

MINUTES

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

COMMITTEE ON FISH, WILDLIFE, & PARKS

Call to Order: By **CHAIRMAN DOUGLAS T. WAGNER**, on February 18, 1997, at 3:00 P.M., in Room 312-1.

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 547 (2/13/97); HB 570
(2/17/97).
Executive Action: HB 387; HB 547; HB 236; HB
265; HB 186; HB 482; HB 570.

HEARING ON HB 547

Opening Statement by Sponsor: REP. BILL REHBEIN, H.D. 100
introduced the bill.

{Tape: 1; Side: 1; Approx. Time Count: 2.6.}

Proponents' Testimony:

Peggy Grimes, Montana Food Bank Network, Missoula.
{Tape: 1; Side: 1; Approx. Time Count: 4.1.}

Patrick E. Flaherty, Helena Food Bank.
{Tape: 1; Side: 1; Approx. Time Count: 8.7.}

REP. BILL CAREY, H.D. 67, Director, Montana Food Bank, Missoula.
{Tape: 1; Side: 1; Approx. Time Count: 10.6.}

Dick Rule, Butte Emergency Food Bank.
{Tape: 1; Side: 1; Approx. Time Count: 12.4.}

Tara Mele, Montana Public Interest Research Group. EXHIBIT 1.
{Tape: 1; Side: 1; Approx. Time Count: 15.4.}

Opponents' Testimony: None.
{Tape: 1; Side: 1; Approx. Time Count: 16.0.}

Informational Testimony:

Patrick Graham, Director, Department of Fish, Wildlife & Parks.
EXHIBIT 2.
{Tape: 1; Side: 1; Approx. Time Count: 16.4.}

James Nolan, Chief, Intergovernmental Human Services, Department
of Public Health and Human Services.
{Tape: 1; Side: 1; Approx. Time Count: 20.4.}

Questions From Committee Members and Responses:
{Tape: 1; Side: 1; Approx. Time Count: 21.4.}

Closing by Sponsor: REP. REHBEIN closed on the bill.
{Tape: 1; Side: 1; Approx. Time Count: 30.7.}

CHAIRMAN WAGNER relinquished the chair to VICE-CHAIRMAN REHBEIN.

HEARING ON HB 570

Opening Statement by Sponsor: REP. DOUGLAS T. WAGNER, H.D. 83
introduced the bill.
{Tape: 1; Side: 1; Approx. Time Count: 33.0.}

Proponents' Testimony: None.
{Tape: 1; Side: 1; Approx. Time Count: 35.6.}

Opponents' Testimony:

Roy Andes, Montrust.
{Tape: 1; Side: 1; Approx. Time Count: 36.0.}

Brett Brownscombe, Montana Wildlife Federation.
{Tape: 1; Side: 1; Approx. Time Count: 38.5.}

Bud Clinch, Department of Natural Resources and Conservation.
{Tape: 1; Side: 1; Approx. Time Count: 39.4.}

Joe Lamson, Office of Public Instruction.
{Tape: 1; Side: 1; Approx. Time Count: 40.5.}

John Bloomquist, Montana Stockgrowers Association.
{Tape: 1; Side: 1; Approx. Time Count: 41.2.}

Informational Testimony: None.
{Tape: 1; Side: 1; Approx. Time Count: 46.7.}

Questions From Committee Members and Responses:
{Tape: 1; Side: 1; Approx. Time Count: 46.7.}

Closing by Sponsor: REP. WAGNER closed on the bill.
{Tape: 1; Side: 1; Approx. Time Count: 46.8.}

VICE-CHAIRMAN REHBEIN relinquished the chair to CHAIRMAN WAGNER.

EXECUTIVE ACTION ON HB 186

Motion: REP. WALTERS MOVED HB 186 DO PASS.
{Tape: 1; Side: 2; Approx. Time Count: .5.}

Motion: REP. WALTERS moved to adopt the substitute Walters, Beaudry and Harper amendments.
{Tape: 1; Side: 2; Approx. Time Count: 1.2.}

Discussion:
{Tape: 1; Side: 2; Approx. Time Count: 1.9.}

Motion/Vote: REP. ANDERSON MADE A SUBSTITUTE MOTION HB 186 BE TABLED. Question was called. Motion carried 10-9 on a roll call vote with REPS. WAGNER, BEAUDRY, HARPER, MOLNAR, RANEY, REAM, SLITER, WALTERS and WELLS voting no and REP. MOLNAR voting by proxy.
{Tape: 1; Side: 2; Approx. Time Count: 16.4.}

EXECUTIVE ACTION ON HB 387

Motion: REP. SLITER MOVED HB 387 DO PASS.
{Tape: 1; Side: 2; Approx. Time Count: 18.6.}

Motion: REP. HIBBARD moved to adopt the Simon amendments.
{Tape: 1; Side: 2; Approx. Time Count: 18.8.}

Discussion:

{Tape: 1; Side: 2; Approx. Time Count: 21.6; Comments: .}

Vote: Question was called. Motion carried unanimously 19-0 to adopt the Simon amendments.

