

**MINUTES**  
**MONTANA SENATE**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (S) FISH AND GAME**

**Call to Order:** Chair Steve Hinebauch-R, on March 23, 2023 at 2:48 PM, in 422

**ROLL CALL**

**Members Present:** Sen. Steve Hinebauch, Chair (R)  
Sen. Mike Fox, Vice Chair (D)  
Sen. Willis Curdy (D)  
Sen. Daniel Emrich (R)  
Sen. Pat Flowers (D)  
Sen. John Fuller (R)  
Sen. Greg Hertz (R)  
Sen. Edith (Edie) McClafferty (D)  
Sen. Mark Noland (R)  
Sen. Terry Vermeire (R)

**Members Excused:** Sen. Bob Brown (R)  
Sen. Jason Ellsworth (R)

**Staff Present:** Casey Pallister, Research Analyst  
Lynnette Sena, 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 438 03/14/2023  
HB 522 03/14/2023  
HB 547 03/14/2023  
HB 548 03/14/2023

Executive Action:

HB 217 BE CONCURRED IN AS  
AMENDED  
HB 243 BE CONCURRED IN AS  
AMENDED  
HB 290 BE CONCURRED IN  
HB 593 BE CONCURRED IN  
HB 596 BE CONCURRED IN

**EXECUTIVE ACTION ON HB 217 - Increase fees for migratory bird licenses**

14:49:29 **Motion:** Sen. Greg Hertz moved that **HB 217 BE CONCURRED IN.**

14:49:29 **Vote:** Motion carried unanimously by roll call vote.

14:50:03 **Motion:** Sen. Daniel Emrich moved that **HB 217 BE AMENDED.**

**Discussion:**

14:50:22 Sen. Daniel Emrich

14:51:16 Chair Steve Hinebauch

14:50:03 **Vote:** Motion carried 9 - 3 by roll call vote with Sen. Curdy, Sen. McClafferty, Sen. Vermeire, voting no.

14:52:21 **Motion:** Sen. Greg Hertz moved that **HB 217 BE CONCURRED IN AS AMENDED.**

14:52:21 **Vote:** Motion carried unanimously by voice vote.

14:52:21 **Carrier Assigned:** Sen. John Fuller

**EXECUTIVE ACTION ON HB 243 - Revise hunter education laws**

14:53:20 **Motion:** Sen. Greg Hertz moved that **HB 243 BE CONCURRED IN.**

14:53:47 **Motion:** Sen. Daniel Emrich moved that **HB 243 BE AMENDED.**

**Discussion:**

14:54:04 Sen. Daniel Emrich

14:55:30 Sen. John Fuller

14:56:02 Sen. Willis Curdy

14:56:34 Sen. Terry Vermeire

14:56:59 Chair Steve Hinebauch

14:57:20 Sen. Daniel Emrich

14:58:31 Sen. Mark Noland

14:59:11 Sen. Pat Flowers

15:00:32 Sen. Daniel Emrich

15:00:57 Sen. Greg Hertz

14:53:47 **Vote:** Motion carried 9 - 3 by roll call vote with Sen. Curdy, Sen. Fox, Sen. Fuller, voting no.

15:02:09 **Motion:** Sen. Greg Hertz moved that **HB 243 BE CONCURRED IN AS AMENDED.**

15:02:09 **Vote:** Motion carried unanimously by voice vote.

15:02:09 **Carrier Assigned:** Sen. Daniel Emrich

**EXECUTIVE ACTION ON HB 290 - Revise laws related to membership of wetlands protection advisory council**

15:03:12 **Motion:** Sen. Greg Hertz moved that **HB 290 BE CONCURRED IN.**

15:03:12 **Vote:** Motion carried unanimously by voice vote.

15:03:12 **Carrier Assigned:** Sen. Edith (Edie) McClafferty

**EXECUTIVE ACTION ON HB 593 - Revise FWP laws related to publishing the number of nonresident licenses**

15:04:29 **Motion:** Sen. Greg Hertz moved that **HB 593 BE CONCURRED IN.**

15:04:29 **Vote:** Motion carried unanimously by voice vote.

15:04:29 **Carrier Assigned:** Sen. Willis Curdy

**EXECUTIVE ACTION ON HB 596 - Revise elk hunting access agreement licenses**

15:05:34 **Motion:** Sen. Greg Hertz moved that **HB 596 BE CONCURRED IN.**

15:05:34 **Vote:** Motion carried unanimously by voice vote.

15:05:34 **Carrier Assigned:** Sen. Mark Noland

**HEARING ON HB 438 - Revise public access agreement laws**

**Opening Statement:**

15:07:21 Rep. Denley Loge (R), HD 14, opened the hearing on HB 438, Revise public access agreement laws.

**Proponent Testimony:**

15:09:14 Ben Lamb, Montana Wildlife Federation (MWF)

15:09:28 Mac Minard, Executive Director, Montana Outfitters and Guides Association (MOGA)

15:09:44 Emily Cooper, Licensing Bureau Chief, Montana Fish, Wildlife and Parks (FWP)

15:10:34 Rachel Cone, Montana Farm Bureau Federation (MFBF)

15:11:01 Raylee Honeycutt, Montana Stockgrowers Association

15:11:40 Katjana Stutzer, Montana Chapter of Backcountry Hunters and Anglers (MT BHA)

15:12:16 Dale Tribby, Montana Sportsmen Alliance

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

None

**Closing Statement:**

15:13:27 Rep. Denley Loge (R), HD 14, closed the hearing on HB 438.

