

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chair Jeffrey W. Welborn, on March 7, 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. Edward Greef (R)
Rep. Ed Lieser (D)
Rep. JP Pomnichowski (D)
Rep. Jean Price (D)
Rep. Ray L. Shaw (R)
Rep. Bridget Smith (D)
Rep. Kirk Wagoner (R)
Rep. Wendy Warburton (R)
Rep. Ted Washburn (R)

Members Excused: Rep. Alan Doane (R)
Rep. Kelly Flynn (R)
Rep. Brian Hoven (R)
Rep. Tom Jacobson (D)
Rep. Gordon Vance (R)
Rep. Kerry White (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: SB 83, 2/26/2013
Executive Action: SB 101, SB 118

HEARING ON SB 83**Opening Statement by Sponsor:**

00:17:32 Sen. Terry Murphy (R), SD 39, opened the hearing on SB 83, Provide mandatory criteria for bighorn sheep transplantation.

00:19:49 Rep. Jacobson arrived to the meeting.

00:23:35 Rep. Hoven arrived to the meeting.

00:25:56 Rep. White arrived to the meeting.

Proponents' Testimony:

00:26:45 Jim Brown, Montana Wool Growers Association (MWGA)
EXHIBIT(fih49a01)

00:33:46 Jay Bodner, Montana Stock Growers Association (MSGA)

00:34:59 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

00:36:36 Leonard Wartman, Chair, Jefferson County Commission

00:37:02 Rep. Shaw left the meeting.

00:38:59 Bob Gilbert, Citizens for Balance Use (CBU)

Opponents' Testimony:

00:40:22 Nick Gevock, Montana Wildlife Federation (MWF)

00:45:39 Justin Saklais, Montana Audubon

00:49:01 Jim Weatherly, Montana Wild Sheep Foundation

00:57:07 Randy Newberg, Headwater Sportsman Association

01:01:33 Vito Quataro, Montana Sportsmens Alliance (MSA)
EXHIBIT(fih49a02)

01:05:14 Joe Perry, Self

01:06:58 Tom Carlson, Self

01:12:43 Tom Grimes, Self

01:12:58 Michael Murphy, Montana Sportsman for Fish and Wildlife

01:13:26 Quentin Kujala, Wildlife Bureau Coordinator, Fish Wildlife and Parks (FWP)
EXHIBIT(fih49a03)

Informational Testimony: None

Questions from Committee Members and Responses:

01:14:09 Rep. Wagoner

01:14:56 Sen. Murphy

01:15:19 Rep. Wagoner

01:15:52 Quentin Kujala, FWP

01:17:56 Rep. Wagoner

01:18:13 Quentin Kujala, FWP

01:19:00 Rep. Shaw

01:19:21 Sen. Murphy

01:20:11 Rep. Connell

01:21:53 Quentin Kujala, FWP

01:22:16 Rep. Connell

01:23:06 Quentin Kujala, FWP

01:23:53 Rep. White

01:24:57 Jim Brown, MWGA

01:27:21 Rep. White
01:28:22 Jim Brown, MWGA
01:29:43 Rep. Flynn
01:30:14 Jim Brown, MWGA
01:31:42 Rep. Flynn
01:31:58 Jim Brown, MWGA
01:32:37 Rep. Flynn
01:33:01 Quentin Kujala, FWP
01:34:07 Rep. Flynn
01:34:33 Quentin Kujala, FWP
01:35:22 Rep. Flynn
01:36:08 Sen. Murphy
01:37:13 Rep. Flynn
01:37:36 Sen. Murphy
01:40:13 Rep. Pomnichowski
01:40:46 Tom Carlson
01:41:39 Rep. Pomnichowski
01:41:53 Tom Carlson
01:42:07 Rep. Pomnichowski
01:42:28 Tom Carlson
01:43:05 Rep. Pomnichowski
01:43:22 Tom Carlson
01:44:09 Rep. Pomnichowski
01:44:38 Tom Carlson
01:45:26 Rep. Pomnichowski
01:46:23 Quentin Kujala, FWP
01:47:01 Rep. Pomnichowski
01:47:15 Quentin Kujala, FWP
01:48:00 Rep. Pomnichowski
01:48:23 Quentin Kujala, FWP
01:49:08 Rep. Price
01:49:29 Sen. Murphy
01:50:00 Rep. Lieser
01:50:30 Sen. Murphy
01:51:29 Rep. Lieser
01:51:48 Sen. Murphy
01:52:09 Rep. Lieser
01:52:43 Sen. Murphy
01:53:46 Rep. Lieser
01:54:06 Sen. Murphy
01:55:01 Rep. Jacobson
01:56:04 Sen. Murphy
01:57:30 Rep. Jacobson
01:57:57 Sen. Murphy
01:58:22 Rep. Jacobson
01:59:18 Rep. Wilmer
01:59:55 Tom Carlson
02:00:34 Rep. Wilmer
02:01:21 Tom Carlson
02:01:56 Rep. Wilmer

02:02:56 Sen. Murphy
02:03:24 Rep. Wilmer
02:03:35 Sen. Murphy

Closing by Sponsor:

02:03:56 Sen. Murphy

02:05:55 Chair Welborn

02:16:27 Meeting resumed. Rep. Court did not return.

