

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FISH AND GAME

Call to Order: By **CHAIRMAN JOSEPH (JOE) TROPILA**, on March 29, 2007 at 4:35 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Sen. Joseph (Joe) Tropila, Chairman (D)
Sen. Keith Bales (R)
Sen. Gregory D. Barkus (R)
Sen. Ken (Kim) Hansen (D)
Sen. Larry Jent (D)
Sen. Lane L. Larson (D)

Members Excused:

Sen. Joe Balyeat (R)
Sen. Steven Gallus (D)
Sen. Bill Tash (R)

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Joe Kolman, 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 389, 3/26/2007; HB 439,
3/26/2007
Executive Action: HB 364, HJ 16, HB 389, HB 439

00:04:46 Chairman Tropila

HEARING ON HB 389

Opening Statement by Sponsor:

00:05:13 **REP. DEBBY BARRETT (R), HD 72**, opened the hearing on **HB 389**, Direct FWP and Commission to rewrite state's elk management plan.

Proponents:

00:07:55 Steve Pilcher, Montana Stockgrowers Association

00:11:34 John Youngberg, Montana Farm Bureau

Opponents: None.

Informational Testimony:

00:12:49 Chris Smith, Chief of Staff, Department of Fish, Wildlife and Parks (FWP)

EXHIBIT (fis67a01)

Questions from Committee Members and Responses:

00:14:06 Sen. Tropila to Chris Smith, FWP

00:15:04 Sen. Jent to Chris Smith, FWP

00:17:38 Sen. Tash to Chris Smith, FWP

Closing by Sponsor:

00:21:41 Rep. Barrett

HEARING ON HB 439

Opening Statement by Sponsor:

00:23:15 **REP. ROGER KOOPMAN (R), HD 70**, opened the hearing on **HB 439**, Exempt ponds from licensure.

Proponents: None.

Opponents:

00:32:03 Harry Murphy, President of Whirling Disease Foundation

00:35:33 Tom Anacker, Attorney, Bozeman Real Estate
Recreational Properties

00:39:33 Mark Aagenes, Montana Trout Unlimited

EXHIBIT (fis67a02)

00:42:02 Molly Immen, Montana Audubon

EXHIBIT (fis67a03)

Informational Testimony:

00:43:49 Chris Smith, Chief of Staff, Department of Fish,
Wildlife and Parks (FWP)

EXHIBIT (fis67a04)

Questions from Committee Members and Responses:

00:46:00 Sen. Tash to Mark Aagenes, Montana Trout Unlimited

00:47:50 Sen. Tropila to Chris Smith, FWP

00:49:01 Sen. Bales to Chris Smith, FWP

Closing by Sponsor:

00:52:18 Rep. Koopman

EXECUTIVE ACTION ON HB 364

00:57:32 **Motion:** SEN. JENT moved that HB 364 BE CONCURRED IN.

Discussion:

00:58:05 Rep. Bruce Malcolm

00:58:53 **Motion:** SEN. LARSON moved that AMENDMENT HB036402.AJK
BE ADOPTED.

EXHIBIT (fis67a05)

Discussion:

- 00:59:41 Joe Kolman, LSD
- 01:14:10 Rep. Malcolm
- 01:15:02 George Harris, Acting Executive Officer, Board Of Livestock
- 01:17:14 Chris Smith, FWP
- 01:17:37 Sen. Tropila to Rep. Malcolm
- 01:18:10 **Motion/Vote:** SEN. JENT CALLED THE QUESTION ON AMENDMENT. Motion carried unanimously by voice vote. SEN. BALYEAT was excused. SEN. TASH and SEN. GALLUS voted by proxy.
- 01:18:38 **Motion/Vote:** SEN. JENT moved that HB 364 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. GALLUS and SEN. TASH voted by proxy. SEN. BALYEAT was excused.

EXECUTIVE ACTION ON HJ 16

- 01:19:16 **Motion:** SEN. JENT moved that HJ 16 BE CONCURRED IN.

EXHIBIT (fis67a06)

Discussion:

- 01:22:47 Joe Kolman, LSD
- 01:23:28 Mary "Marty" Phippen, Montana Magistrates' Association
- 01:23:47 **Motion/Vote:** SEN. JENT moved AMENDMENT HJ001603.ajk. Motion carried unanimously by voice vote. SEN. GALLUS and SEN. TASH voted by proxy. SEN. BALYEAT was excused.
- 01:23:57 **Motion/Vote:** SEN. JENT moved that HJ 16 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. GALLUS and SEN. TASH voted by proxy. SEN. BALYEAT was excused.

EXECUTIVE ACTION ON HB 389

01:24:28 Motion: SEN. LARSON moved that HB 389 BE CONCURRED IN.

Discussion:

01:25:18 Vote: MOTION that HB 389 BE CONCURRED IN carried unanimously by voice vote. SEN. GALLUS and SEN. TASH voted by proxy. SEN. BALYEAT was excused.

EXECUTIVE ACTION ON HB 439

01:25:53 Motion: SEN. LARSON moved that HB 439 BE TABLED.

Discussion:

01:26:15 Sen. Larson withdrew his motion to table.

01:26:46 Motion: SEN. BALES moved that HB 439 BE CONCURRED IN.

Discussion:

01:27:05 Sen. Bales

01:28:21 Sen. Larson

01:29:03 Substitute Motion/Vote: SEN. LARSON made a substitute motion that HB 439 BE TABLED. Substitute motion carried 6-2 by voice vote with SEN. BALES and SEN. TASH voting no. SEN. TASH and SEN. GALLUS voted by proxy. SEN. BALYEAT was excused.

ADJOURNMENT

Adjournment: 5:35 P.M.

SEN. JOSEPH (JOE) TROPILA, Chairman

CLAUDIA JOHNSON, Secretary

JT/cj

Additional Exhibits:

EXHIBIT ([fis67aad.pdf](#))