

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair Jennifer Fielder, on March 26, 2019 at 1:32 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. Mike Lang (R)
Sen. Edith (Edie) McClafferty (D)

Members Excused: Sen. David Howard (R)
Sen. Cary Smith (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: SB 344, 3/22/2019; SB 333, 3/22/2019; SB 349, 3/22/2019; HB 497, 3/13/2019; HJ 18, 3/20/2019

Executive Action: SB 333 - Do Pass as Amended, SB 344 - Do Pass,
SB 349 - Do Pass as Amended, HB 497 - Be Concurred In,
HJ 18 - Be Concurred In, HB 265 - Be Concurred In
HB 279 - Be Concurred In, HB 281 - Be Concurred In
HB 291 - Be Concurred In, SB 242 - Be Tabled

HEARING ON SB 344**Opening Statement by Sponsor:**

13:33:15 Sen. Mike Lang (R), SD 17, opened the hearing on SB 344, Authorize recovery/possession of horns/skulls of mtn sheep that died naturally.

Proponents' Testimony:

13:35:51 Nick Gevock, conservation director, Montana Wildlife Federation

Opponents' Testimony: None**Informational Testimony:**

13:37:08 Dave Loewen, chief of Law Enforcement, Department of Fish, Wildlife, and Parks (FWP)

Questions from Committee Members and Responses:

13:37:31 Sen. McClafferty
13:38:07 Sen. Lang
13:40:03 Chair Fielder
13:40:16 Sen. Lang
13:42:22 Chair Fielder
13:42:29 Mr. Loewen, FWP
13:43:16 Sen. Ellsworth
13:43:48 Mr. Loewen
13:43:57 Sen. McClafferty
13:44:12 Mr. Loewen

Closing by Sponsor:

13:44:25 Sen. Lang

HEARING ON SB 333**Opening Statement by Sponsor:**

13:45:39 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 333, Revise requirements for retention of evidence of sex for harvested animals.

Proponents' Testimony:

13:47:25 Nick Gevock, conservation director, Montana Wildlife Federation
13:48:27 Dave Loewen, chief of Law Enforcement, Department of Fish, Wildlife, and Parks (FWP)

EXHIBIT(fis62a01)**Opponents' Testimony:** None**Informational Testimony:** None**Questions from Committee Members and Responses:**

13:50:38 Sen. Ellsworth
13:51:09 Mr. Loewen, FWP

13:53:28 Mr. Loewen
13:53:40 Sen. Lang
13:54:22 Mr. Loewen
13:54:37 Sen. Lang

Closing by Sponsor:

13:54:48 Sen. Cohenour

HEARING ON SB 349**Opening Statement by Sponsor:**

13:55:56 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 349, Restrict release of fish and wildlife locations.

Proponents' Testimony:

13:59:36 Nick Gevock, conservation director, Montana Wildlife Federation
14:00:47 Sam Milodragovich, Skyline Sportsmen
14:01:13 Martha Williams, director, Department of Fish, Wildlife, and Parks (FWP)
14:03:02 Colin Cooney, Trout Unlimited
14:03:22 Amy Seaman, Montana Audubon

Opponents' Testimony:

14:04:38 Alan Olson, Montana Petroleum Association (MPA)
14:07:00 Dave Galt, Montana Contractors Association (MCA)
14:09:00 John MacDonald, Montana Newspaper Association

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

14:13:21 Sen. McClafferty
14:13:59 Ms. Williams, FWP
14:16:40 Sen. McClafferty
14:16:56 Sen. Cohenour
14:18:00 Sen. McClafferty
14:18:20 Ms. Williams
14:19:07 Sen. Ellsworth
14:20:21 Sen. Cohenour
14:21:07 Sen. Ellsworth
14:21:27 Mr. Galt, MCA
14:22:32 Sen. Ellsworth
14:22:48 Mr. Olson, MPA
14:23:18 Sen. Lang
14:23:49 Ms. Williams
14:25:02 Sen. Lang
14:25:32 Ms. Williams
14:28:40 Sen. Lang
14:29:01 Sen. Ellsworth
14:29:57 Ms. Williams
14:31:19 Sen. Lang
14:32:06 Ms. Williams

