

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair John Brenden, on January 25, 2011 at 3:00 PM, in Room 422
Capitol

ROLL CALL

Members Present:

Sen. John Brenden, Chairman (R)
Sen. Joe Balyeat, Vice Chairman (R)
Sen. Debby Barrett (R)
Sen. Tom Facey (D)
Sen. Steven Gallus (D)
Sen. Bradley Hamlett (D)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)

Members Excused: Sen. Jim Shockley (R)
Sen. Art Wittich (R)

Members Absent: None

Staff Present: Joe Kolman, Legislative Branch
Kevin McCue, Committee Secretary

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 135, 1/21/2011

Executive Action: SB 135 - Do pass as amended
SB 90 - Do pass as amended
SB 92 - Do pass as amended
SB 136 - Do pass as amended
SB 160 - Do pass as amended

HEARING ON SB 135**Opening Statement by Sponsor:**

00:03:33 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 135, Clarify use of dogs to track wounded game animals.

[EXHIBIT\(fis19a01\)](#)

[EXHIBIT\(fis19a02\)](#)

[EXHIBIT\(fis19a03\)](#)

[EXHIBIT\(fis19a04\)](#)

[EXHIBIT\(fis19a05\)](#)

Proponents' Testimony:

00:09:50 Joelle Selk, Traditional Bow Hunters of Montana

00:10:11 Jim Kropp, Law Enforcement Chief, Fish, Wildlife and Parks (FWP)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:11:04 Sen. Hamlett

00:11:36 Sen. Balyeat

00:12:52 Jim Kropp, FWP

00:13:20 Sen. Gallus

00:13:49 Jim Kropp

Closing by Sponsor:

00:14:27 Sen. Balyeat

EXECUTIVE ACTION ON SB 135

00:15:25 **Motion:** Sen. Facey moved that **SB 135 DO PASS.**

00:15:41 **Motion/Vote:** Sen. Balyeat moved that **SB 135 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy. (See Exhibit 3)

00:16:31 **Motion/Vote:** Sen. Facey moved that **SB 135 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 90

00:18:22 **Motion:** Sen. Balyeat moved that **SB 90 DO PASS.**

00:19:05 **Motion:** Sen. Balyeat moved that **SB 90 BE AMENDED.**
EXHIBIT(fis19a06)

Discussion:

00:19:23 Joe Kolman
00:21:19 Sen. Brenden
00:21:30 Sen. Barrett
00:22:11 Joe Kolman
00:22:52 Sen. Balyeat
00:24:02 Sen. Facey
00:24:31 Joe Kolman
00:25:06 Sen. Balyeat

00:25:45 **Vote:** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.

00:25:55 **Motion:** Sen. Balyeat moved that **SB 90 DO PASS AS AMENDED.**

Discussion:

00:26:04 Sen. Facey
00:26:52 Joe Kolman
00:27:37 Sen. Barrett
00:29:04 Joe Kolman
00:30:11 Sen. Gallus
00:30:44 Sen. Brenden
00:31:34 Joe Maurier, Director, Fish, Wildlife and Parks (FWP), without objection from the committee

00:34:31 **Vote:** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 92

00:35:30 **Motion:** Sen. Jent moved that **SB 92 DO PASS.**

00:35:52 **Motion/Vote:** Sen. Jent moved that **SB 92 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.
EXHIBIT(fis19a07)

00:36:10 **Motion:** Sen. Jent moved that **SB 92 DO PASS AS AMENDED.**

Discussion:

00:37:17 Sen. Jent
00:41:44 Sen. Brenden

00:42:08 **Vote:** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 136

00:43:07 **Motion:** Sen. Balyeat moved that **SB 136 DO PASS.**

00:43:25 **Motion:** Sen. Balyeat moved that **SB 136 BE AMENDED.**
EXHIBIT(fis19a08)

Discussion:

00:47:30 Joe Kolman
00:48:22 Sen. Gallus
00:49:09 Joe Kolman
00:50:15 Sen. Balyeat

00:50:55 **Vote:** Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.

00:51:23 **Motion/Vote:** Sen. Balyeat moved that **SB 136 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote. Sen. Shockley and Sen. Wittich voted by proxy.

00:51:51 Sen. Wittich joined the meeting.

