

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair John Brenden, on April 11, 2013 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. John Brenden, Chair (R)
Sen. Rick Ripley, Vice Chair (R)
Sen. Debby Barrett (R)
Sen. Tom Facey (D)
Sen. Jennifer Fielder (R)
Sen. Larry Jent (D)
Sen. Jim Peterson (R)
Sen. Kendall Van Dyk (D)

Members Excused:

Sen. Bradley Hamlett (D)
Sen. Fred Thomas (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 588, 4/8/2013; HB 404, 4/8/2013

Executive Action: HB 298 - Be Concurred In As Amended
HB 609 - Be Concurred In As Amended
HB 588 - Be Concurred In
HB 404 - Be Concurred In

Committee Business:

00:14:05 Sen. Brenden turned over the duties of the Chair to Sen. Barrett and left the hearing.

00:15:24 Chair Barrett
00:15:40 Jason Mohr, Legislative Services Division (LSD)

00:15:52 Sen. Ripley left the hearing.

00:15:57 Sen. Facey left the hearing.

00:16:17 Chair Barrett
00:16:20 Jason Mohr, LSD

00:16:30 Sen. Hamlett entered the hearing.

00:16:36 Sen. Fielder
00:16:51 Jason Mohr

00:17:00 Sen. Thomas entered the hearing.

EXECUTIVE ACTION ON HB 298

00:17:20 **Motion:** Sen. Thomas moved to **RECONSIDER THE ACTION** on **HB 298**.

Discussion:

00:17:35 Chair Barrett
00:17:47 Jason Mohr
00:17:51 Sen. Van Dyk

00:17:58 **Vote:** Motion carried 9-1 by voice vote with Sen. Van Dyk voting no. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy.

00:18:19 **Motion/Vote:** Sen. Fielder moved to **RECONSIDER THE AMENDMENT on HB 298 and add the appropriation back in**. Motion carried 9-1 by voice vote with Sen. Van Dyk voting no. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy.

Discussion:

00:19:00 Jason Mohr
00:19:26 Chair Barrett
00:19:30 Jason Mohr
00:19:39 Chair Barrett

00:19:49 **Motion:** Sen. Thomas moved that **HB 298 BE CONCURRED IN AS AMENDED**.

Discussion:

00:19:55 Chair Barrett

00:20:07 **Motion:** Sen. Fielder moved that **HB 298 BE AMENDED on page 2, line 18, to strike the word "hunters."**

Discussion:

00:20:23 Sen. Peterson

00:21:32 Chair Barrett

00:23:07 Sen. Hamlett

00:23:45 Sen. Peterson

00:24:14 Chair Barrett

00:24:50 Sen. Van Dyk

00:25:45 Jason Mohr

00:26:02 Sen. Peterson

00:27:17 Sen. Fielder

00:28:28 Sen. Van Dyk

00:29:20 **Substitute Motion:** Sen. Van Dyk made a substitute motion that **on page 2, line 18, to re-insert the word "hunters" as the bill was originally drafted.**

Discussion:

00:29:34 Sen. Hamlett

00:30:24 **Vote:** Substitute motion carried 6-4 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Fielder and Sen. Ripley voting no. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy.

00:31:19 **Motion:** Sen. Fielder moved that **HB 298 BE CONCURRED IN AS AMENDED.**

Discussion:

00:31:29 Sen. Van Dyk

00:31:52 **Motion/Vote:** Sen. Van Dyk moved that **HB 298 BE AMENDED on page 2, line 24, to strike "\$10,000" and insert "\$2,500."** Motion carried 7-3 by roll call vote with Sen. Barrett, Sen. Brenden and Sen. Ripley voting no. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy.

Discussion:

00:32:48 Sen. Fielder

00:32:56 Jason Mohr

00:33:11 **Motion:** Sen. Fielder moved that **HB 298 BE CONCURRED IN AS AMENDED.**

Discussion:

00:33:18 Chair Barrett
 00:33:40 Sen. Van Dyk

00:34:05 **Vote:** Motion carried 9-1 by voice vote with Sen. Van Dyk voting no. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy. Sen. Brenden will carry the bill.

EXECUTIVE ACTION ON HB 609

Discussion:

00:34:48 Chair Barrett
 00:34:57 Jason Mohr

00:35:07 **Motion/Vote:** Sen. Van Dyk moved to **RECONSIDER THE MOTION on HB 609**. Motion carried 10-0 by voice vote. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy.

00:35:28 **Motion/Vote:** Sen. Fielder moved that **HB 609 BE AMENDED on page 2, line 10, to strike "\$10,000" and insert "\$1,000."** Motion carried 10-0 by voice vote. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy.

00:35:58 **Motion/Vote:** Sen. Fielder moved that **HB 609 BE CONCURRED IN AS AMENDED**. Motion carried 10-0 by voice vote. Sen. Brenden, Sen. Facey and Sen. Ripley voted by proxy. Sen. Facey will carry the bill.

00:37:03 Sen. Facey entered the hearing.

HEARING ON HB 588

Opening Statement by Sponsor:

00:37:29 Rep. Bill Harris (R), HD 30, opened the hearing on HB 588, Revise laws related to hunting and flying time laws.