14:32:45 Chair Fielder
14:33:08 Ms. Williams
14:38:55 Chair Fielder
14:39:02 Becky Dockter, chief legal counsel, FWP
14:40:06 Sen. Lang
14:40:41 Ms. Williams
14:41:25 Chair Fielder
14:42:10 Ms. Williams

Closing by Sponsor:

14:42:42 Sen. Cohenour

14:47:58 Chair Fielder

14:48:19 Recess
15:02:17 Reconvened

Sen. Lang and Sen. Cohenour did not return to the meeting.

HEARING ON HB 497

Opening Statement by Sponsor:

15:02:47 Rep. Wylie Galt (R), HD 30, opened the hearing on HB 497, Allow additional elk to be harvested during shoulder season.

Proponents' Testimony:

15:03:25 Brian Ohs, Montana Stockgrowers Association; Montana Farm Bureau Federation
15:04:09 Dan Conn, Rocky Mountain Stockgrowers Association
15:04:44 Scott Boulanger, Montana Outfitters and Guides Association

Opponents' Testimony:

15:05:15 Sam Milodragovich, Skyline Sportsmen; Montana Sportsmen's Association (MSA)

Informational Testimony:

15:11:01 Quentin Kujala, Wildlife Bureau coordinator, Department of Fish, Wildlife, and Parks

Questions from Committee Members and Responses:

15:11:31 Chair Fielder
15:11:57 Mr. Milodragovich, Skyline Sportsmen; MSA
15:12:36 Chair Fielder
15:13:22 Sen. McClafferty
15:13:56 Rep. Galt

Closing by Sponsor:

15:14:28 Rep. Galt

HEARING ON HJ 18**Opening Statement by Sponsor:**

15:14:54 Rep. Wylie Galt (R), HD 30, opened the hearing on HJ 18, Resolution urging enhancement of elk management/shoulder season regulations.

EXHIBIT(fis62a02)**Proponents' Testimony:**

15:17:14 Brian Ohs, Montana Stockgrowers Association; Montana Farm Bureau Federation

15:18:25 Scott Boulanger, Montana Outfitters and Guides Association

15:18:49 Dan Conn, Rocky Mountain Stockgrowers Association

Opponents' Testimony:

15:19:52 Nick Gevock, conservation director, Montana Wildlife Federation

15:22:35 Jerry Davis, Montana Bowhunters Association

15:25:20 Thomas Baumeister, Helena Hunters and Anglers Association

15:28:07 Joel Weltzien, Montana Chapter, Backcountry Hunters and Anglers

15:29:43 Sam Milodragovich, Skyline Sportsmen; Montana Sportsmen's Alliance

Informational Testimony:

15:33:10 Quentin Kujala, Wildlife Bureau coordinator, Department of Fish, Wildlife, and Parks (FWP)

Questions from Committee Members and Responses:

15:33:30 Sen. McClafferty

15:33:50 Mr. Kujala, FWP

15:38:28 Sen. Ellsworth

15:38:58 Rep. Galt

15:39:45 Sen. Ellsworth

15:40:11 Rep. Galt

15:41:05 Sen. Ellsworth

15:41:56 Rep. Galt

15:42:13 Chair Fielder

15:42:32 Mr. Kujala

Closing by Sponsor:

15:42:43 Rep. Galt

EXECUTIVE ACTION ON SB 333

15:45:41 **Motion:** Sen. Hinebauch moved that **SB 333 DO PASS.**

Discussion:

15:46:04 Chair Fielder

15:46:12 Joe Kolman, Legislative Services Division

EXHIBIT(fis62a03)

15:46:29 Chair Fielder

15:46:39 **Motion/Vote:** Sen. Hinebauch moved that **SB 333 BE AMENDED**. (See Exhibit 3.) Motion carried unanimously by voice vote. Sen. Cohenour, Sen. Flowers, Sen. Howard, Sen. Jacobson, Sen. Lang and Sen. C. Smith voted by proxy.

