, Sen. Brenden and Sen. Jent voting no. Sen. Barrett and Sen. Gallus voted by proxy. Sen. Zinke will carry the bill.

ADDITIONAL TESTIMONY

[EXHIBIT\(fis78a10\)](#)

Testimony related to HB 285 submitted to committee by John Farley on April 7, 2011.

ADJOURNMENT

Adjournment:

02:41:38

Kevin McCue, Secretary

km

Additional Documents:

EXHIBIT([fis78aad.pdf](#))