Proponents' Testimony:

00:41:41 George Golie, Montana Wildlife Federation (MWF)

Opponents' Testimony: None

Informational Testimony:

00:42:17 Mike Korn, Deputy Chief of Law Enforcement, Montana Department of Fish, Wildlife and Parks (FWP)

Questions from Committee Members and Responses:

00:43:21 Sen. Van Dyk
00:43:49 Rep. Harris
00:44:28 Sen. Fielder
00:46:6 Mike Korn, FWP
00:46:18 Chair Barrett
00:47:58 Rep. Harris

Closing by Sponsor:

00:48:27 Rep. Harris

HEARING ON HB 404**Opening Statement by Sponsor:**

00:49:23 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 404, Provide funding for block management program.

Proponents' Testimony:

01:01:02 Keith Kubista, Montana Sportsmen for Fish and Wildlife (MTSFW)
[EXHIBIT\(fis76a01\)](#)
01:03:14 Jay Bodner, Montana Stockgrowers Association (MSGA)
01:05:01 Julia Altemus, Montana Wood Products Association (MWPA)
01:06:47 Jacob Cowgill, Montana Farmers Union (MFU)
01:07:14 John Youngberg, Montana Farm Bureau Federation (MFBF)
01:08:20 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

Opponents' Testimony:

01:09:43 Jerry Davis, Montana Bowhunters Association (MBA)
[EXHIBIT\(fis76a02\)](#)
01:12:32 George Golie, Montana Wildlife Federation (MWF)
01:13:06 Stan Frasier, Helena Hunters and Anglers (HHA)
01:14:05 Janet Ellis, Montana Audubon (MA)
01:15:06 Mark Aagenes, Montana Trout Unlimited (MTU)

Informational Testimony:

01:16:13 Paul Sihler, Field Services Administrator, Montana Department of Fish, Wildlife and Parks (FWP)
[EXHIBIT\(fis76a03\)](#)

Questions from Committee Members and Responses:

01:17:53 Sen. Jent
01:18:02 Paul Sihler, FWP
01:18:39 Sen. Peterson
01:19:20 Paul Sihler
01:20:21 Sen. Van Dyk
01:21:35 Rep. Flynn
01:25:09 Sen. Peterson
01:25:27 Rep. Flynn
01:26:58 Sen. Hamlett
01:28:12 Paul Sihler
01:28:29 Rep. Flynn
01:30:02 Sen. Van Dyk
01:30:18 Rep. Flynn
01:30:59 Sen. Facey
01:32:19 Paul Sihler
01:32:35 Sen. Facey
01:35:11 Rep. Flynn

EXHIBIT(fis76a04)

01:36:42 Sen. Fielder
01:39:42 Julia Altemus, MWPA
01:40:05 Chair Barrett
01:43:30 Jerry Davis, MBA
01:44:07 Chair Barrett
01:44:18 Rep. Flynn
01:45:51 Chair Barrett
01:47:55 Paul Sihler
01:48:10 Sen. Ripley
01:49:48 Jerry Davis
01:50:05 Sen. Thomas
01:50:51 Mark Aagenes, MTU
01:51:54 Chair Barrett
01:52:39 Paul Sihler

Closing by Sponsor:

01:52:49 Rep. Flynn

EXECUTIVE ACTION ON HB 588

01:55:57 **Motion:** Sen. Facey moved that **HB 588 BE CONCURRED IN.**

Discussion:

01:56:10 Sen. Hamlett
01:56:45 Sen. Fielder
01:57:12 Sen. Thomas
01:57:27 Chair Barrett

01:57:51 Sen. Thomas
 01:57:57 Sen. Van Dyk

01:58:00 Sen. Jent left the hearing.

01:58:54 Sen. Facey
 01:59:20 Sen. Thomas
 01:59:45 Sen. Fielder

02:01:02 **Vote:** Motion carried 9-1 by voice vote with Sen. Thomas voting no. Sen. Brenden, Sen. Jent and Sen. Ripley voted by proxy. Sen. Van Dyk will carry the bill.

EXECUTIVE ACTION ON HB 404

02:01:45 **Motion:** Sen. Peterson moved that **HB 404 BE CONCURRED IN.**

Discussion:

02:01:54 Sen. Peterson
 02:08:56 Sen. Van Dyk
 02:13:01 Sen. Facey
 02:14:19 Sen. Thomas
 02:16:44 Sen. Ripley
 02:18:09 Sen. Hamlett
 02:18:47 Chair Barrett
 02:19:02 Sen. Peterson

02:20:00 Sen. Hamlett left the hearing.

02:20:16 Chair Barrett
 02:23:05 Sen. Van Dyk

02:23:30 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Jent, Sen. Thomas and Sen. Van Dyk voting no. Sen. Brenden, Sen. Hamlett, Sen. Jent and Sen. Ripley voted by proxy. Sen. Peterson will carry the bill.

ADJOURNMENT

Adjournment: 5:08 P.M.

Mary Kulawik, Secretary

mk

Additional Documents:

EXHIBIT([fis76aad.pdf](#))