

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FISH AND GAME

**Call to Order:** Chair Jennifer Fielder, on March 12, 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. Tom Jacobson (D)  
Sen. Edith (Edie) McClafferty (D)  
Sen. Cary Smith (R)

**Members Excused:** Sen. David Howard (R)  
Sen. Mike Lang (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Mary Vandenbosch, 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: HB 29, 2/27/2019; HB 205, 2/27/2019; HB 239, 2/27/2019; HB 348, 2/27/2019

Executive Action: SB 247 - Do Pass as Amended  
HB 29 - Be Concurred In  
HB 239 - Be Concurred In  
HB 205 - Be Concurred In As Amended  
HB 348 - Be Concurred In

**HEARING ON HB 29****Opening Statement by Sponsor:**

15:02:13 Rep. Theresa Manzella (R), HD 85, opened the hearing on HB 29, Revise bird hunting dog laws.

**EXHIBIT(fis50a01)****Proponents' Testimony:**

15:06:32 Kern Payne  
15:09:18 Kyle Barner  
15:10:21 Ben Lamb, Montana Wildlife Federation  
15:10:54 Amy Seaman, Montana Audubon  
15:13:40 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and Parks (FWP)

**Opponents' Testimony:** None**Informational Testimony:** None**Questions from Committee Members and Responses:**

15:15:35 Sen. Jacobson  
15:15:57 Mr. McDonald, FWP  
15:17:59 Sen. Jacobson  
15:18:20 Ms. Seaman, Montana Audubon  
15:18:56 Sen. Jacobson  
15:19:19 Ms. Payne, self  
15:21:18 Rep. Manzella  
15:21:44 Sen. Jacobson  
15:22:01 Rep. Manzella  
15:22:23 Sen. Ellsworth  
15:22:41 Mr. McDonald  
15:22:45 Sen. Ellsworth  
15:22:59 Mr. McDonald  
15:23:33 Sen. Ellsworth  
15:23:44 Mr. McDonald  
  
15:24:27 Sen. McClafferty entered the hearing.  
  
15:24:57 Sen. Smith  
15:25:55 Mr. McDonald  
15:26:31 Sen. Smith  
15:26:53 Mr. McDonald  
15:27:26 Sen. Smith  
15:28:01 Chair Fielder  
15:28:20 Sen. Flowers  
15:28:59 Rep. Manzella

**Closing by Sponsor:**

15:29:12 Rep. Manzella

**HEARING ON HB 239****Opening Statement by Sponsor:**

15:30:21 Rep. Marilyn Marler (D), HD 90, opened the hearing on HB 239, Allow special drawing refunds to be redirected to block management program.

**[EXHIBIT\(fis50a02\)](#)**

**Proponents' Testimony:**

15:35:14 Ben Lamb, Montana Wildlife Federation

**Opponents' Testimony:** None

**Informational Testimony:**

15:36:02 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and Parks (FWP)

**Questions from Committee Members and Responses:**

15:36:17 Sen. Hinebauch  
15:36:34 Mr. McDonald, FWP  
15:37:01 Sen. Hinebauch  
15:37:11 Mr. McDonald  
15:37:23 Chair Fielder  
15:37:35 Mr. McDonald  
15:38:47 Chair Fielder

**Closing by Sponsor:**

15:38:58 Rep. Marler

**HEARING ON HB 205****Opening Statement by Sponsor:**

15:39:43 Rep. Ray Shaw (R), HD 71, opened the hearing on HB 205, Revising laws related to fish pond licenses.

**Proponents' Testimony:**

15:41:51 Eileen Ryce, Fisheries Division administrator, Department of Fish, Wildlife, and Parks (FWP)

**[EXHIBIT\(fis50a03\)](#)**

15:44:30 Colin Cooney, Trout Unlimited  
15:44:54 Ben Lamb, Montana Wildlife Federation  
15:45:09 Amy Seaman, Montana Audubon

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:45:40 Sen. McClafferty  
15:46:16 Ms. Ryce, FWP

15:46:56 Chair Fielder  
 15:47:24 Ms. Ryce  
 15:48:05 Chair Fielder  
 15:48:22 Ms. Ryce  
 15:48:44 Chair Fielder  
 15:49:01 Ms. Ryce

