

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FISH, WILDLIFE AND PARKS

**Call to Order:** Chair Jeffrey W. Welborn, on January 24, 2013 at 3:00 PM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Jeffrey W. Welborn, Chair (R)  
Rep. Doug Kary, Vice Chair (R)  
Rep. Franke Wilmer, Vice Chair (D)  
Rep. Carlie Boland (D)  
Rep. Pat Connell (R)  
Rep. Virginia Court (D)  
Rep. Alan Doane (R)  
Rep. Kelly Flynn (R)  
Rep. Edward Greef (R)  
Rep. Brian Hoven (R)  
Rep. Tom Jacobson (D)  
Rep. Ed Lieser (D)  
Rep. JP Pomnichowski (D)  
Rep. Jean Price (D)  
Rep. Bridget Smith (D)  
Rep. Kirk Wagoner (R)  
Rep. Ted Washburn (R)  
Rep. Kerry White (R)

**Members Excused:** Rep. Gordon Vance (R)  
Rep. Wendy Warburton (R)  
Rep. Ray L. Shaw (R)

**Members Absent:** None

**Staff Present:** Marissa Stockton, 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: HB 161, 1/10/2013; HB 147, 1/10/2013; HB 170, 1/10/2013  
Executive Action: HB 161, HB 163, HB 29, HB 144

00:18:35 Chair Welborn

**EXECUTIVE ACTION ON HB 29**

00:18:50 **Motion:** Rep. Kary moved that **HB 29 DO PASS.**

00:20:13 **Motion:** Rep. Washburn moved that **HB 29 BE AMENDED.**

**Discussion:**

00:20:27 Chair Welborn

00:20:33 **Vote:** Motion carried unanimously by voice vote. Rep. Shaw, Rep. Vance and Rep. Warburton voted by proxy.

00:20:47 **Motion:** Rep. Kary moved that **HB 29 DO PASS AS AMENDED.**

**Discussion:**

00:21:01 Rep. Jacobson

00:21:22 Chair Welborn

00:22:24 **Vote:** Motion failed unanimously by roll call vote. Rep. Shaw, Rep. Vance and Rep. Warburton voted by proxy.

00:22:41 **Motion/Vote:** Rep. Connell moved that **HB 29 BE TABLED AND THE VOTE REVERSED.** Motion carried 20-1 by voice vote with Rep. Wilmer voting no. Rep. Shaw, Rep. Vance and Rep. Warburton voted by proxy.

00:23:06 Rep. Price

00:23:32 Rep. Welborn

00:23:39 Rep. Wilmer

00:24:00 Chair Welborn

00:24:04 Hope Stockwell, LSD

00:24:47 Rep. Connell

00:25:09 Rep. Welborn

00:25:12 Rep. Connell

00:26:08 Chair Welborn

**EXECUTIVE ACTION ON HB 144**

00:26:40 **Motion:** Rep. Kary moved that **HB 144 DO PASS.**

**Discussion:**

00:26:51 Chair Welborn

00:27:00 Rep. Flynn

00:28:04 Rep. White

00:29:41 Rep. Jacobson

00:32:05 Rep. Connell

00:34:51 Chair Welborn

00:35:01 Rep. Hoven

00:36:16 Chair Welborn

- 00:36:22 Rep. Pomnichowski  
00:36:40 Chair Welborn
- 00:39:25 **Vote:** Motion failed 5-16 by roll call vote with Rep. Hoven, Rep. Kary, Rep. Vance, Rep. Warburton and Rep. White voting aye. Rep. Shaw, Rep. Vance and Rep. Warburton voted by proxy.
- 00:39:30 **Motion/Vote:** Rep. Connell moved that **HB 144 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote with Rep. Shaw, Rep. Vance and Rep. Warburton not voting.
- 00:39:57 Chair Welborn

#### EXECUTIVE ACTION ON HB 163

- 00:40:10 **Motion:** Rep. Wilmer moved that **HB 163 DO PASS**.

#### Discussion:

- 00:41:31 Chair Welborn  
00:41:37 Rep. Jacobson  
00:42:29 Rep. Wagoner  
00:42:45 Rep. Connell  
00:43:19 Hope Stockwell, LSD  
00:43:46 Chair Welborn  
00:43:49 Rep. Flynn
- 00:44:05 **Vote:** Motion carried 13-8 by roll call vote with Rep. Boland, Rep. Court, Rep. Jacobson, Rep. Lieser, Rep. Pomnichowski, Rep. Price, Rep. Smith and Rep. Wilmer voting no. Rep. Shaw, Rep. Vance and Rep. Warburton voted by proxy.

