

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FISH AND GAME

**Call to Order:** Chair John Brenden, on April 9, 2013 at 3:00 PM, in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. John Brenden, Chair (R)  
Sen. Debby Barrett (R)  
Sen. Tom Facey (D)  
Sen. Jennifer Fielder (R)  
Sen. Bradley Hamlett (D)  
Sen. Larry Jent (D)  
Sen. Fred Thomas (R)  
Sen. Kendall Van Dyk (D)

**Members Excused:**

Sen. Rick Ripley, Vice Chair (R)  
Sen. Jim Peterson (R)

**Members Absent:** None

**Staff Present:** Mary Kulawik, Committee Secretary  
Jason Mohr, 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 580, 4/4/2013; HB 609, 4/4/2013; HB 298, 4/4/2013

Executive Action: HB 401 - Be Concurred In  
HB 580 - Be Concurred In As Amended  
HB 298 - Be Concurred In As Amended  
HB 609 - Be Concurred In As Amended  
HB 444 - Be Concurred In As Amended

**HEARING ON HB 580****Opening Statement by Sponsor:**

00:21:35 Rep. Pat Connell (R), HD 87, opened the hearing on HB 580, Provide funding for governor's sage-grouse advisory council.

[EXHIBIT\(fis74a01\)](#)

[EXHIBIT\(fis74a02\)](#)

[EXHIBIT\(fis74a03\)](#)

**Proponents' Testimony:**

00:26:34 Tim Baker, Natural Resources Policy Advisor, Governor Bullock

00:27:09 Dave Galt, Montana Petroleum Association (MPA)

00:28:15 Jay Bodner, Montana Stockgrowers Association (MSGA)

00:28:57 Tom Ebzery, Devon Energy (DE)

00:29:30 Leo Berry, Attorney, Great Northern Properties (GNP)

00:29:50 Paul Sihler, Field Services Division Administrator, Montana Department of Fish, Wildlife and Parks (FWP)

[EXHIBIT\(fis74a04\)](#)

00:30:55 Jeff Tiberi, Montana Association of Conservation Districts (MACD)

00:31:13 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

00:31:47 Maureen Connor, Montana Association of Counties (MACo)

00:32:11 Nick Gevock, Montana Wildlife Federation (MWF)

00:32:37 Joe Perry, Montana Sportsmen Alliance (MSA)

00:33:07 Janet Ellis, Montana Audubon (MA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:33:55 Sen. Fielder

00:35:06 Paul Sihler, FWP

00:35:20 Sen. Barrett

00:35:34 Rep. Connell

00:36:17 Sen. Van Dyk

00:36:32 Rep. Connell

00:36:44 Chairman Brenden

00:36:52 Rep. Connell

**Closing by Sponsor:**

00:37:00 Rep. Connell

**HEARING ON HB 609**

**Opening Statement by Sponsor:**

00:37:56 Rep. Pat Connell (R), HD 87, opened the hearing on HB 609, Interim study of hunting and fishing licensing.

**Proponents' Testimony:**

00:40:28 Nick Gevock, Montana Wildlife Federation (MWF)

00:41:24 Joe Perry, Montana Sportsmen Alliance (MSA)

**Opponents' Testimony:** None

**Informational Testimony:**

00:42:05 Paul Sihler, Field Services Division Administrator, Montana Department of Fish, Wildlife and Parks (FWP)

[EXHIBIT\(fis74a05\)](#)

**Questions from Committee Members and Responses:**

00:42:40 Sen. Van Dyk

00:43:00 Paul Sihler, FWP

**Closing by Sponsor:**

00:43:48 Rep. Connell

**HEARING ON HB 298**

**Opening Statement by Sponsor:**

00:45:01 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 298, Study relations between the Dept. of Fish, Wildlife, and Parks and landowners.

[EXHIBIT\(fis74a06\)](#)

[EXHIBIT\(fis74a07\)](#)

00:48:49 Sen. Ripley entered the hearing.

**Proponents' Testimony:**

00:49:38 Jay Bodner, Montana Stockgrowers Association (MSGA)

[EXHIBIT\(fis74a08\)](#)

00:51:15 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

**Opponents' Testimony:**

00:52:51 Nick Gevock, Montana Wildlife Federation (MWF)

**Informational Testimony:**

00:54:50 Paul Sihler, Field Services Division Administrator, Montana Department of Fish,  
Wildlife and Parks (FWP)

[EXHIBIT\(fis74a09\)](#)

**Questions from Committee Members and Responses:**

00:55:39 Sen. Van Dyk  
00:56:50 Rep. Warburton  
00:57:02 Sen. Facey  
00:58:26 Jean Johnson, MOGA  
00:59:00 Sen. Fielder  
00:59:42 Nick Gevock, MWF  
01:00:00 Sen. Ripley  
01:01:06 Rep. Warburton  
01:02:06 Sen. Ripley