{Tape: 1; Side: 2; Approx. Time Count: 30.1.}

Motion: REP. TASH MOVED HB 387 DO PASS AS AMENDED.

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

Motion: REP. PAVLOVICH moved to adopt the Pavlovich conceptual amendment. Motion withdrawn.

{Tape: 1; Side: 2; Approx. Time Count: 29.5.}

Vote: Question was called. Motion carried unanimously 19-0 on the do pass motion.

{Tape: 1; Side: 2; Approx. Time Count: 31.4.}

EXECUTIVE ACTION ON HB 482

Motion: REP. SANDS MOVED HB 482 DO PASS.

{Tape: 1; Side: 2; Approx. Time Count: 31.7.}

Motion: REP. SLITER moved to adopt the Sliter amendments.

{Tape: 1; Side: 2; Approx. Time Count: 32.1.}

Discussion:

{Tape: 1; Side: 2; Approx. Time Count: 34.0.}

Vote: Question was called. Motion carried unanimously 19-0 to adopt the Sliter amendments.

{Tape: 1; Side: 2; Approx. Time Count: 34.9.}

Motion: REP. SANDS MOVED HB 482 DO PASS AS AMENDED.

{Tape: 1; Side: 2; Approx. Time Count: 35.0.}

Discussion:

{Tape: 1; Side: 2; Approx. Time Count: 36.1.}

Motion: REP. TASH MOVED HB 482 BE TABLED.

{Tape: 2; Side: 1; Approx. Time Count: .39.8.}

Discussion:

{Tape: 2; Side: 1; Approx. Time Count: .4.}

Vote: Question was called. Motion carried 11-8 on a roll call vote to table HB 482 with REPS. SWANSON, HARPER, PAVLOVICH, RANEY, REAM, SANDS, SLITER and WALTERS voting no.

{Tape: 2; Side: 1; Approx. Time Count: .9.}

EXECUTIVE ACTION ON HB 547

Motion: REP. REHBEIN MOVED HB 547 DO PASS.
{Tape: 2; Side: 1; Approx. Time Count: 3.5.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: 4.1.}

Motion: REP. REHBEIN moved to adopt the Fish, Wildlife & Parks amendments.
{Tape: 2; Side: 1; Approx. Time Count: 8.0.}

Motion: REP. SLITER suggested segregating the No. 2 amendment and withdrew the suggestion.
{Tape: 2; Side: 1; Approx. Time Count: 8.4.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: 10.6.}

Vote: Question was called. Motion carried 18-1 to adopt the FWP amendments with REP. HARPER voting no and REP. SWANSON voting by proxy.
{Tape: 2; Side: 1; Approx. Time Count: 11.6.}

Motion/Vote: REP. REHBEIN moved the Rehbein conceptual amendment. Motion carried unanimously 19-0 with REP. SWANSON voting by proxy.
{Tape: 2; Side: 1; Approx. Time Count: 12.7.}

Motion/Vote: REP. REHBEIN MOVED HB 547 DO PASS AS AMENDED.
Question was called. Motion carried 16-3 on a roll call vote with REP. HARPER, HIBBARD and REAM voting no and REP. SWANSON voting by proxy.
{Tape: 2; Side: 1; Approx. Time Count: 14.9.}

CHAIRMAN WAGNER relinquished the chair to VICE-CHAIRMAN REHBEIN.

EXECUTIVE ACTION ON HB 570

Motion: REP. SLITER MOVED HB 570 DO PASS.
{Tape: 2; Side: 1; Approx. Time Count: 17.2.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: 17.5.}

Motion/Vote: REP. MOLNAR moved to adopt the Molnar amendment. Question was called. Motion failed 6-12 on a roll call vote with REPS. HARPER, HIBBARD, MOLNAR, REAM, WALTERS and ANDERSON voting yes and REP. SWANSON not voting.
{Tape: 2; Side: 1; Approx. Time Count: 30.9; Comments: .}

Discussion:

