

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON FISH, WILDLIFE, & PARKS**

**Call to Order:** By **CHAIRMAN DOUGLAS T. WAGNER**, on February 6, 1997, at 3:00 P.M., in Room 312-2.

**ROLL CALL**

**Members Present:**

Rep. Douglas T. Wagner, Chairman (R)  
Rep. William Rehbein, Jr., Vice Chairman (Majority) (R)  
Rep. Emily Swanson, Vice Chairman (Minority) (D)  
Rep. Shiell W. Anderson (R)  
Rep. Haley Beaudry (R)  
Rep. Marian W. Hanson (R)  
Rep. Hal Harper (D)  
Rep. Chase Hibbard (R)  
Rep. Dick Knox (R)  
Rep. Rod Marshall (R)  
Rep. Brad Molnar (R)  
Rep. Robert J. "Bob" Pavlovich (D)  
Rep. Bob Raney (D)  
Rep. Robert R. "Bob" Ream (D)  
Rep. Diane Sands (D)  
Rep. Paul Sliter (R)  
Rep. Bill Tash (R)  
Rep. Allan Walters (R)  
Rep. Jack Wells (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Doug Sternberg, Legislative Services Division  
Alberta Strachan, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 413 (2/3/97); HB 307  
(1/21/97).

Executive Action: HB 360.

**HEARING ON HB 413**

**Opening Statement by Sponsor:** REP. DICK KNOX, H.D.93 introduced the bill.

{Tape: 1; Side: 1; Approx. Time Count: 2.3; Comments: .}

Proponents' Testimony:

Allison Bohn, Winifred resident.

{Tape: 1; Side: 1; Approx. Time Count: 7.0.}

Patrick Graham, Director, Department of Fish, Wildlife & Parks.  
EXHIBIT 1.

{Tape: 1; Side: 1; Approx. Time Count: 13.1.}

David Brown, Montana Bowhunter's Association.

{Tape: 1; Side: 1; Approx. Time Count: 14.1.}

Jean Johnson, Montana Outfitters and Guides Association.

{Tape: 1; Side: 1; Approx. Time Count: 15.9.}

Brett Brownscombe, Montana Wildlife Federation.

{Tape: 1; Side: 1; Approx. Time Count: 16.8.}

Opponents' Testimony: None.

{Tape: 1; Side: 1; Approx. Time Count: 18.5.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 1; Side: 1; Approx. Time Count: 18.5.}

Closing by Sponsor: REP. KNOX closed on the bill.

{Tape: 1; Side: 1; Approx. Time Count: 31.9.}

HEARING ON HB 307

Opening Statement by Sponsor: REP. RICK JORE, H.D. 10 introduced the bill. EXHIBITS 2, 3, 4, 5.

{Tape: 1; Side: 1; Approx. Time Count: 35.6; Comments: Rep. Jore presented testimony from Joseph McDonald of the Flathead Resource Organization; Larry Nistler, John Cramer and a State-Tribal cooperative agreement between the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the State of Montana.}

Proponents' Testimony:

SEN. MIKE TAYLOR, S.D. 37.

{Tape: 1; Side: 1; Approx. Time Count: 39.3.}

Mike Hutchin, Board of Lake County Commissioners. EXHIBIT 6.

{Tape: 1; Side: 1; Approx. Time Count: 41.7; Comments: Mr. Hutchin supplied a copy of the Proclamation Opening the Flathead Indian Reservation; Treaty of Hellgate; newspaper articles.}

Stan Ryan, Polson resident.

{Tape: 1; Side: 2; Approx. Time Count: 13.6.}

**John Cramer, Polson resident.**

{Tape: 1; Side: 2; Approx. Time Count: 21.1.}

**Brenda Rummel, Little Rodeo Outfitters. EXHIBIT 7.**

{Tape: 1; Side: 2; Approx. Time Count: 22.6; Comments: .}

**Del Palmer, Polson resident.**

{Tape: 1; Side: 2; Approx. Time Count: 26.8.}

**Lisa Morris, Ronan resident.**

{Tape: 1; Side: 2; Approx. Time Count: 30.2.}

**Bill Tiddy, Polson and Helena resident.**

{Tape: 1; Side: 2; Approx. Time Count: 30.5.}

**Sandra Shook, Charlo resident.**

{Tape: 1; Side: 2; Approx. Time Count: 30.8.}

**Opponents' Testimony:**

**Carol Langford, Confederated Salish and Kootenai Tribes. EXHIBIT 8A through 8C.**

{Tape: 1; Side: 2; Approx. Time Count: 31.7; Comments: Ms. Langford read the testimony of Rhonda R. Swaney, Tribal Chairwoman, Confederated Salish and Kootenai Tribes of the Flathead Nation; newspaper article from the Missoulian regarding "leave state-tribal pact alone"; State-Tribal 1990-1994 progress report and cooperative agreement published by the Montana Department of Fish, Wildlife and Parks.}