**Closing by Sponsor:**

01:02:57 Rep. Warburton

[EXHIBIT\(fis74a10\)](#)

**EXECUTIVE ACTION ON HB 401**

01:07:20 **Motion:** Sen. Ripley moved that **HB 401 BE CONCURRED IN.**

**Discussion:**

01:07:42 Chairman Brenden  
01:08:19 Sen. Jent  
01:09:44 Sen. Van Dyk  
01:10:45 Sen. Thomas  
01:12:00 Sen. Ripley  
01:12:33 Sen. Facey  
01:12:52 Sen. Barrett  
01:13:10 Sen. Thomas

01:13:29 **Vote:** Motion carried 9-1 by roll call vote with Sen. Thomas voting no. Sen.  
Peterson voted by proxy. Sen. Barrett will carry the bill.

**EXECUTIVE ACTION ON HB 580**

01:14:40 **Motion:** Sen. Van Dyk moved that **HB 580 BE CONCURRED IN.**

01:15:00 **Motion:** Sen. Van Dyk moved that **HB 580 BE AMENDED.**

[EXHIBIT\(fis74a11\)](#)

**Discussion:**

01:15:17 Sen. Van Dyk  
 01:15:41 Sen. Ripley  
 01:15:55 Chairman Brenden  
 01:16:10 Sen. Fielder  
 01:16:35 Sen. Barrett  
 01:17:04 Sen. Van Dyk  
 01:17:40 Sen. Hamlett  
 01:18:09 Sen. Ripley  
 01:19:05 Sen. Fielder  
 01:19:51 Sen. Facey  
 01:20:42 Sen. Thomas  
 01:21:25 Sen. Ripley

01:21:52 **Substitute Motion:** Sen. Facey made a substitute motion **TO AMEND THE AMOUNT APPROPRIATED DOWN TO \$45,000 FROM THE GENERAL FUND.**

**Discussion:**

01:22:25 Sen. Facey  
 01:22:51 Sen. Van Dyk  
 01:23:33 Sen. Ripley

01:23:49 Without objection, Sen. Facey withdrew the SUBSTITUTE motion.

01:23:55 Sen. Jent left the hearing.

01:24:02 **Vote:** Motion carried 9-0 by roll call vote. Sen. Jent voted by proxy. Sen. Peterson was excused.

01:24:45 **Motion:** Sen. Van Dyk moved that **HB 580 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:24:51 Sen. Facey

01:25:20 **Vote:** Motion carried 10-0 by roll call vote. Sen. Jent and Sen. Peterson voted by proxy. Sen. Hamlett will carry the bill.

**EXECUTIVE ACTION ON HB 298**

01:26:48 **Motion:** Sen. Fielder moved that **HB 298 BE CONCURRED IN.**

**Discussion:**

01:26:55 Sen. Ripley

01:27:15 **Motion:** Sen. Fielder moved that **HB 298 BE AMENDED CONCEPTUALLY on page 2, line 18, striking the word "hunters"**.

**Discussion:**

01:27:25 Sen. Van Dyk  
 01:28:34 Sen. Ripley  
 01:28:56 Sen. Barrett  
 01:29:20 Sen. Hamlett  
 01:29:36 Sen. Ripley  
 01:29:45 Sen. Barrett  
 01:30:30 Sen. Facey  
 01:31:08 Sen. Ripley  
 01:31:13 Sen. Hamlett  
 01:31:37 Sen. Fielder  
 01:31:55 Rep. Warburton  
 01:32:2 Sen. Van Dyk

01:32:40 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Hamlett, Sen. Jent and Sen. Van Dyk voting no. Sen. Jent and Sen. Peterson voted by proxy.

01:33:30 **Motion:** Sen. Van Dyk moved that **HB 298 BE AMENDED CONCEPTUALLY to remove the \$10,000 appropriation.**

**Discussion:**

01:33:55 Sen. Ripley  
 01:34:02 Jason Mohr, Legislative Services Division (LSD)  
 01:34:20 Sen. Thomas  
 01:34:40 Sen. Barrett  
 01:35:04 Sen. Facey

01:35:30 **Vote:** Motion carried 9-1 by voice vote with Sen. Barrett voting no. Sen. Jent and Sen. Peterson voted by proxy.

01:35:58 **Motion:** Sen. Thomas moved that **HB 298 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:36:15 Sen. Facey

01:36:32 **Vote:** Motion carried 8-2 by voice vote with Sen. Jent and Sen. Van Dyk voting no. Sen. Jent and Sen. Peterson voted by proxy. Sen. Brenden will carry the bill. (Vote not reported out of committee. Bill was reconsidered on 4/11/13.)

