

## MINUTES

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

#### COMMITTEE ON FISH, WILDLIFE AND PARKS

**Call to Order:** Chair Jeffrey W. Welborn, on February 21, 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. JP Pomnichowski (D)  
Rep. Jean Price (D)  
Rep. Ray L. Shaw (R)  
Rep. Bridget Smith (D)  
Rep. Kirk Wagoner (R)  
Rep. Ted Washburn (R)  
Rep. Kerry White (R)

**Members Excused:** Rep. Ed Lieser (D)  
Rep. Gordon Vance (R)  
Rep. Wendy Warburton (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 533, 2/18/2013; HB 401, 2/18/2013; HB 512, 2/8/2013  
Executive Action: HB 533, HB 512, HB 401

**HEARING ON HB 533**

**Opening Statement by Sponsor:**

00:12:22 Rep. Rob Cook (R), HD 27, opened the hearing on HB 533, Expand scope of fish enhancement program

**Proponents' Testimony:**

00:12:44 Mark Aagenes, Conservation Director, Montana Trout Unlimited (MTU)

00:15:51 Bruce Rich, Administrator Fisheries Division, Fish Wildlife and Parks (FWP)

**EXHIBIT(fih39a01)**

00:17:23 George Golie, Montana Wildlife Federation (MWF)

00:18:12 Justin Sakalis, Montana Audubon

00:18:38 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:19:24 Rep. Kary

00:20:04 Bruce Rich, FWP

00:20:43 Rep. Kary

00:21:07 Mark Aagenes, MTU

00:21:24 Rep. Kary

00:21:46 Mark Aagenes, MTU

00:22:14 Chair Welborn

00:22:28 Hope Stockwell, LSD

00:23:13 Chair Welborn

00:23:17 Rep. White

00:23:41 Rep. Cook

00:23:53 Rep. White

00:24:29 Rep. Cook

00:25:02 Rep. White

00:25:07 Rep. Cook

00:25:10 Rep. White

00:26:31 Bruce Rich, FWP

00:27:15 Rep. White

00:28:15 Bruce Rich, FWP

00:30:51 Rep. White

00:31:36 Bruce Rich, FWP

00:31:43 Rep. Cook

00:32:08 Rep. Wagoner

00:32:45 Mark Aagenes, MTU

00:33:27 Rep. Hoven

00:34:30 Rep. Cook

00:34:37 Rep. Hoven

00:34:49 Rep. Cook

00:35:24 Rep. Hoven

00:35:36 Rep. Cook

00:36:27 Rep. Pomnichowski

00:37:27 Bruce Rich, FWP  
00:38:50 Rep. Pomnichowski  
00:39:15 Bruce Rich, FWP  
00:39:48 Rep. Pomnichowski  
00:40:01 Rep. Shaw  
00:41:05 Mark Aagenes, MTU  
00:42:04 Rep. Doane  
00:42:53 Bruce Rich, FWP  
00:44:32 Rep. Doane  
00:44:37 Bruce Rich, FWP  
00:44:51 Rep. Doane  
00:45:04 Bruce Rich, FWP  
00:46:07 Rep. Flynn  
00:46:43 Bruce Rich, FWP  
00:46:56 Rep. Flynn  
00:47:13 Bruce Rich, FWP  
00:48:07 Rep. Flynn  
00:48:37 Bruce Rich, FWP  
00:49:37 Rep. Pomnichowski  
00:50:37 Bruce Rich, FWP  
00:50:48 Rep. Smith  
00:50:59 Mark Aagenes, MTU  
00:51:16 Chair Welborn  
00:51:32 Rep. Cook

**Closing by Sponsor:**

00:51:37 Rep. Cook

00:53:15 Chair Welborn

**HEARING ON HB 512**

**Opening Statement by Sponsor:**

00:54:11 Rep. Edith (Edie) McClafferty (D), HD 75, opened the hearing on HB 512, Allow certain uses of motor vehicles to retrieve game.

**Proponents' Testimony:**

00: 55:05 Rep. Doug Kary, HD 48

**Opponents' Testimony:**

00:57:24 Jerry Davis, Montana Bowhunters Association (MBA)

[EXHIBIT\(fih39a02\)](#)

00:59:50 George Golie, MWF

01:01:45 Hope Stockwell, LSD

[EXHIBIT\(fih39a03\)](#)

**Informational Testimony:**

01:02:23 Jim Kropp, Chief Law Enforcement Officer, FWP

[EXHIBIT\(fih39a04\)](#)

**Questions from Committee Members and Responses:**

01:04:11 Rep. Doane  
01:04:31 Rep. McClafferty  
01:05:02 Rep. Doane  
01:05:29 Rep. Washburn  
01:06:14 Rep. McClafferty  
01:06:40 Rep. Washburn  
01:06:48 Rep. McClafferty  
01:06:56 Rep. Washburn  
01:07:05 Rep. Wagoner  
01:07:45 Rep. McClafferty  
01:07:55 Rep. Connell  
01:08:30 Jim Kropp, FWP  
01:08:48 Rep. Connell  
01:09:12 Jim Kropp, FWP  
01:10:22 Rep. Connell  
01:10:41 Jim Kropp, FWP  
01:10:45 Rep. Connell  
01:10:53 Jim Kropp, FWP  
01:10:59 Rep. Flynn  
01:11:43 Rep. McClafferty  
01:11:57 Jim Kropp, FWP  
01:12:06 Rep. Flynn  
01:12:34 Jim Kropp, FWP  
01:12:46 Rep. Flynn  
01:13:02 Jim Kropp, FWP  
01:13:09 Rep. White  
01:14:19 Rep. McClafferty  
01:14:28 Rep. Court  
01:15:12 Rep. McClafferty  
01:16:13 Hope Stockwell, LSD  
01:17:16 Rep. Hoven  
01:17:45 Rep. McClafferty  
01:18:15 Rep. Wilmer  
01:18:31 Rep. McClafferty