EXECUTIVE ACTION ON SB 101

02:16:30 Chair Welborn

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02:16:56 **Motion:** Rep. Kary moved that **SB 101 BE CONCURRED IN.**

Discussion:

02:17:11 Chair Welborn

02:17:32 **Motion:** Rep. Kary moved that **SB 101 BE AMENDED.**

EXHIBIT(fih49a04)

Discussion:

02:17:44 Chair Welborn
02:17:54 Hope Stockwell, LSD
02:19:03 Chair Welborn
02:19:07 Rep. Pomnichowski
02:21:01 Rep. Washburn
02:21:45 Rep. Jacobson
02:22:51 Rep. Boland
02:23:53 Rep. Flynn
02:24:16 Chair Welborn
02:24:33 Hope Stockwell, LSD
02:24:36 Chair Welborn
02:24:48 Rep. Wilmer
02:25:39 Chair Welborn
02:25:43 Rep. Wilmer
02:26:20 Rep. Flynn
02:26:37 Rep. Wilmer

02:27:19 **Motion:** Rep. Pomnichowski moved **TO SEGREGATE THE AMENDMENT TO SB 101.**

Discussion:

02:27:36 Rep. Warburton
02:27:56 Chair Welborn
02:28:53 Rep. Warburton
02:30:01 Rep. Wilmer
02:31:18 Rep. Pomnichowski withdrew her motion.

02:32:13 Rep. Greef
02:33:55 Chair Welborn
02:34:39 Rep. Greef
02:34:45 Rep. Warburton
02:35:11 Rep. Flynn

02:36:26 **Motion:** Rep. Kary moved **TO SEGREGATE THE AMENDMENT TO SB 101 BE AMENDED.**

Discussion:

02:36:47 Hope Stockwell, LSD
02:36:54 Rep. Jacobson
02:37:07 Chair Welborn
02:37:14 Rep. Kary
02:37:47 Rep. Washburn
02:38:28 Chair Welborn

02:38:51 **Vote:** Motion carried 18-3 by voice vote with Rep. Vance, Rep. Warburton and Rep. White voting no. Rep. Vance, Rep. Court and Rep. Doane voted by proxy.

02:39:51 Hope Stockwell, LSD
02:40:02 Chair Welborn
02:40:36 Rep. White
02:40:48 Hope Stockwell, LSD
02:41:18 Rep. White
02:42:11 Rep. Boland
02:42:34 Rep. Pomnichowski
02:44:19 Rep. Warburton

02:45:16 **Motion/Vote:** Rep. Kary moved that **SEGREGATED SECTIONS 1,2 & 3 BE ADOPTED.** Motion failed 4-17 by roll call vote with Rep. Jacobson, Rep. Kary, Rep. Welborn and Rep. Wilmer voting aye. Rep. Court, Rep. Doane and Rep. Vance voted by proxy.

02:46:41 Chair Welborn

02:47:28 **Motion/Vote:** Rep. Kary moved that **SEGREGATED SECTION # 4 BE ADOPTED.** Voice vote was inconclusive.

02:47:46 Rep. Jacobson

02:48:51 **Vote:** Motion failed 10-11 by roll call vote with Rep. Boland, Rep. Connell, Rep. Doane, Rep. Flynn, Rep. Hoven, Rep. Jacobson, Rep. Kary, Rep. Lieser, Rep. Vance Rep. Washburn and Rep. Welborn voting no. Rep. Court, Rep. Doane and Rep. Vance voted by proxy.

02:48:55 Rep. White pointed out that Rep. Vance's proxy should have been a yes instead of a no thus changing the outcome of the vote.

- 02:49:25 Hope Stockwell with the Legislative Services Division clarified on the record that the correct vote is 11-10.
- 02:49:56 Chair Welborn
02:50:03 Rep. Wilmer
02:51:12 Rep. Boland
02:51:45 Rep. Flynn
02:52:21 Rep. White
02:52:59 Chair Welborn
02:53:02 Rep. Wagoner
02:53:11 Rep. Jacobson
- 02:54:28 **Motion/Vote:** Rep. Kary moved that **SB 101 BE CONCURRED IN**. Motion carried 18-3 by roll call vote with Rep. Flynn, Rep. Kary and Rep. Warburton voting no. Rep. Court, Rep. Doane and Rep. Vance voted by proxy. Rep. Jacobson will carry the bill.
- 02:55:44 Chair Welborn
- 02:56:24 **Motion:** Rep. Kary moved that **SB 118 BE CONCURRED IN**.
[EXHIBIT\(fih49a05\)](#)
- 02:56:32 **Substitute Motion/Vote:** Rep. Wilmer made a substitute motion that **SB 118 BE TABLED**. Substitute Motion carried 19-2 by voice vote with Rep. Warburton and Rep. Welborn voting no. Rep. Court, Rep. Doane and Rep. Vance voted by proxy.

ADJOURNMENT

Adjournment: 02:56: 45

Marissa Stockton, Secretary

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Additional Documents:

EXHIBIT([fih49aad.pdf](#))