15:47:29 **Motion:** Sen. Hinebauch moved that **SB 333 DO PASS AS AMENDED**.

Discussion:

15:48:14 Ron Jendro, assistant chief of Law Enforcement, Department of Fish, Wildlife and Parks (FWP)

15:48:51 Sen. Ellsworth

15:49:03 Mr. Jendro, FWP

Sen. Lang was present.

15:49:30 **Vote:** Motion carried 9-1 by voice vote with Sen. Lang voting no. Sen. Cohenour, Sen. Flowers, Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy.

EXECUTIVE ACTION ON SB 344

15:50:16 **Motion/Vote:** Sen. Hinebauch moved that **SB 344 DO PASS**. Motion carried 8-2 by voice vote with Sen. Flowers and Sen. Jacobson voting no. Sen. Cohenour, Sen. Flowers, Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy.

EXECUTIVE ACTION ON SB 349

15:51:04 **Motion:** Sen. Hinebauch moved that **SB 349 DO PASS**.

15:51:42 **Motion:** Sen. Cohenour moved that **SB 349 BE AMENDED**.
[EXHIBIT\(fis62a04\)](#)

Discussion:

15:51:55 Joe Kolman, Legislative Services Division

15:54:50 Chair Fielder

15:55:17 Sen. Ellsworth

15:55:58 **Vote:** Motion carried unanimously by roll call vote. Sen. Flowers, Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy.

15:56:51 **Motion:** Sen. Hinebauch moved that **SB 349 DO PASS AS AMENDED**.

Discussion:

15:56:57 Sen. Cohenour

15:57:56 Sen. Lang

15:58:56 Sen. Ellsworth

15:59:06 Chair Fielder

15:59:11 Sen. Cohenour

16:00:46 Sen. Ellsworth

16:01:03 Chair Fielder

16:02:11 Sen. Cohenour

16:02:43 **Vote:** Motion carried 6-4 by roll call vote with Sen. Hinebauch, Sen. Howard, Sen. Lang and Sen. C. Smith voting no. Sen. Flowers, Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy.

16:03:37 Chair Fielder

EXECUTIVE ACTION ON HB 497

16:04:14 **Motion:** Sen. Hinebauch moved that **HB 497 BE CONCURRED IN.**

Discussion:

16:04:30 Sen. Lang
16:04:45 Sen. McClafferty
16:04:53 Chair Fielder

16:05:01 **Vote:** Motion carried 6-4 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting no. Sen. Flowers, Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy. Sen. Lang will carry the bill.

EXECUTIVE ACTION ON HJ 18

16:06:46 **Motion:** Sen. Hinebauch moved that **HJ 18 BE CONCURRED IN.**

Discussion:

16:07:04 Sen. Lang
16:07:09 Chair Fielder
16:07:41 Sen. McClafferty
16:08:08 Sen. Ellsworth
16:09:35 Chair Fielder
16:09:39 Sen. McClafferty
16:09:57 Sen. Lang
16:11:18 Chair Fielder
16:12:12 Sen. Cohenour

16:12:36 Sen. Flowers entered the meeting.

16:12:51 **Vote:** Motion carried 6-4 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting no. Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy. Sen. Ellsworth will carry the bill.

EXECUTIVE ACTION ON HB 265

16:14:42 **Motion:** Sen. Hinebauch moved that **HB 265 BE CONCURRED IN.**

Discussion:

16:15:04 Sen. Cohenour
16:15:45 Chair Fielder
16:16:33 Sen. Ellsworth
16:16:53 Sen. Hinebauch
16:19:11 Sen. Flowers

16:21:44 **Vote:** Motion carried 6-4 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting no. Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy. Sen. Lang will carry the bill.

