

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chairman Kendall Van Dyk, on February 17, 2009 at 2:59 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Kendall Van Dyk, Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Dick Barrett (D)
Rep. Carlie Boland (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Mike Miller (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Cary Smith (R)
Rep. Ted Washburn (R)
Rep. Jeffery Welborn (R)

Members Excused: None.

Members Absent: Rep. Dave McAlpin, Vice Chairman (D)
Rep. Paul Beck (D)
Rep. Jill Cohenour (D)
Rep. Mike Milburn (R)
Rep. Mike Phillips (D)
Rep. JP Pomnichowski (D)

Staff Present: Bryce Bennett, Committee Secretary
Doug Sternberg, 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 314; HB 434; HB 585

Executive Action: HB 42; HB 443; HB 527; HJ 15

HEARING ON HB 585

Opening Statement by Sponsor:

00:03:17 Rep. Edith (Edie) McClafferty (D), HD 75, opened the hearing on HB 585, Implement PL/PW recommendations: "Come Home to Hunt" pilot project.
00:03:46 Rep. Beck arrived.
00:04:39 Rep. Cohenour arrived.

Proponents' Testimony:

00:07:20 Land Tawney, Private Land Public Wildlife Council
[EXHIBIT\(fih37a01\)](#)
00:10:07 Rep. Pomnichowski arrived.
00:10:33 Dan Vermillion, Private Land Public Wildlife Council
00:14:00 John Ward, Private Land Public Wildlife Council
00:16:30 Dick Iversen, Private Land Public Wildlife Council
00:18:52 Bob Gibson, self
00:22:12 Paul Sihler, Department of Fish, Wildlife, and Parks
[EXHIBIT\(fih37a02\)](#)
00:23:22 Mike Penfold, Private Land Public Wildlife Council
00:23:57 Tom Hougén, Montana Stock Growers Association
00:24:37 Mark Robbins, self
00:25:35 Danny McClafferty, self
00:26:47 Jean Johnson, Montana Outfitters and Guides Association
[EXHIBIT\(fih37a03\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:28:21 Rep. Pomnichowski
00:28:49 Rep. McClafferty
00:29:05 Rep. Pomnichowski
00:29:20 Rep. McClafferty
00:29:25 Rep. Pomnichowski
00:29:53 Rep. McClafferty
00:30:14 Rep. Pomnichowski

00:30:32 Mr. Sihler
00:31:05 Rep. Pomnichowski
00:31:12 Mr. Sihler
00:32:05 Rep. Washburn
00:32:46 Mr. Sihler
00:33:04 Rep. Washburn
00:33:31 Rep. Boland
00:33:54 Mr. Sihler
00:34:59 Chairman Van Dyk
00:35:23 Rep. Miller
00:35:51 Rep. McClafferty
00:36:06 Mr. Sihler
00:36:29 Alan Charles, Private Land Public Wildlife Council

Closing by Sponsor:

00:37:19 Rep. McClafferty

HEARING ON HB 434

Opening Statement by Sponsor:

00:38:29 Rep. Franke Wilmer (D), HD 64, opened the hearing on
HB 434, Crossbow use by certain disabled hunters.

EXHIBIT(fih37a04)

00:44:36 Rep. Phillips arrived.

Proponents' Testimony:

00:45:15 Chuck Rein, self

00:46:15 Ryan Jennings, self

EXHIBIT(fih37a05)

00:56:14 Rep. Cheryl Steenson, HD 8, Kalispell

00:57:16 Clayton Fiscus, self

00:59:04 Lorena Pettit, self

Opponents' Testimony:

01:01:04 Jim Gappa, Montana Bow Hunters Association

EXHIBIT(fih37a06)

01:03:10 Charlie Johnson, self

01:07:38 Greg Munther, self

01:10:02 Gary Carbahol, self

01:11:18 Vince Burns, self

01:13:08 Brenden Burns, self

EXHIBIT(fih37a07)

01:14:57 Jason Townsly, self

01:16:18 Steve Kamps, self

01:20:37 Bill Lewis, self

Informational Testimony:

01:25:06 Ron Aasheim, Director, Conservation Education Division,
Department of Fish, Wildlife, and Parks (FWP)

EXHIBIT(fih37a08)

Questions from Committee Members and Responses:

01:27:20 Rep. Barrett

01:28:03 Rep. Wilmer

01:28:55 Rep. Barrett

01:29:11 Rep. Wilmer

01:31:02 Rep. Smith

01:31:38 Rep. Wilmer

01:33:05 Rep. Smith

01:33:17 Mr. Jennings

01:35:40 Rep. Smith

01:35:59 Mr. Jennings

01:37:15 Rep. Boniek

01:37:50 Mr. Gappa

01:38:33 Rep. Boniek

01:38:45 Mr. Gappa

01:39:00 Rep. Peterson

01:39:38 Rep. Wilmer

01:40:06 Rep. Boniek

01:40:35 Mr. Aasheim

01:41:04 Chairman Van Dyk

01:42:01 Mr. Johnson

Closing by Sponsor:

01:42:34 Rep. Wilmer

01:45:28 Break

01:55:18 Reconvene

01:55:23 Chairman Van Dyk asked Vice Chair Gordon Hendrick to
take over as temporary Chair.

HEARING ON HB 314

Opening Statement by Sponsor:

01:56:29 Rep. Kendall Van Dyk (D), HD 49, opened the hearing on
HB 314, Revise fish and game laws--game animal damage
mitigation act.
01:58:55 Rep. Milburn arrived.

