

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FISH AND GAME

**Call to Order:** Chair Jennifer Fielder, on February 26, 2019 at 3:00 PM, in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. Jennifer Fielder, Chair (R)  
Sen. Jill Cohenour, Vice Chair (D)  
Sen. Steve Hinebauch, Vice Chair (R)  
Sen. Jason W. Ellsworth (R)  
Sen. Pat Flowers (D)  
Sen. David Howard (R)  
Sen. Mike Lang (R)  
Sen. Edith (Edie) McClafferty (D)  
Sen. Cary Smith (R)

**Members Excused:** Sen. Tom Jacobson (D)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Mary Vandembosch, 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: SB247, 2/15/2019; SB 259, 2/15/2019; SB 283, 2/21/2019

Executive Action: SB 283 - Be Tabled  
SB 259 - Be Tabled

**HEARING ON SB 247**

**Opening Statement by Sponsor:**

15:01:28 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 247, Revise FWP authority for instream flows.

**Proponents' Testimony:**

15:03:10 Bill Schenk, legal counsel, Department of Fish, Wildlife, and Parks  
15:05:53 Jan Langel, Water Resources Division administrator, Department of Natural Resources and Conservation  
15:07:32 Dan McGowan, executive director, Montana Association of Conservation Districts  
15:09:13 Holly Franz, NorthWestern Energy  
15:10:51 Stan Bradshaw, Trout Unlimited  
15:11:40 Clayton Elliott, Montana State Council of Trout Unlimited  
15:11:55 Andrew Gorder, Clark Fork Coalition

**EXHIBIT(fis41a01)**

15:13:12 Dick Kendall  
15:18:51 Nick Gevock, conservation director, Montana Wildlife Federation

**Opponents' Testimony:**

15:19:28 Liv Stavick, Montana Farm Bureau

**Informational Testimony:** None

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

**Closing by Sponsor:**

15:20:05 Sen. Cohenour

**HEARING ON SB 283**

**Opening Statement by Sponsor:**

15:20:57 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 283, Establishing guidelines for wildlife location data.

**Proponents' Testimony:**

15:25:52 Nick Gevock, conservation director, Montana Wildlife Federation  
15:27:27 Matt Leow, Montana Chapter, Backcountry Hunters and Anglers

**Opponents' Testimony:**

15:29:23 Becky Dockter, chief legal counsel, Department of Fish, Wildlife, and Parks (FWP)

**EXHIBIT(fis41a02)**

**Informational Testimony:**

15:33:25 Jennie Stapp, state librarian, Montana State Library (MSL)

**Questions from Committee Members and Responses:**

15:33:57 Sen. Ellsworth  
15:34:25 Sen. Cohenour  
15:36:24 Chair Fielder  
15:37:00 Ms. Dockter, FWP  
15:37:12 Sen. Lang  
15:37:38 Ms. Stapp, MSL  
15:38:29 Sen. Ellsworth  
15:38:47 Ms. Stapp  
15:38:52 Sen. Ellsworth  
15:39:22 Ms. Dockter  
15:43:09 Sen. Flowers  
15:43:31 Sen. Cohenour  
15:43:38 Sen. Flowers  
15:44:01 Ms. Dockter  
15:44:06 Sen. Flowers  
15:45:01 Ms. Dockter  
15:46:20 Sen. Ellsworth  
15:46:51 Ms. Dockter  
15:46:58 Sen. Smith  
15:47:39 Ms. Stapp  
15:48:34 Sen. Lang  
15:49:20 Ms. Dockter  
15:51:00 Sen. Lang  
15:51:29 Ms. Dockter

**Closing by Sponsor:**

15:51:48 Sen. Cohenour

**HEARING ON SB 259****Opening Statement by Sponsor:**

15:55:31 Sen. Dee Brown (R), SD 2, opened the hearing on SB 259, Revising laws related to youth boating safety.

