

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chairman Kendall Van Dyk, on March 10, 2009 at
3:03 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Kendall Van Dyk, Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Dave McAlpin, Vice Chairman (D)
Rep. Dick Barrett (D)
Rep. Paul Beck (D)
Rep. Carlie Boland (D)
Rep. Joel Boniek (R)
Rep. Mike Miller (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. Scott Sales (R)
Rep. Cary Smith (R)
Rep. Ted Washburn (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: Rep. Frosty Boss Ribs (D)
Rep. Jill Cohenour (D)
Rep. Jesse O'Hara (R)
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 430; HB 559; SB 184; SB 185
SB 188

Executive Action: HB 210; HB 430; HB 480

HEARING ON HB 430

Opening Statement by Sponsor:

00:00:46 Rep. Anders Blewett (D), HD 21, opened the hearing on HB 430, Fine for barbwire fences across navigable water.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

EXECUTIVE ACTION ON HB 430

00:02:07 **Motion:** Rep. Peterson moved that **HB 430 BE TABLED.**

00:02:16 **Vote:** Motion carried unanimously by voice vote.
Rep. Calf Boss Ribs, Rep. Cohenour, Rep. O'Hara, and
Rep. Pomnichowski voted by proxy.

HEARING ON HB 559

Opening Statement by Sponsor:

00:02:51 Rep. Dennis Himmelberger (R), HD 47, opened the hearing on HB 559, Active duty service hunting privileges same as discharged.

00:02:55 Rep. Pomnichowski arrived.

Proponents' Testimony:

00:05:04 Roger Hagan, Montana National Guard Association
00:07:12 Rep. Calf Boss Ribs arrived.
00:09:36 Jim Jacobsen, Montana American Legion

Opponents' Testimony: None

Informational Testimony:

00:10:53 Hank Worsch, Licence Bureau Chief, Department of Fish,
Wildlife, and Parks (FWP)

EXHIBIT (fih53a01)

00:11:34 Rep. O'Hara arrived.

Questions from Committee Members and Responses:

00:12:35 Rep. Washburn
00:12:55 Rep. Himmelberger
00:13:04 Rep. Washburn
00:13:31 Rep. McAlpin
00:13:53 Mr. Hagan
00:15:01 Rep. McAlpin
00:15:06 Mr. Hagan
00:15:12 Rep. Boland
00:15:48 Rep. Himmelberger
00:16:21 Rep. Boland
00:16:32 Mr. Worsch
00:16:50 Rep. Peterson
00:17:24 Mr. Worsch
00:17:36 Rep. Peterson
00:18:23 Mr. Worsch
00:18:40 Rep. Pomnichowski
00:19:01 Mr. Worsch
00:19:14 Rep. Pomnichowski
00:19:20 Mr. Worsch
00:19:35 Rep. Pomnichowski
00:19:54 Mr. Worsch

Closing by Sponsor:

00:20:05 Rep. Himmelberger

HEARING ON SB 185

Opening Statement by Sponsor:

00:20:50 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 185, Nonresident college student combination game license.

EXHIBIT (fih53a02)

Proponents' Testimony:

00:23:57 Maureen Weiland, Associated Students of Montana State University (ASMSU)

00:24:47 Doug Nulle, self

00:25:44 Chris Smith, Deputy Director, FWP

EXHIBIT (fih53a03)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:29:20 Rep. Sales
00:29:39 Sen. Balyeat
00:30:22 Mr. Smith
00:31:25 Rep. Washburn
00:31:45 Mr. Smith
00:31:59 Rep. Washburn
00:32:25 Mr. Smith
00:32:59 Rep. Washburn
00:33:07 Mr. Smith
00:33:15 Rep. Peterson
00:34:02 Sen. Balyeat
00:34:14 Chairman Van Dyk
00:35:05 Sen. Balyeat
00:35:17 Chairman Van Dyk
00:35:35 Sen. Balyeat
00:35:46 Rep. Washburn
00:35:56 Mr. Smith
00:36:15 Rep. Barrett
00:36:53 Mr. Smith
00:37:38 Rep. Barrett
00:37:58 Mr. Smith

Closing by Sponsor:

00:38:18 Sen. Balyeat

HEARING ON SB 184

Opening Statement by Sponsor:

00:40:39 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 184, Adjust bear, mountain lion and bison hunting license deadlines.

