

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FISH, WILDLIFE AND PARKS

**Call to Order:** Chair Ted Washburn, on March 8, 2011 at 3:29 PM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Ted Washburn, Chair (R)  
Rep. Carlie Boland (D)  
Rep. Pat Connell (R)  
Rep. Virginia Court (D)  
Rep. Robyn Driscoll (D)  
Rep. Kelly Flynn (R)  
Rep. Bill Harris (R)  
Rep. Dan Kennedy (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Jean Price (D)  
Rep. Franke Wilmer (D)  
Rep. Max Yates (R)

**Members Excused:** Rep. Jeffery W. Welborn, Vice Chair (R)  
Rep. Douglas (Doug) Kary (R)

**Members Absent:** Rep. Mike Phillips, Vice Chair (D)  
Rep. Austin Knudsen (R)  
Rep. Cleve J. Loney (R)  
Rep. Mike Miller (R)  
Rep. Dan Skattum (R)

**Staff Present:** Cara Gold, Committee Secretary  
Hope Stockwell, 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: SB 92, 3/2/2011; SB 99, 3/2/2011; SB 112, 3/2/2011  
Executive Action: SB 135

00:01:00 Chairman Washburn left the hearing.

00:01:06 Rep. Peterson welcomed the committee and reviewed the committee rules.

**HEARING ON SB 99**

**Opening Statement by Sponsor:**

00:01:31 Sen. John Brenden (R), SD 18, opened the hearing on SB 99, Allow commission to the vendor for each super tag purchase.

00:01:36 Rep. Phillips entered the hearing.

00:01:57 Rep. Kary entered the hearing.

00:02:09 Rep. Phillips and Rep. Kary left the hearing.

**Proponents' Testimony:**

00:04:23 Joe Maurier, Fish, Wildlife and Parks (FWP)  
[EXHIBIT\(fih52a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:05:31 Sen. Brenden

**HEARING ON SB 92**

**Opening Statement by Sponsor:**

00:05:48 Sen. Larry Jent (D), SD 32, opened the hearing on SB 92, Revise falconry law to allow capture by nonresidents.

00:06:01 Rep. Phillips returned to the hearing.  
Rep. O'Hara left the hearing.

**Proponents' Testimony:**

00:09:29 Ralph Rogers, Falconer

00:09:39 Rep. Skattum entered the hearing.

00:13:00 Blair Anderson, Falconer

00:14:17 Larry Copenhaver, Montana Wildlife Federation (MWF)

00:17:41 Joe Maurier, FWP

**EXHIBIT(fih52a02)**

00:19:46 Rep. Knudsen entered the hearing.

00:20:22 Casey Perkins, Montana Audubon

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:21:31 Rep. Driscoll

00:21:51 Ralph Rogers

00:22:19 Rep. Kary returned to the hearing.

00:23:14 Rep. Flynn

00:23:37 Sen. Jent

00:25:31 Joe Maurier

00:25:41 Tim Feldner, FWP

00:26:34 Rep. Flynn

00:27:02 Sen. Jent

00:27:49 Rep. Kennedy

00:28:18 Joe Maurier

00:28:38 Rep. Kennedy

00:28:43 Joe Maurier

00:28:53 Rep. Connell

00:30:14 Ralph Rogers

00:31:06 Rep. Connell

00:31:31 Rep. O'Hara returned to the hearing.

00:31:43 Ralph Rogers

00:31:49 Rep. Washburn returned to the hearing.

**Closing by Sponsor:**

00:32:19 Sen. Jent

**Opening Statement by Sponsor:**

00:33:59 Sen. Greg Hinkle (R), SD 7, opened the hearing on SB 112, Provide that hand-thrown spear is lawful means of hunting.

00:35:48 Rep. Loney entered the hearing.