EXECUTIVE ACTION ON HB 279

16:23:05 **Motion:** Sen. Hinebauch moved that **HB 279 BE CONCURRED IN.**

16:23:59 **Motion:** Sen. Flowers moved that **HB 279 BE AMENDED.**

EXHIBIT(fis62a05)

Discussion:

16:24:46 Chair Fielder
16:24:48 Sen. Flowers
16:24:55 Sen. Hinebauch
16:25:02 Sen. Flowers
16:25:09 Sen. Hinebauch

16:25:23 **Vote:** Motion failed 4-6 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting aye. Sen. Howard, Sen. Jacobson and Sen. C. Smith voted by proxy.

Discussion:

16:26:10 Sen. Cohenour
16:28:29 Chair Fielder
16:28:42 Sen. Ellsworth
16:29:37 Sen. Flowers
16:30:47 Sen. Hinebauch

16:30:53 Sen. Jacobson entered the meeting.

16:31:40 Chair Fielder
16:32:11 Sen. Cohenour
16:33:36 Chair Fielder
16:33:51 Quentin Kujala, Wildlife Bureau coordinator, Department of Fish, Wildlife, and Parks

16:34:39 **Vote:** Motion carried 6-4 by roll call vote with Sen. Cohenour, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting no. Sen. Howard and Sen. C. Smith voted by proxy. Sen. Smith will carry the bill.

EXECUTIVE ACTION ON HB 281

16:36:06 **Motion:** Sen. Hinebauch moved that **HB 281 BE CONCURRED IN.**

Discussion:

16:36:57 Sen. Flowers
16:37:46 Chair Fielder
16:37:56 Sen. Hinebauch

16:38:03 **Vote:** Motion carried 7-3 by roll call vote with Sen. Cohenour, Sen. Flowers and Sen. McClafferty voting no. Sen. Howard and Sen. C. Smith voted by proxy. Sen. Jacobson will carry the bill.

EXECUTIVE ACTION ON HB 291

16:39:05 **Motion:** Sen. Hinebauch moved that **HB 291 BE CONCURRED IN.**

16:39:53 **Motion:** Sen. Jacobson moved that **HB 291 BE AMENDED.**

EXHIBIT(fis62a06)

Discussion:

16:40:44 Chair Fielder
 16:40:56 Sen. Jacobson
 16:41:09 Chair Fielder
 16:41:12 Sen. Hinebauch
 16:41:16 Sen. Jacobson
 16:41:24 Sen. Cohenour
 16:41:38 Sen. Ellsworth
 16:41:43 Sen. Cohenour
 16:41:47 Chair Fielder

16:42:00 **Vote:** Motion failed 5-5 by roll call vote with Sen. Cohenour, Sen. Ellsworth, Sen. Flowers, Sen. Jacobson and Sen. McClafferty voting aye. Sen. Howard and Sen. C. Smith voted by proxy.

16:42:42 **Vote:** Motion carried 7-3 by roll call vote with Sen. Cohenour, Sen. Flowers and Sen. Jacobson voting no. Sen. Howard and Sen. C. Smith voted by proxy. Sen. Vuckovich will carry the bill.

EXECUTIVE ACTION ON SB 242

16:43:42 **Motion/Vote:** Sen. Hinebauch moved that **SB 242 BE TABLED.** Motion carried unanimously by voice vote. Sen. Howard and Sen. C. Smith voted by proxy.

Committee Discussion:

16:44:22 Chair Fielder
 16:45:44 Sen. Lang

ADJOURNMENT

Adjournment: 4:46 PM

Mary Vandebosch, Secretary

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Additional Documents:

EXHIBIT([fis62aad.pdf](#))