**Closing by Sponsor:**

15:49:13 Rep. Shaw

15:50:37 Recess

15:54:25 Reconvene

**Committee Business:**

15:54:40 Chair Fielder

**HEARING ON HB 348**

**Opening Statement by Sponsor:**

15:55:02 Rep. Mark Noland (R), HD 10, opened the hearing on HB 348, Revise search powers of wardens.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

15:58:45 Dave Loewen, chief of Law Enforcement, Department of Fish, Wildlife, and Parks (FWP)

**Questions from Committee Members and Responses:**

15:59:12 Sen. Flowers  
 15:59:38 Rep. Noland  
 16:00:20 Sen. Flowers  
 16:01:07 Mr. Loewen, FWP  
 16:01:43 Sen. Flowers  
 16:02:05 Rep. Noland  
 16:02:08 Chair Fielder

**Closing by Sponsor:**

16:02:31 Rep. Noland

**EXECUTIVE ACTION ON SB 247**

16:04:48 **Motion:** Sen. Cohenour moved that **SB 247 DO PASS.**

**Discussion:**

16:04:53 Sen. Cohenour

16:05:45 **Motion:** Sen. Cohenour moved that **SB 247 BE AMENDED.**  
[EXHIBIT\(fis50a04\)](#)

16:06:03 Joe Kolman, Legislative Services Division

16:06:50 Sen. Cohenour

16:07:07 **Vote:** Motion carried unanimously by voice vote. Sen. Howard and Sen. Lang voted by proxy.

16:07:21 **Motion:** Sen. Cohenour moved that **SB 247 DO PASS AS AMENDED.**

**Discussion:**

16:07:27 Sen. Cohenour

[EXHIBIT\(fis50a05\)](#)

16:08:49 Sen. Fielder

16:09:24 **Motion:** Sen. Ellsworth moved that **SB 247 BE AMENDED.** (See EXHIBIT 5.)

**Discussion:**

16:09:35 Sen. Smith

16:10:39 Chair Fielder

16:10:48 Without objection, Sen. Ellsworth withdrew the BE AMENDED motion.

16:11:07 **Vote:** Motion that **SB 247 DO PASS AS AMENDED** carried unanimously by voice vote. Sen. Howard and Sen. Lang voted by proxy.

**EXECUTIVE ACTION ON HB 29**

16:12:00 **Motion:** Sen. Hinebauch moved that **HB 29 BE CONCURRED IN.**

**Discussion:**

16:12:17 Sen. Flowers

16:12:51 **Vote:** Motion carried unanimously by voice vote. Sen. Howard and Sen. Lang voted by proxy. Sen. Flowers will carry the bill.

**EXECUTIVE ACTION ON HB 239**

16:13:38 **Motion:** Sen. Hinebauch moved that **HB 239 BE CONCURRED IN.**

**Discussion:**

16:13:57 Sen. Cohenour

16:14:06 **Vote:** Motion carried unanimously by voice vote. Sen. Howard and Sen. Lang voted by proxy. Sen. Fielder will carry the bill.

**EXECUTIVE ACTION ON HB 205**

16:14:46 **Motion:** Sen. Hinebauch moved that **HB 205 BE CONCURRED IN.**

**Discussion:**

16:14:57 Chair Fielder

16:15:49 Joe Kolman, Legislative Services Division

16:15:51 **Motion/Vote:** Sen. Fielder moved that **HB 205 BE AMENDED AS FOLLOWS:**  
On page 1, line 28, move the word "not" from between the words "to" and "pose" to between the words "is" and "determined." Motion carried unanimously by voice vote. Sen. Howard and Sen. Lang voted by proxy.

16:16:31 **Motion/Vote:** Sen. Hinebauch moved that **HB 205 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Howard and Sen. Lang voted by proxy. Sen. Flowers will carry the bill.

**EXECUTIVE ACTION ON HB 348**

16:17:26 **Motion:** Sen. Hinebauch moved that **HB 348 BE CONCURRED IN.**

**Discussion:**

16:17:35 Sen. Cohenour

16:18:04 **Vote:** Motion carried 9-1 by voice vote with Sen. McClafferty voting no. Sen. Howard and Sen. Lang voted by proxy. Sen. Ellsworth will carry the bill.

**ADJOURNMENT**

Adjournment:

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Mary Vandebosch, Secretary

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Additional Documents:

**EXHIBIT**([fis50aad.pdf](#))