EXECUTIVE ACTION ON SB 160

00:52:34 **Motion:** Sen. Gallus moved that **SB 160 DO PASS.**

Discussion:

00:58:17 Sen. Wittich
00:58:33 Joe Kolman
00:59:38 Sen. Balyeat

01:01:08 **Motion/Vote:** Sen. Jent moved that **SB 160 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Shockley voted by proxy.

EXHIBIT(fis19a09)

01:01:47 **Motion/Vote:** Sen. Jent moved that **SB 160 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Shockley voted by proxy.

EXECUTIVE ACTION ON SB 43

01:03:09 **Motion:** Sen. Facey moved that **SB 43 DO PASS.**

01:04:09 **Motion:** Sen. Facey moved that **SB 43 BE AMENDED.**
EXHIBIT(fis19a10)

Discussion:

01:04:34 Joe Kolman
01:05:30 Sen. Facey
01:05:43 Sen. Hinkle
01:06:07 Sen. Brenden
01:07:13 Sen. Hinkle
01:08:30 Sen. Hamlett
01:08:58 Sen. Facey
01:09:25 Sen. Gallus
01:09:49 Sen. Facey
01:10:48 Sen. Gallus
01:11:16 Joe Kolman
01:11:53 Sen. Facey
01:13:19 Sen. Balyeat
01:14:29 Sen. Hinkle
01:15:06 Sen. Balyeat
01:15:44 Joe Kolman
01:16:27 Sen. Wittich
01:17:08 Sen. Gallus
01:17:32 Without objection from the committee, Chas Van Genderen, Parks Division
Administrator, Fish, Wildlife and Parks (FWP)
01:18:18 Sen. Hamlett
01:18:31 Chas Van Genderen
01:19:23 Without objection from the committee, Tom Ebzery, lobbyist, AVISTA
01:21:01 Sen. Hamlett
01:21:49 Sen. Hinkle

01:22:30 **Substitute Motion:** Sen. Balyeat moved that item 5 be segregated from the
amendment

01:23:10 **Vote:** Without objection, committee agreed to segregate item 5 of amendment

Discussion:

01:23:30 Sen. Hamlett
01:23:59 Sen. Gallus
01:24:28 Joe Kolman
01:24:53 Sen. Balyeat
01:25:19 Joe Kolman
01:25:42 Sen. Brenden

01:25:54 **Motion:** Sen. Gallus moved to strike item 1 subsection 3.

01:26:45 Sen. Balyeat
01:27:04 Sen. Facey
01:27:12 Sen. Gallus withdrew the motion.
01:27:19 Sen. Hamlett
01:27:43 Joe Kolman
01:28:11 Sen. Brenden
01:28:45 **Vote:** Motion carried 8-2 by roll call vote with Sen. Gallus and Sen. Hamlett voting no. Sen. Shockley voted by proxy.

01:29:47 **Motion:** Sen. Facey moves to strike line 16 subsection 2, "Thompson Falls State Park" and page 3 line 2 from "except" to "park."

Discussion:

01:31:01 Sen. Balyeat
01:31:17 **Substitute Motion:** Sen. Facey made a substitute motion to strike line 16 subsection 2, "Thompson Falls State Park" and page 3 line 3, "Thompson Falls State Park."

Discussion:

01:32:12 Sen. Balyeat
01:32:38 Sen. Hinkle
01:33:16 Sen. Brenden
01:34:12 **Vote:** Motion failed 5-5 by roll call vote with Sen. Brenden, Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Wittich voting aye. Sen. Shockley voted by proxy.

Discussion:

01:35:40 Sen Gallus
01:35:57 Sen. Balyeat
01:36:29 **Motion:** Sen. Facey moved that the previously segregated item 5 be adopted.

Discussion:

01:38:18 Sen. Wittich
01:38:28 Sen. Gallus
01:38:56 **Vote:** Motion failed unanimously by roll call vote. Sen. Shockley voted by proxy.
01:40:25 **Motion:** Sen. Wittich moved that **SB 43 DO PASS AS AMENDED.**
[EXHIBIT\(fis19a11\)](#)

Discussion:

01:41:18 Sen. Gallus
01:41:33 Joe Kolman

01:42:18 **Vote:** Motion carried unanimously by voice vote of those present and voting.

ADDITIONAL EXHIBIT:

EXHIBIT(fis19a12)

Final amendment on SB 43

ADJOURNMENT

Adjournment:
01:43:29

Kevin McCue, Secretary

km

Additional Documents:

EXHIBIT([fis19aad.pdf](#))