{Tape: 2; Side: 1; Approx. Time Count: 31.8.}

Vote: Question was called. Motion failed 9-9 on a roll call vote with REPS. WAGNER, BEAUDRY, MOLNAR, RANEY, REAM, SANDS, SLITER, WALTERS and WELLS voting yes and REP. SWANSON not voting.
{Tape: 2; Side: 1; Approx. Time Count: 40.0.}

Motion/Vote: REP. SLITER MOVED HB 570 BE TABLED. Question was called. Motion carried 15-3 with REPS. WAGNER, RANEY and MOLNAR voting no and REP. SWANSON not voting.
{Tape: 2; Side: 1; Approx. Time Count: 41.5.}

HB 186

Motion/Vote: REP. HARPER requested the committee give the chairman the authority to request a fiscal note on HB 186 because this is a revenue bill. Question was called. Motion carried 15-3 with REPS. KNOX, TASH and REHBEIN voting no and REP. SWANSON not voting.
{Tape: 2; Side: 1; Approx. Time Count: 44.1.}

EXECUTIVE ACTION ON HB 265

Motion: REP. MOLNAR MOVED HB 265 BE TAKEN OFF TABLE.
{Tape: 1; Side: 2; Approx. Time Count: 44.1.}

Discussion:

{Tape: 2; Side: 2; Approx. Time Count: .9.}

Vote: Question was called. Motion passed to removed HB 265 from table 15-4 with REPS. HANSON, BEAUDRY, MARSHALL, PAVLOVICH voting no.
{Tape: 2; Side: 2; Approx. Time Count: 4.0.}

Motion/Vote: REP. MOLNAR moved to strike Sections 2, 3, 4 of the bill which constituted the Molnar amendment. Motion carried 17-2 with REPS. PAVLOVICH and HANSON voting no.
{Tape: 2; Side: 2; Approx. Time Count: 7.0.}

Motion/Vote: REP. MOLNAR MOVED HB 265 DO PASS AS AMENDED. Question was called. Motion carried 14-5 with REPS. PAVLOVICH, HANSON, REAM, MARSHALL and BEAUDRY voting no.
{Tape: 2; Side: 2; Approx. Time Count: 8.0.}

EXECUTIVE ACTION ON HB 236

Motion: REP. RANEY MOVED HB 236 BE REMOVED FROM TABLE.
{Tape: 2; Side: 2; Approx. Time Count: 8.5.}

Discussion:

{Tape: 2; Side: 2; Approx. Time Count: 13.8.}

Vote: Question was called. Motion carried to remove HB 236 from table 11-7 with REPS. TASH, WELLS, REAM, HANSON, MARSHALL, PAVLOVICH and HIBBARD voting no and REPS. PAVLOVICH, MARSHALL, SLITER, KNOX, SWANSON and SANDS voting by proxy.
{Tape: 2; Side: 2; Approx. Time Count: 14.6.}

Motion: REP. RANEY MOVED HB 236 DO PASS.
{Tape: 2; Side: 2; Approx. Time Count: 15.6}

Motion: REP. RANEY moved to adopt the Raney amendments.
{Tape: 2; Side: 2; Approx. Time Count: 16.0.}

Discussion:
{Tape: 2; Side: 2; Approx. Time Count: 20.5.}

Vote: Question was called. Motion carried 15-4 with REPS. HANSON, PAVLOVICH, MARSHALL and HIBBARD voting no and REPS. PAVLOVICH, MARSHALL, SLITER, KNOX, SWANSON and SANDS voting by proxy.
{Tape: 2; Side: 2; Approx. Time Count: 22.0.}

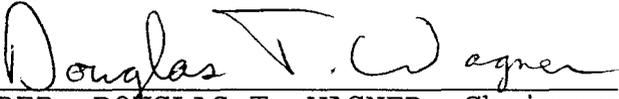
Motion: REP. RANEY MOVED HB 236 DO PASS AS AMENDED.
{Tape: 2; Side: 2; Approx. Time Count: 22.7.}

Discussion:
{Tape: 2; Side: 2; Approx. Time Count: 24.8.}

Vote: Question was called. Motion carried 10-9 on a roll call vote 10-9 with REPS. SWANSON, HANSON, HIBBARD, MARSHALL, MOLNAR, PAVLOVICH, REAM, TASH and WELLS voting no and REPS. PAVLOVICH, MARSHALL, SLITER, KNOW, SWANSON and SANDS voting by proxy.
{Tape: 2; Side: 2; Approx. Time Count: 34.0.}

ADJOURNMENT

Adjournment: 6:20 P.M.


REP. DOUGLAS T. WAGNER, Chairman


ALBERTA STRACHAN, Secretary

DTW/ajs