**Proponents' Testimony:** None**Opponents' Testimony:**

00:37:11 Dave Pauli, Montana Animal Care Association  
[EXHIBIT\(fih52a03\)](#)

**Informational Testimony:**

00:41:44 Joe Maurier, FWP  
[EXHIBIT\(fih52a04\)](#)

**Questions from Committee Members and Responses:**

00:44:40 Rep. Flynn  
00:45:13 Sen. Hinkle  
00:45:21 Rep. Flynn  
00:45:41 Sen. Hinkle  
00:46:01 Rep. Driscoll  
00:46:36 Sen. Hinkle  
00:48:29 Rep. Connell  
00:48:52 Sen. Hinkle  
00:49:08 Rep. Connell  
00:49:35 Sen. Hinkle  
00:49:53 Rep. Harris  
00:51:49 Sen. Hinkle  
00:51:56 Rep. Peterson  
00:52:26 Sen. Hinkle  
00:52:50 Rep. Kary  
00:53:34 Sen. Hinkle  
00:54:11 Rep. Wilmer  
00:54:53 Sen. Hinkle  
00:57:16 Rep. Harris  
00:59:18 Sen. Hinkle  
01:00:03 Rep. Price  
01:00:48 Sen. Hinkle  
01:01:23 Rep. Price  
01:01:26 Sen. Hinkle  
01:01:35 Rep. Phillips  
01:02:18 Sen. Hinkle  
01:02:46 Rep. Peterson

**Closing by Sponsor:**

01:02:58 Sen. Hinkle

[EXHIBIT\(fih52a05\)](#)

01:06:14 Rep. Washburn

**EXECUTIVE ACTION ON SB 135**

01:06:43 Rep. Phillips

01:06:56 Hope Stockwell, Legislative Services Division (LSD)

01:07:10 **Motion:** Rep. Knudsen moved that **SB 135 BE CONCURRED IN.**01:09:00 **Motion:** Rep. Washburn moved that **SB 135 BE AMENDED.**[EXHIBIT\(fih52a06\)](#)**Discussion:**

01:09:17 Hope Stockwell, LSD

01:10:21 Rep. Washburn

01:11:00 **Vote:** Motion carried 18-0 by roll call vote. Rep. Miller and Rep. Welborn were not present and did not vote.01:12:43 **Motion:** Rep. Knudsen moved that **SB 135 BE CONCURRED IN AS AMENDED.****Discussion:**

01:13:03 Rep. Boland

01:13:22 Rep. Washburn

01:13:57 Rep. Boland

01:14:18 Rep. Washburn

01:14:31 Rep. Boland

01:14:36 Rep. Washburn

01:14:45 Rep. Harris

01:15:38 Rep. Washburn

01:16:15 Rep. Harris

01:16:23 Rep. Washburn

01:17:04 Rep. Flynn

01:17:57 Rep. Washburn

01:18:25 Rep. O'Hara

01:18:54 Rep. Knudsen

01:19:44 Rep. Skattum

01:20:10 Rep. Washburn

01:20:34 Rep. Yates

01:21:10 Rep. Flynn

01:21:52 Rep. Phillips

01:22:15 Hope Stockwell  
01:22:56 Rep. Kennedy  
01:23:21 Rep. Washburn  
01:23:27 Rep. Wilmer  
01:25:03 Rep. Harris  
01:26:57 Rep. Loney  
01:27:21 Rep. Washburn  
01:28:01 Rep. Flynn

01:28:15 Rep. Kennedy left the hearing.

01:28:41 Joe Maurier, FWP  
01:28:52 Rep. Flynn

01:29:04 Rep. Kennedy returned to the hearing.

01:31:31 Rep. Washburn  
01:31:45 Rep. Phillips  
01:32:01 Rep. Washburn  
01:32:19 Hope Stockwell  
01:33:39 Rep. Yates  
01:34:40 Rep. Washburn  
01:34:55 Rep. Yates  
01:35:30 Hope Stockwell  
01:36:11 Rep. Yates  
01:36:40 Hope Stockwell  
01:37:01 Rep. Yates  
01:37:33 Rep. Washburn  
01:37:42 Hope Stockwell  
01:38:08 Joe Maurier, FWP

01:40:45 **Vote:** Motion failed 7-11 by roll call vote with Rep. Kennedy, Rep. Knudsen, Rep. Loney, Rep. Peterson, Rep. Phillips, Rep. Skattum and Rep. Washburn voting aye. Rep. Welborn and Rep. Miller were absent and did not vote.

01:40:53 **Motion/Vote:** Rep. Knudsen moved that **SB 135 BE TABLED AND THE VOTE REVERSED**. Motion carried 18-0 by voice vote. Rep. Wellborn and Rep. Miller were not present and did not vote.

**ADJOURNMENT**

01:41:12      Adjournment

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Cara Gold, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(fih52a07\)](#)**

Additional Documents:

**[EXHIBIT\(fih52aad.pdf\)](#)**