**Proponents' Testimony:**

15:57:35 Phil Kilbreath, boating law administrator, Department of Fish, Wildlife, and Parks (FWP)

[EXHIBIT\(fis41a03\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

16:00:32 Sen. Ellsworth  
16:01:25 Sen. Brown  
16:01:53 Sen. Ellsworth  
16:02:13 Sen. Brown  
16:03:07 Sen. Ellsworth

16:03:23 Sen. Brown  
16:03:40 Sen. Lang  
16:03:48 Mr. Kilbreath, FWP  
16:04:36 Sen. Smith  
16:05:18 Sen. Brown  
16:05:49 Chair Fielder  
16:06:30 Sen. Brown

**Closing by Sponsor:**

16:06:49 Sen. Brown

**EXECUTIVE ACTION ON SB 259**

16:07:17 **Motion:** Sen. Hinebauch moved that **SB 259 DO PASS.**

16:07:41 **Motion/Vote:** Sen. Hinebauch moved that **SB 259 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Jacobson voted by proxy.

**EXHIBIT(fis41a04)**

16:08:15 **Motion:** Sen. Hinebauch moved that **SB 259 DO PASS AS AMENDED.**

**Discussion:**

16:08:22 Sen. Howard  
16:08:39 Joe Kolman, Legislative Services Division  
16:09:25 Sen. Howard  
16:09:31 Sen. Fielder  
16:09:46 Sen. Howard  
16:10:03 Sen. Fielder  
16:10:21 Sen. Ellsworth  
16:11:08 Sen. Lang  
16:12:30 Sen. Cohenour  
16:13:35 Sen. Fielder  
16:13:42 Phil Kilbreath, boating law administrator, Department of Fish, Wildlife, and Parks  
16:14:21 Sen. Howard  
16:14:35 Sen. Flowers  
16:15:30 Sen. Ellsworth  
16:16:17 Mr. Kilbreath  
16:16:39 Sen. Ellsworth  
16:16:52 Mr. Kilbreath  
16:17:01 Sen. Cohenour  
16:17:35 Chair Fielder

16:18:35 **Vote:** Motion failed 5-5 by roll call vote with Sen. Cohenour, Sen. Fielder, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting aye. Sen. Jacobson voted by proxy.

16:19:21 **Motion/Vote:** Sen. Hinebauch moved that **SB 259 BE TABLED.** Motion carried 9-0 by voice vote. Sen. Jacobson was excused.

**EXECUTIVE ACTION ON SB 283**

16:20:12 **Motion/Vote:** Sen. Hinebauch moved that **SB 283 BE TABLED**. Motion failed 5-5 by roll call vote with Sen. Fielder, Sen. Hinebauch, Sen. Howard, Sen. Lang and Sen. C. Smith voting aye. Sen. Jacobson voted by proxy.

16:21:21 **Motion:** Sen. Cohenour moved that **SB 283 DO PASS**.

**Discussion:**

16:21:32 Sen. Cohenour  
 16:22:04 Joe Kolman, Legislative Services Division  
 16:22:13 Sen. Cohenour  
 16:22:48 Sen. Ellsworth  
 16:24:08 Sen. Cohenour  
 16:27:05 Sen. Flowers  
 16:28:41 Sen. Cohenour  
 16:29:28 Chair Fielder  
 16:29:35 Sen. Cohenour  
 16:32:05 Sen. Lang  
 16:32:58 Sen. Cohenour  
 16:33:59 Sen. Howard  
 16:34:15 Chair Fielder

16:34:28 **Vote:** Motion failed 4-6 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting aye. Sen. Jacobson voted by proxy.

16:35:20 **Motion/Vote:** Sen. Hinebauch moved that **SB 283 BE TABLED**. Motion carried 6-4 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting no. Sen. Jacobson voted by proxy.

**COMMITTEE DISCUSSION**

16:36:25 Sen. Flowers  
 16:36:59 Sen. Fielder

**ADJOURNMENT**

Adjournment: 4:37 PM

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Mary Vandebosch, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT([fis41aad.pdf](#))**