**EXECUTIVE ACTION ON HB 609**

01:37:19 **Motion:** Sen. Ripley moved that **HB 609 BE CONCURRED IN.**

**Discussion:**

01:37:28 Sen. Fielder  
 01:37:51 Jason Mohr, LSD  
 01:37:57 Sen. Van Dyk  
 01:39:20 Sen. Facey  
 01:40:05 Sen. Hamlett  
 01:40:28 Sen. Fielder  
 01:40:55 Sen. Van Dyk  
 01:41:06 Sen. Thomas  
 01:41:15 Sen. Ripley  
 01:41:35 Sen. Hamlett

01:41:53 **Motion:** Sen. Thomas moved that **HB 609 BE AMENDED CONCEPTUALLY on page 2, striking line 10-12.**

**Discussion:**

01:42:16 Sen. Van Dyk

01:42:24 **Vote:** Motion carried 10-0 by voice vote. Sen. Jent and Sen. Peterson voted by proxy.

01:42:34 **Motion:** Sen. Thomas moved that **HB 609 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:42:45 Sen. Barrett

01:43:37 **Vote:** Motion carried 10-0 by voice vote. Sen. Jent and Sen. Peterson voted by proxy. Sen. Facey will carry the bill. (Vote not reported out of committee. Bill was reconsidered on 4/11/13.)

**EXECUTIVE ACTION ON HB 444**

01:43:57 **Motion:** Sen. Thomas moved that **HB 444 BE CONCURRED IN.**

01:44:03 **Motion:** Sen. Thomas moved that **HB 444 BE AMENDED.**  
[EXHIBIT\(fis74a12\)](#)

**Discussion:**

01:44:16 Sen. Thomas  
 01:45:38 Sen. Ripley  
 01:45:51 Sen. Van Dyk  
 01:46:26 Sen. Thomas  
 01:47:24 Sen. Hamlett  
 01:47:53 Sen. Van Dyk

01:48:14 **Vote:** Motion carried 10-0 by voice vote. Sen. Jent and Sen. Peterson voted by proxy.

**Discussion:**

01:48:30 Sen. Fielder

01:49:37 **Motion:** Sen. Fielder moved that **HB 444 BE AMENDED. EXHIBIT(fis74a13)**

**Discussion:**

01:49:49 Jason Mohr  
 01:50:22 Sen. Thomas  
 01:51:08 Chairman Brenden  
 01:51:36 Sen. Thomas  
 01:52:07 Sen. Ripley  
 01:52:40 Sen. Hamlett  
 01:53:13 Sen. Barrett  
 01:54:00 Sen. Facey  
 01:54:38 Sen. Ripley  
 01:54:45 Chairman Brenden  
 01:55:34 Sen. Fielder  
 01:56:09 Sen. Thomas  
 01:56:22 Sen. Ripley  
 01:56:26 Sen. Thomas

01:56:37 Without objection, Sen. Fielder withdrew the BE AMENDED motion.

**Discussion:**

01:56:50 Sen. Ripley

01:56:59 **Motion:** Sen. Fielder moved that **HB 444 BE AMENDED CONCEPTUALLY.**

**Discussion:**

01:57:11 Sen. Ripley  
 01:57:26 Sen. Facey  
 01:57:39 Sen. Thomas  
 01:57:44 Sen. Fielder  
 01:57:52 Sen. Facey  
 01:58:12 Sen. Hamlett  
 01:58:38 Chairman Brenden  
 01:58:46 Sen. Fielder  
 01:58:55 Jason Mohr  
 01:59:05 Sen. Fielder  
 01:59:09 Sen. Facey

01:59:26 **Vote:** Motion carried 10-0 by voice vote. Sen. Jent and Sen. Peterson voted by proxy.

01:59:41 **Motion:** Sen. Facey moved that **HB 444 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:59:45 Sen. Van Dyk

02:00:40 Sen. Fielder

02:01:01 **Vote:** Motion carried 10-0 by voice vote. Sen. Jent and Sen. Peterson voted by proxy. Sen. Van Dyk will carry the bill.

**Committee Business:**

02:01:22 Chairman Brenden

02:02:40 Sen. Hamlett

02:02:58 Jason Mohr

02:03:10 Sen. Thomas

02:03:16 Jason Mohr

02:03:20 Chairman Brenden

**ADJOURNMENT**

Adjournment: 4:44 P.M.

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Mary Kulawik, Secretary

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Additional Documents:

**EXHIBIT([fis74aad.pdf](#))**