**Robert C. Lucas, President, Big Sky Upland Bird Association. EXHIBIT 9.**

{Tape: 1; Side: 2; Approx. Time Count: 38.5.}

**Jack Puckett, Missoula resident. EXHIBIT 10.**

{Tape: 1; Side: 2; Approx. Time Count: 41.5.}

**Martin Onishuk, Missoula resident. EXHIBIT 11.**

{Tape: 2; Side: 1; Approx. Time Count: .1.}

**Dan Decker, Attorney, Confederated Salish and Kootenai Tribes.**

{Tape: 2; Side: 1; Approx. Time Count: 4.3.}

**REP. GEORGE HEAVY RUNNER, H.D. 85.**

{Tape: 2; Side: 1; Approx. Time Count: 12.3.}

**Patrick Graham, Director, Department of Fish, Wildlife & Parks. EXHIBIT 12.**

{Tape: 2; Side: 1; Approx. Time Count: 14.0.}

**Brett Brownscombe, Montana Wildlife Federation and National Wildlife Federation. EXHIBIT 13, 14.**

{Tape: 2; Side: 1; Approx. Time Count: 18.4; Comments: Mr. Brownscombe also presented testimony from Rich Day, Director, National Wildlife Federation.}

**Chris Tweeden, Attorney General's Office.**  
{Tape: 2; Side: 1; Approx. Time Count: 21.3.}

**Christine Kaufmann, Montana Human Rights Network. EXHIBIT 15.**  
{Tape: 2; Side: 1; Approx. Time Count: 27.1.}

**William Joseph Moran, Confederated Salish and Kootenai Tribes.**  
{Tape: 2; Side: 1; Approx. Time Count: 28.7.}

**Michael Duglar, Confederated Salish and Kootenai Tribes.**  
{Tape: 2; Side: 1; Approx. Time Count: 29.2.}

**Gary Stephens, Confederated Salish and Kootenai Tribes.**  
{Tape: 2; Side: 1; Approx. Time Count: 29.4.}

**Stan Juneau, Butte resident.**  
{Tape: 2; Side: 1; Approx. Time Count: 30.0.}

**CHAIRMAN WAGNER** submitted written testimony from Lucille T. Otter, Ronan; Thurman Tresper, address unknown; Rhonda R. Swaney, Tribal Chairwoman, The Confederated Salish and Kootenai Tribes of the Flathead Nation, Pablo; Joseph G. Brooks, Ronan; Blanche Oken, Charlo; Theodore M. Eldridge, Missoula; Norma Tummell, Charlo; Ron Trammell, Charlo; Bryce Lee Eldridge, Charlo; Faith Eldridge, Charlo; Louis Eldridge, Charlo; Rita Senkler, Charlo; Mark Schmitz, Moiese; Howard Senkler, Charlo; Bill Howell, Moiese; Sharon Benson, St. Ignatius; James Sivils, Charlo; Ronald Roush, Charlo; Donalee Shepard, Charlo; Don Oyer, Charlo; Betty Borden, Charlo; Don Skyard, Charlo; Carmen Nelson, Charlo; Traci Shepard, Charlo; Grant Hogge, Charlo. **EXHIBIT 16(1) through 16(24).**

**Informational Testimony:** None.  
{Tape: 2; Side: 1; Approx. Time Count: 30.2.}

**Questions From Committee Members and Responses:**  
{Tape: 2; Side: 1; Approx. Time Count: 30.5; Comments: .}

**Closing by Sponsor:** REP. JORE closed on the bill.  
{Tape: 2; Side: 1; Approx. Time Count: 42,0; Comments: .}

**EXECUTIVE ACTION ON HB 360**

**Motion:** REP. SWANSON MOVED HB 360 DO PASS.  
{Tape: 2; Side: 2; Approx. Time Count: 3.5.}

**Discussion:**  
{Tape: 2; Side: 2; Approx. Time Count: 4.1; Comments: .}

**Motion/Vote:** REP. HARPER moved to adopt the Harper amendments. Question was called. Motion carried 19-0 with REP. WELLS voting by proxy.

*{Tape: 2; Side: 2; Approx. Time Count: 5.2.}*

**Motion/Vote:** REP. SLITER MOVED HB 360 DO PASS AS AMENDED. Motion carried 18-1 with REP. REHBEIN voting no and REP. WELLS voting by proxy.

*{Tape: 2; Side: 2; Approx. Time Count: 6.8.}*

ADJOURNMENT

Adjournment: 5:45 P.M.

*Douglas T. Wagner*

REP. DOUGLAS T. WAGNER, Chairman

*Alberta Strachan*

ALBERTA STRACHAN, Secretary

DTW/ajs