

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair John Brenden, on March 29, 2011 at 10:00 A.M., 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. Bradley Hamlett (D)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Art Wittich (R)

Members Excused: Sen. Steven Gallus (D)
Sen. Jim Shockley (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:

Executive Action: HB 361 - Be concurred in as amended
HB 272 - Be concurred in
HB 471 - Tabled
HB 335 - Tabled
HB 172 - Be concurred in as amended
HB 144 - Tabled

EXECUTIVE ACTION ON HB 361

02:08:30 **Motion:** Sen. Balyeat moved that **HB 361 BE CONCURRED IN.**
EXHIBIT(fis70a01)

02:09:37 **Motion:** Sen. Balyeat moved that **HB 361 BE AMENDED.**
EXHIBIT(fis70a02)

Discussion:

02:10:41 Sen. Brenden

02:12:20 Sen. Balyeat

EXHIBIT(fis70a03)

02:13:01 Sen. Wittich

02:13:50 Sen. Hinkle

02:14:02 Joe Kolman, Legislative Services Division (LSD)

02:14:22 Sen. Wittich

02:14:52 Sen. Brenden

02:15:11 Sen. Wittich

02:15:18 Sen. Brenden

02:15:36 Sen. Balyeat

02:15:51 Sen. Wittich

02:19:12 Sen. Brenden

02:20:05 Sen. Barrett

02:20:28 **Vote:** Motion failed 1-9 by roll call vote with Sen. Wittich voting aye. Sen. Gallus and Sen. Shockley voted by proxy.

02:21:54 **Motion:** Sen. Balyeat moved that **HB 361 BE AMENDED.**
EXHIBIT(fis70a04)

Discussion:

02:23:08 Sen. Balyeat

02:23:30 **Substitute Motion:** Sen. Balyeat withdrew his motion that **HB 361 BE AMENDED** and moved that **HB 361 BE AMENDED** with a conceptual amendment.

Discussion:

02:23:49 Sen. Wittich

02:24:59 Sen. Balyeat

02:26:07 Sen. Facey

02:27:49 Sen. Hamlett

02:28:22 Mr. Kolman, LSD

02:29:02 Sen. Brenden

02:29:35 Sen. Barrett

02:30:24 **Vote:** Motion carried 7-3 by roll call vote with Sen. Facey, Sen. Gallus and Sen. Hamlett voting no. Sen. Gallus and Sen. Shockley voted by proxy.

Discussion:

02:31:28 Sen. Balyeat

02:31:40 Mr. Kolman

02:32:05 **Motion:** Sen. Facey moved that **HB 361 BE CONCURRED IN AS AMENDED.**

Discussion:

02:32:07 Sen. Balyeat

02:36:46 Sen. Jent

02:40:35 Sen. Wittich

02:42:19 Sen. Brenden

02:42:33 Sen. Hamlett

02:43:01 Sen. Barrett

02:45:00 Sen. Facey

02:45:11 Sen. Balyeat

02:46:38 Sen. Brenden

02:47:21 **Vote:** Motion carried 5-4 by voice vote with Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting no. Sen. Gallus and Sen. Shockley voted by proxy.

EXECUTIVE ACTION ON HB 272

02:50:06 **Motion:** Sen. Wittich moved that **HB 272 BE CONCURRED IN.**

Discussion:

02:50:20 Sen. Facey

02:50:49 Mr. Kolman, LSD

02:51:21 Sen. Wittich

02:51:38 Mr. Kolman

02:52:28 Sen. Balyeat

02:52:53 **Vote:** Motion carried 6-4 by roll call vote with Sen. Balyeat, Sen. Facey, Sen. Gallus and Sen. Jent voting no. Sen. Gallus and Sen. Shockley voted by proxy. Sen. Wittich will carry the bill.