#### HEARING ON HB 161

#### Opening Statement by Sponsor:

- 00:47:06 Rep. Ted Washburn (R), HD 69, opened the hearing on HB 161, Increasing the number of available nonresident hunting licenses.
- 00:47:36 Chair Welborn  
00:47:40 Rep. Washburn  
00:47:47 Chair Welborn  
00:48:46 Rep. Pomnichowski  
00:49:16 Chair Welborn  
00:49:20 Hope Stockwell, LSD  
00:50:34 Rep. Pomnichowski  
00:51:28 Chair Welborn  
00:52:12 Rep. Jacobson  
00:52:33 Rep. Connell  
00:53:13 Chair Welborn  
00:53:21 Rep. Jacobson  
00:53:40 Chair Welborn

00:53:46 Rep. Court  
00:54:22 Chair Welborn  
00:54:23 Rep. Boland  
00:54:37 Chair Welborn

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:58:57 Leroy Mehring, Anaconda Sportsmen  
00:59:15 Jerry Davis, Montana Bowhunters Association  
00:59:24 Tony Schoonen, Public Lands Access Association  
00:59:37 George Golie, Montana Wildlife Federation (MWF)  
00:59:51 Les Castren, Skyline Sports Association  
01:00:16 Sam Milodrachovich, Self  
01:00:33 Robert Wood, Ravalli County Fish and Wildlife  
01:00:51 Vito Quatraro, Montana Sportsmen Alliance (MSA)  
01:01:07 Joe Perry, Conrad Sportsmen Alliance

**EXECUTIVE ACTION ON HB 161**

01:01:47 Hope Stockwell, LSD  
01:02:40 Chair Welborn  
01:02:50 Hope Stockwell, LSD

01:03:10 **Motion/Vote:** Rep. Kary moved that **HB 161 BE TABLED WITHOUT A PROPER HEARING**. Motion carried unanimously by voice vote with Rep. Shaw, Rep. Vance and Rep. Warburton not voting.

**HEARING ON HB 170**

**Opening Statement by Sponsor:**

01:04:03 Rep. Wylie Galt (R), HD 83, opened the hearing on HB 170, Authorize a 3-day nonresident upland bird license.

**Proponents' Testimony:**

01:05:11 Jean Johnson, Montana Outfitters and Guides Association (MOGA)  
01:06:51 Rachel Conn, Self  
01:09:05 E.J. Redding, Self  
**EXHIBIT(fih15a01)**  
01:09:55 Chair Welborn

**Opponents' Testimony:**

01:10:36 Tony Schooner, Public Lands Access Association  
01:11:23 George Golie, MWF  
01:12:20 Joe Perry, Upland Game Bird Citizens Advisory Council  
**EXHIBIT(fih15a02)**  
01:15:06 Leroy Mehring, Skyline Sports Association and Anaconda Sportsmen  
01:16:30 Vito Quatraro, MSA

01:16:55 Les Castren, Skyline Sportmens Association

**Informational Testimony:**

01:17:15 Ken MacDonald, Fish Wildlife and Parks (FWP)

[EXHIBIT\(fih15a03\)](#)

**Questions from Committee Members and Responses:**

01:17:47 Rep. Connell  
01:18:33 Ken MacDonald, FWP  
01:19:30 Rep. Wagoner  
01:19:56 Jean Johnson, MOGA  
01:20:18 Rep. Wagoner  
01:20:58 Ken MacDonald, FWP  
01:21:06 Chair Welborn  
01:21:10 Ken MacDonald, FWP  
01:21:17 Rep. Jacobson  
01:21:40 Ken McDonald, FWP  
01:22:55 Rep. Jacobson  
01:23:09 Ken McDonald, FWP  
01:23:26 Rep. Jacobson  
01:23:43 Ken McDonald, FWP  
01:24:12 Rep. Jacobson  
01:24:23 Ken McDonald, FWP  
01:24:46 Rep. Kary  
01:25:12 Joe Perry, Upland Game Bird Citizens Advisory Council  
01:25:47 Chair Welborn  
01:25:51 Rep. Doane  
01:26:11 Ken McDonald, FWP  
01:26:29 Chair Welborn  
01:26:49 Ken McDonald, FWP  
01:27:05 Chair Welborn  
01:27:31 Ken McDonald, FWP  
01:27:32 Chair Welborn

**Closing by Sponsor:**

01:28:10 Rep. Galt

**HEARING ON HB 147**

**Opening Statement by Sponsor:**

01:29:42 Rep. Alan Redfield (R), HD 61, opened the hearing on HB 147, Revise hunter trespass penalty laws.