Proponents' Testimony:

00:44:59 Mr. Nulle

Opponents' Testimony: None

Informational Testimony:

00:45:30 Mr. Smith

[EXHIBIT \(fih53a04\)](#)

Questions from Committee Members and Responses:

00:49:24 Rep. Welborn
00:49:58 Sen. Balyeat
00:50:48 Chairman Van Dyk
00:51:30 Mr. Smith
00:51:48 Chairman Van Dyk
00:52:19 Mr. Smith
00:52:56 Chairman Van Dyk
00:53:10 Mr. Smith

Closing by Sponsor:

00:53:19 Sen. Balyeat

HEARING ON SB 188

Opening Statement by Sponsor:

00:54:53 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 188, Revise fish and game laws re: regulation of special elk permits.

[EXHIBIT \(fih53a05\)](#)

Proponents' Testimony:

01:01:15 Mr. Nulle

Opponents' Testimony: None

Informational Testimony:

01:01:47 Mr. Smith

[EXHIBIT\(fih53a06\)](#)

Questions from Committee Members and Responses:

01:06:43 Rep. Boniek

01:07:04 Mr. Smith

Closing by Sponsor:

01:07:19 Sen. Balyeat

01:08:34 Break

01:13:15 Reconvene

EXECUTIVE ACTION ON HB 210

01:13:37 **Motion:** Rep. Phillips moved that **HB 210 DO PASS.**

Discussion:

01:13:45 Rep. Phillips

01:13:56 **Motion:** Rep. Phillips moved that **HB 210 BE AMENDED.**

[EXHIBIT\(fih53a07\)](#)

Discussion:

01:14:23 Rep. Sales

01:14:40 Rep. Phillips

01:15:33 Doug Sternberg, Legislative Services Division (LSD)

01:17:45 Rep. Phillips

01:17:54 Rep. Cohenour arrived.

01:18:36 **Vote:** Motion carried unanimously by voice vote.

Discussion:

01:18:50 Rep. Washburn

01:19:51 Chairman Van Dyk

01:20:05 Rep. Peterson

01:20:12 **Motion:** Rep. Phillips moved that **HB 210 DO PASS AS AMENDED.**

01:20:19 **Motion:** Rep. Washburn moved that **HB 210 BE AMENDED. EXHIBIT (fih53a08)**

Discussion:

01:20:47 Rep. Washburn

01:21:08 Mr. Sternberg

01:23:33 **Vote:** Motion carried unanimously by voice vote.

01:23:47 **Motion:** Rep. Phillips moved that **HB 210 DO PASS AS AMENDED.**

Discussion:

01:24:00 Rep. Miller

01:24:23 Rep. McAlpin

01:24:31 Rep. Peterson

01:25:07 **Vote:** Motion failed 1-17 by voice vote with Rep. Phillips voting aye.

01:25:33 **Motion/Vote:** Rep. Hendrick moved that **HB 210 BE TABLED.** Motion passed unanimously.

EXECUTIVE ACTION ON HB 480

01:25:58 **Motion:** Rep. Pomnichowski moved that **HB 480 DO PASS.**

Discussion:

01:26:14 Rep. Pomnichowski

01:27:43 Chairman Van Dyk

01:28:49 **Vote:** Motion carried 14-4 by voice vote with Rep. Boniek, Rep. Hendrick, Rep. Peterson, and Rep. Smith voting no.

ADJOURNMENT

01:29:22 Adjournment: 4:32 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([fih53aad.pdf](#))