**HEARING ON HB 522 - Provide landowner preference bison tags for landowners near YNP**

**Opening Statement:**

15:14:43 Rep. Marty Malone (R), HD 59, opened the hearing on HB 522, Provide landowner preference bison tags for landowners near YNP.

**Proponent Testimony:**

None

**Opponent Testimony:**

15:17:11 Dale Tribby, Montana Sportsmen Alliance

15:18:54 Ben Lamb, Montana Wildlife Federation (MWF)

15:20:54 Darrell Geist, Habitat Coordinator, Buffalo Field Campaign (BFC)

15:22:56 Katjana Stutzer, Montana Chapter of Backcountry Hunters and Anglers  
(MT BHA)

**Informational Witness Testimony:**

15:25:35 Emily Cooper, Licensing Bureau Chief, Montana Fish, Wildlife and Parks  
(FWP)

**Questions from Committee:**

15:26:03 Sen. John Fuller

15:26:42 Rep. Marty Malone

15:26:51 Sen. Pat Flowers

15:28:50 Rep. Marty Malone

15:29:36 Sen. Pat Flowers

15:30:04 Chair Steve Hinebauch

15:30:10 Sen. Greg Hertz

15:31:08 Rep. Marty Malone

15:31:17 Chair Steve Hinebauch

15:31:39 Rep. Marty Malone

15:32:00 Chair Steve Hinebauch

15:32:17 Sen. Pat Flowers

15:32:51 Rep. Marty Malone

**Closing Statement:**

15:33:12 Rep. Marty Malone (R), HD 59, closed the hearing on HB 522.

**HEARING ON HB 547 - Provide penalties for selling data/images from trail cams on public  
land**

**Opening Statement:**

15:34:32 Rep. Jill Cohenour (D), HD 42, opened the hearing on HB 547, Provide  
penalties for selling data/images from trail cams on public land.

**Proponent Testimony:**

15:37:27 Joe Cohenour, self  
15:38:21 Chair Steve Hinebauch left the meeting.  
15:39:57 Ben Lamb, Montana Wildlife Federation (MWF)  
15:40:30 Katjana Stutzer, Montana Chapter of Backcountry Hunters and Anglers (MT BHA)  
15:41:46 Dale Tribby, Montana Sportsmen Alliance

**Opponent Testimony:**

None

**Informational Witness Testimony:**

15:43:08 Ron Howell, Chief of Enforcement, Montana Fish, Wildlife and Parks (FWP)

**Questions from Committee:**

15:43:35 Sen. John Fuller  
15:44:38 Ron Howell, FWP  
15:45:00 Sen. Daniel Emrich  
15:46:13 Ron Howell, FWP  
15:46:29 Sen. Greg Hertz  
15:46:55 Ron Howell, FWP  
15:47:08 Sen. Greg Hertz  
15:48:18 Rep. Jill Cohenour  
15:48:36 Sen. Greg Hertz  
15:48:52 Ron Howell, FWP  
15:49:04 Sen. Daniel Emrich  
15:53:43 Rep. Jill Cohenour  
15:54:43 Sen. Mark Noland

15:54:50 Rep. Jill Cohenour  
15:55:38 Sen. Mark Noland  
15:56:20 Rep. Jill Cohenour  
15:56:41 Sen. Pat Flowers  
15:57:38 Rep. Jill Cohenour

**Closing Statement:**

15:58:23 Rep. Jill Cohenour (D), HD 42, closed the hearing on HB 547.  
  
16:02:40 Sen. Vermeire has left

**HEARING ON HB 548 - Revise penalties for criminal trespass while collecting antlers/sheds/horns**

**Opening Statement:**

15:59:55 Rep. Jill Cohenour (D), HD 42, opened the hearing on HB 548, Revise penalties for criminal trespass while collecting antlers/sheds/horns.

[EXHIBIT\(230323FISa1\)](#)

**Proponent Testimony:**

16:03:37 Joe Cohenour, self  
16:08:05 Rachel Cone, Montana Farm Bureau Federation (MFBF)  
16:09:28 Ben Lamb, Montana Wildlife Federation (MWF)  
16:10:41 Sen. Greg Hertz left the meeting.  
16:10:51 Katjana Stutzer, Montana Chapter of Backcountry Hunters and Anglers (MT BHA)  
16:12:20 Dale Tribby, Montana Sportsmen Alliance

**Opponent Testimony:**

None

**Informational Witness Testimony:**

16:14:29 Ron Howell, Chief of Enforcement, Montana Fish, Wildlife and Parks  
(FWP)

**Questions from Committee:**

16:14:58 Sen. John Fuller  
16:16:04 Rep. Jill Cohenour  
16:17:11 Sen. John Fuller  
16:17:36 Joe Cohenour, self  
16:17:49 Ron Howell, FWP  
16:18:04 Sen. John Fuller  
16:18:56 Ron Howell, FWP  
16:19:30 Sen. Pat Flowers  
16:20:07 Ron Howell, FWP  
16:20:15 Sen. Willis Curdy  
16:20:44 Ron Howell, FWP  
16:21:12 Sen. Daniel Emrich  
16:22:45 Ron Howell, FWP

**Closing Statement:**

16:23:03 Rep. Jill Cohenour (D), HD 42, closed the hearing on HB 548.

[EXHIBIT\(230323FISa2\)](#)

**ADJOURNMENT**

Adjournment: 16:24:59

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Lynnette Sena, Secretary

Additional Documents: [EXHIBIT\(230323FISaad\)](#)