[EXHIBIT\(fih15a04\)](#)

**Proponents' Testimony:**

01:33:05 Justin O'Hair, Self  
01:37:18 Chuck Denowh, United Property Owners of Montana (UPOM)  
01:40:04 Paul Ellis, Self  
01:41:17 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

01:44:17 Ariel Overstreet, Montana Stock Growers Association and Montana Cattlewomen  
01:44:52 Dusty Hahn, Self  
01:46:07 Jeff Cahill, Self

**Opponents' Testimony:**

01:47:21 Vito Quatraro, MSA

**EXHIBIT(fih15a05)**

01:50:10 Chair Welborn  
01:50:21 George Golie, MWF  
01:52:11 Tony Shulman, Public Lands Access Association  
01:53:47 Robert Wood, Ravalli County Fish and Wildlife Association  
01:54:30 Les Casten, Skyline Sports Association  
01:55:25 Darrell Harris, Self  
01:59:31 Stan Frasier, Self  
02:01:21 Leroy Mehring, Skyline Sportmens Association and Anaconda Sportsmen  
02:03:37 Vito Quataro, MSA

**EXHIBIT(fih15a06)**

02:03:54 Dwight Young, Self

**Informational Testimony:**

02:05:54 Jim Kropp, Law Enforcement Chief, FWP

**EXHIBIT(fih15a07)****Questions from Committee Members and Responses:**

02:13:10 Rep. White  
02:13:41 Jim Kropp, FWP  
02:14:55 Rep. White  
02:15:23 Jim Kropp, FWP  
02:16:29 Rep. White  
02:16:59 Jim Kropp, FWP  
02:18:12 Rep. Greef  
02:18:54 Jim Kropp, FWP  
02:19:12 Rep. Flynn  
02:19:40 Jim Kropp, FWP  
02:19:59 Rep. Flynn  
02:20:06 Jim Kropp, FWP  
02:20:30 Rep. Flynn  
02:20:36 Jim Kropp, FWP  
02:20:48 Rep. Flynn  
02:21:04 Jim Kropp, FWP  
02:22:14 Rep. Lieser  
02:22:33 Jim Kropp, FWP  
02:22:45 Rep. Lieser  
02:23:04 Jim Kropp, FWP  
02:23:15 Rep. Price  
02:24:30 Rep. Redfield  
02:25:49 Rep. Connell  
02:26:05 Chair Welborn  
02:26:09 Rep. Wilmer  
02:26:44 Darryl Harris

02:27:04 Rep. Wilmer  
02:28:07 Jim Kropp, FWP  
02:28:41 Rep. Wilmer  
02:28:59 Jim Kropp, FWP  
02:29:34 Rep. Wilmer  
02:29:56 Jim Kropp, FWP  
02:31:52 Rep. Pomnichowski  
02:32:43 Rep. Redfield  
02:32:53 Chair Welborn  
02:33:12 Rep. Pomnichowski  
02:33:25 Jim Kropp, FWP  
02:33:27 Rep. Pomnichowski  
02:34:03 Jim Kropp, FWP  
02:34:22 Rep. Pomnichowski  
02:34:32 Jim Kropp, FWP  
02:35:43 Rep. Doane  
02:36:18 Jim Kropp, FWP  
02:36:43 Rep. Doane  
02:36:55 Jim Kropp, FWP  
02:37:00 Rep. Doane  
02:37:13 Chair Welborn  
02:37:18 Jim Kropp, FWP  
02:37:36 Rep. Flynn  
02:38:42 Darryl Harris  
02:39:23 Rep. Flynn  
02:39:31 Darryl Harris  
02:39:48 Chair Welborn  
02:39:56 Jim Kropp, FWP  
02:40:43 Chair Welborn  
02:41:45 Rep. Redfield

**Closing by Sponsor:**

02:42:40 Rep. Redfield

02:43:17 Chair Welborn

**[EXHIBIT\(fih15a08\)](#)**

**ADJOURNMENT**

Adjournment: 02:43:29

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Marissa Stockton, Secretary

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Additional Documents:

**EXHIBIT([fih15aad.pdf](#))**