Proponents' Testimony:

02:04:17 George Golie, Montana Wildlife Federation
02:08:55 Tim Aldrich, Montana Wildlife Federation/ Hellgate
Hunters and Anglers Association
02:11:50 Hugo Tureck, self
02:15:38 Chris Marchion, self

EXHIBIT(fih37a09)

02:18:56 John Gibson, Billings Rod and Gun Club
02:22:03 Bill Orsello, self
02:24:19 Mr. Munther
02:26:15 Mr. Johnson
02:26:58 Mr. Vermillion

Opponents' Testimony:

02:29:46 Jack Ross, self
02:34:15 Chuck Denowh, United Property Owners of Montana
02:38:34 Mr. Fiscus
02:39:49 Bart Story, self
02:40:22 Mr. Robbins
02:44:15 Arial Overstreet, Montana Cattle Women/ Montana Stock
Growers Association

EXHIBIT(fih37a10)

02:47:35 Nicole Rolf, Montana Farm Bureau Federation
02:49:00 John Scully, self
02:52:50 Jim Espy, self
02:54:50 John Godfry, self
02:57:55 Joe Roberts, Montana Association of Realtors
02:58:42 Kelly Flynn, self

EXHIBIT(fih37a11)

03:01:50 Mr. Rein

EXHIBIT(fih37a12)

03:03:37 Mr. Hougan
03:04:26 Deanna Robbins, FWP Advisory Committee
03:06:30 Mr. Iversen
03:09:02 Jeff Klein, self
03:10:09 Ms. Johnson

EXHIBIT(fih37a13)

03:11:17 Fred Rodgers, self

Informational Testimony:

03:12:08 Ken McDonald, Administrator, FWP

EXHIBIT(fih37a14)

Questions from Committee Members and Responses:

03:17:20 Rep. Smith
03:18:00 Mr. Rein
03:18:28 Rep. Smith
03:18:48 Mr. Rein
03:19:12 Rep. Smith
03:19:24 Mr. Rein
03:19:56 Rep. Washburn
03:20:53 Mr. McDonald
03:21:04 Rep. Washburn
03:21:08 Mr. McDonald
03:21:32 Rep. Washburn
03:21:50 Mr. McDonald
03:23:17 Rep. Washburn
03:23:39 Mr. McDonald
03:24:12 Rep. Washburn
03:24:42 Mr. McDonald
03:25:18 Rep. Beck
03:25:49 Mr. McDonald
03:27:32 Rep. Beck
03:27:48 Mr. McDonald
03:28:06 Rep. Boniek
03:28:21 Mr. McDonald
03:28:49 Rep. Barrett
03:29:19 Mr. McDonald
03:29:49 Rep. Miller
03:30:06 Mr. McDonald
03:30:32 Rep. Miller
03:30:50 Mr. McDonald
03:31:02 Rep. Miller
03:31:16 Mr. McDonald

Closing by Sponsor:

03:32:07 Rep. Van Dyk

03:37:18 Break

03:41:28 Reconvene

EXECUTIVE ACTION ON HB 42

03:43:30 **Motion:** Rep. Hendrick moved that **HB 42 DO PASS AS AMENDED.**

Discussion:

03:43:48 Chairman Van Dyk

03:44:30 Rep. Peterson

03:44:51 Rep. Peterson called the question.

03:44:56 **Vote:** Motion carried 17-1 by voice vote with Rep. Pomnichowski voting no. Rep. Calf Boss Ribs, Rep. McAlpin, and Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 443

03:46:16 **Motion:** Rep. Pomnichowski moved that **HB 443 DO PASS.**

Discussion:

03:46:41 Rep. Cohenour

03:47:21 Rep. Phillips

03:47:39 Rep. Smith

03:48:01 Rep. Cohenour

03:48:30 Rep. Boniek

03:48:45 Rep. Phillips

03:49:51 Chairman Van Dyk

03:50:14 Rep. Peterson

03:50:32 Rep. Cohenour called the question on HB 443.

03:50:35 **Vote:** Motion carried 10-8 by roll call vote with Rep. Boniek, Rep. Hendrick, Rep. Miller, Rep. Peterson, Rep. Smith, Rep. Washburn, and Rep. Welborn voting no. Rep. Calf Boss Ribs, Rep. McAlpin, and Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 527

03:52:15 **Motion:** Rep. Peterson moved that **HB 527 DO PASS.**

Discussion:

03:52:25 Rep. Hendrick

03:53:19 Rep. Phillips

03:54:00 Rep. Cohenour

03:54:28 Rep. Peterson

03:54:53 **Motion:** Rep. Miller moved that **HB 527 BE TABLED.**

03:55:00 **Vote:** Motion carried 16-2 by voice vote with Rep. Hendrick voting no. Rep. Calf Boss Ribs, Rep. McAlpin, and Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HJ 15

03:55:43 **Motion:** Rep. Hendrick moved that **HJ 15 DO PASS.**

Discussion:

03:56:01 Rep. Welborn

03:56:56 **Motion:** Rep. Hendrick moved that **HJ 15 BE AMENDED.**
EXHIBIT(fih37a15)

Discussion:

03:57:27 Doug Sternberg, Legislative Services Division (LSD)

03:58:13 Rep. Cohenour called the question on the amendment.

03:58:17 **Vote:** Motion carried unanimously by voice vote with Rep. Calf Boss Ribs, Rep. McAlpin, Rep. Milburn voting aye by proxy.

03:58:35 **Motion:** Rep. Hendrick moved that **HJ 15 DO PASS AS AMENDED.**

Discussion:

03:58:47 Chairman Van Dyk

03:59:46 Rep. Cohenour called the question on HJ 15.

03:59:49 **Vote:** Motion carried 17-1 by voice vote with Rep. Peterson voting no. Rep. Calf Boss Ribs and Rep. McAlpin voted by proxy.

ADJOURNMENT

Adjournment: 6:59 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([fi37aad.pdf](#))