EXECUTIVE ACTION ON HB 471

02:54:29 **Motion:** Sen. Balyeat moved that **HB 471 BE CONCURRED IN.**

Discussion:

02:54:37 Sen. Jent

02:55:44 **Motion:** Sen. Hinkle moved that **HB 471 BE AMENDED.**
EXHIBIT(fis70a05)

Discussion:

02:56:09 Sen. Balyeat
02:56:52 Sen. Hinkle
02:57:00 Sen. Hamlett
02:57:20 Sen. Facey
02:58:19 Without objection, Dave Risley, Wildlife Management Administrator, Fish,
Wildlife and Parks (FWP)
02:59:36 Sen. Barrett

03:00:18 **Motion:** Sen. Hinkle withdrew his motion that **HB 471 BE AMENDED.**

03:00:26 **Motion/Vote:** Sen. Wittich moved that **HB 471 BE TABLED.** Motion carried 8-2
by roll call vote with Sen. Barrett and Sen. Brenden voting no. Sen. Gallus and
Sen. Shockley voted by proxy.

EXECUTIVE ACTION ON HB 335

03:01:02 **Motion:** Sen. Balyeat moved that **HB 335 BE CONCURRED IN.**

Discussion:

03:01:42 Mr. Kolman

03:02:17 **Motion/Vote:** Sen. Wittich moved that **HB 335 BE AMENDED.** Motion carried
unanimously by voice vote. Sen. Gallus and Sen. Shockley voted by proxy.

EXHIBIT(fis70a06)

03:02:47 **Motion:** Sen. Wittich moved that **HB 335 BE CONCURRED IN AS AMENDED.**

03:02:59 Sen. Wittich
03:03:16 Sen. Facey
03:03:52 Sen. Jent
03:05:52 Sen. Hamlett
03:06:18 Sen. Hinkle
03:06:40 Sen. Brenden

03:06:54 **Vote:** Motion failed 1-9 by voice vote with Sen. Jent voting aye. Sen. Gallus and
Sen. Shockley voted by proxy.

03:07:22 **Motion:** Without objection, Sen. Facey moved that **HB 335 BE TABLED AND
THE VOTE REVERSED.**

EXECUTIVE ACTION ON HB 172

03:07:46 **Motion:** Sen. Balyeat moved that **HB 172 BE CONCURRED IN.**

03:08:13 **Motion:** Sen. Balyeat moved that **HB 172 BE AMENDED.**
EXHIBIT(fis70a07)

Discussion:

03:08:23 Mr. Kolman
03:09:20 Sen. Balyeat
03:10:04 Sen. Facey
03:10:25 Sen. Hamlett

03:10:50 **Vote:** Motion carried unanimously by voice vote. Sen. Gallus and Sen. Shockley voted by proxy.

03:11:17 **Motion/Vote:** Sen. Balyeat moved that **HB 172 BE CONCURRED IN AS AMENDED.** Motion carried 8-2 by voice vote with Sen. Jent and Sen. Wittich voting no. Sen. Gallus and Sen. Shockley voted by proxy. Sen. Hinkle will carry the bill.

EXECUTIVE ACTION ON HB 144

03:12:03 **Motion:** Sen. Balyeat moved that **HB 144 BE CONCURRED IN.**

03:12:25 **Motion:** Sen. Balyeat moved that **HB 144 BE AMENDED.**
EXHIBIT(fis70a08)

Discussion:

03:12:32 Mr. Kolman

03:13:31 **Vote:** Motion carried 7-3 by voice vote with Sen. Jent, Sen. Hamlett and Sen. Wittich voting no. Sen. Gallus and Sen. Shockley voted by proxy.

03:13:47 **Motion:** Sen. Balyeat moved that **HB 144 BE CONCURRED IN AS AMENDED.**

Discussion:

03:13:55 Sen. Hinkle

03:15:32 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **HB 144 BE TABLED.** Substitute Motion carried 8-2 by roll call vote with Sen. Balyeat and Sen. Brenden voting no. Sen. Gallus and Sen. Shockley voted by proxy.

ADJOURNMENT

Adjournment:

03:18:14

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([fis70aad.pdf](#))