**Closing by Sponsor:**

01:18:37 Rep. McClafferty  
  
01:19:17 Rep. Wilmer

**HEARING ON HB 401****Opening Statement by Sponsor:**

01:20:14 Rep. Jeffrey Welborn (R), HD 72, opened the hearing on HB 401, Revising certain hunting license application fees.

**Proponents' Testimony:**

01:22:52 Brett Todd, President, MOGA

01:26:56 Jerry Davis, MBA

**EXHIBIT(fih39a05)**

01:27:38 Rep. Pomnichowski left the meeting.

01:28:51 Justin Sakalis, Montana Audubon

01:29:04 Mark Aagenes, MTU

01:30:25 Jay Bodner, Montana Stockgrowers Association

01:31:05 Ben Lamb, Self

01:31:26 Hank Worsech, Director, FWP

**EXHIBIT(fih39a06)**

01:32:15 George Golie, MWF

01:33:18 Jean Johnson, MOGA

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:34:12 Rep. Wilmer

01:34:36 Hank Worsech, FWP

01:34:45 Rep. Wilmer

01:34:55 Hank Worsech, FWP

01:35:04 Rep. Wilmer

01:35:07 Hank Worsech, FWP

01:35:21 Rep. Washburn

01:35:49 Hank Worsech, FWP

01:36:42 Rep. Washburn

01:36:48 Hank Worsech, FWP

**Closing by Sponsor:**

01:37:07 Rep. Welborn

01:38:03 Rep. Kary

01:38:15 Recessed.

01:54:00 Meeting resumed. Rep. Lieser arrived to the meeting. Rep. Pomnichowski did not return.

**EXECUTIVE ACTION ON HB 533**

01:54:25 **Motion:** Rep. Kary moved that **HB 533 DO PASS.**

**Discussion:**

01:54:40 Rep. Doane

01:55:17 Rep. Shaw

01:57:32 Rep. Boland

01:58:21 Rep. Connell

01:59:24 Rep. Smith

01:59:44 Rep. Jacobson

02:00:27 Chair Washburn

02:00:31 Rep. Washburn

- 02:00:57 Rep. Wilmer  
02:01:20 Rep. Shaw
- 02:02:36 **Vote:** Motion carried 16-5 by roll call vote with Rep. Doane, Rep. Hoven, Rep. Vance, Rep. Warburton and Rep. White voting no. Rep. Pomnichowski, Rep. Vance and Rep. Warburton voted by proxy.
- 02:03:35 Rep. Flynn left the meeting.

#### **EXECUTIVE ACTION ON HB 512**

- 02:04:00 **Motion:** Rep. Wilmer moved that **HB 512 DO PASS.**

#### **Discussion:**

- 02:04:16 Chair Welborn

- 02:04:22 **Motion:** Rep. Wilmer moved that **HB 512 BE AMENDED.**

#### **Discussion:**

- 02:04:35 Chair Welborn  
02:05:04 Hope Stockwell, LSD

- 02:05:31 **Vote:** Motion carried 19-1 by voice vote with Rep. Doane voting no. Rep. Pomnichowski, Rep. Vance and Rep. Warburton voted by proxy. Rep. Flynn did not vote.

- 02:06:08 **Motion:** Rep. Wilmer moved that **HB 512 DO PASS AS AMENDED.**

#### **Discussion:**

- 02:06:12 Rep. Shaw  
02:06:22 Rep. Flynn arrived to the meeting.  
02:06:58 Rep. Welborn

- 02:07:06 **Substitute Motion/Vote:** Rep. Wagoner made a substitute motion that **HB 512 BE TABLED.** Substitute Motion carried 19-2 by voice vote with Rep. Welborn and Rep. Wilmer voting no. Rep. Pomnichowski, Rep. Vance and Rep. Warburton voted by proxy.

#### **EXECUTIVE ACTION ON HB 401**

- 02:08:30 **Motion/Vote:** Rep. Welborn moved that **HB 401 DO PASS.** Motion carried 18-3 by voice vote with Rep. Vance, Rep. Warburton and Rep. White voting no. Rep. Pomnichowski, Rep. Vance and Rep. Warburton voted by proxy.
- 02:09:56 Hope Stockwell, LSD  
02:09:58 Chair Welborn  
02:10:22 Hope Stockwell, LSD  
02:10:48 Chair Welborn  
02:11:22 Rep. Wilmer  
02:11:29 Rep. Price



**ADJOURNMENT**

Adjournment: 02:11:57

---

Marissa Stockton, Secretary

ms

Additional Documents:

**EXHIBIT([fih39aad.pdf](#))**