

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By MIKE FOSTER, CHAIR, on January 5, 1993, at
3:00 P.M.

ROLL CALL

Members Present:

Rep. Mike Foster, Chair (R)
Rep. Chase Hibbard, Vice Chair (R)
Rep. Bob Ream, Minority Vice Chair (D)
Rep. Beverly Barnhart (D)
Rep. Bob Clark (R)
Rep. Fritz Daily (D)
Rep. Duane Grimes (R)
Rep. Marian Hanson (R)
Rep. Dick Knox (R)
Rep. Bea McCarthy (D)
Rep. Brad Molnar (R)
Rep. Scott Orr (R)
Rep. Emily Swanson (D)
Rep. Doug Wagner (R)

Members Excused: Rep. James Elliott (D), Rep. Bill Ryan (D)

Members Absent: None.

Staff Present: Doug Sternberg, Legislative Council
Mary Riitano, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 69
Executive Action: HB 69

Announcements:

CHAIRMAN MIKE FOSTER introduced **Mr. Pat Graham, Director of Fish, Wildlife, and Parks**. Mr. Graham explained the reference material that had been distributed to the Fish & Game Committee. He provided a written testimony. **EXHIBIT 1**

CHAIRMAN FOSTER reminded the Fish & Game Committee that the January 7th meeting would take place at the Fish, Wildlife, and Parks Building. The department will have a short presentation for the Fish and Game Committee.

HEARING ON HB 69

Opening Statement by Sponsor:

REP. RANDY VOGEL, House District 86, Billings stated additional penalties are needed for habitual fish and game offenders. The department should make it unprofitable for the person who continually and blatantly violates minor statutes. Under HB 69, if a person was shown to have numerous offenses in a determined period of time, the cost to him would increase in fines and incarceration time. Presently a person may commit a large number of misdemeanors with minimal penalties. Currently, there are approximately 320 habitual offenders, those with 3 or more offenses, in this state who could be classified as habitual offenders.

REP. VOGEL said he has met with fish & game officials who expressed interest in expanding on this bill. Therefore, REP. VOGEL requested that the bill be tabled.

Proponents' Testimony:

Pat Graham, Director of Fish, Wildlife, and Parks stated that although the department supports HB 69, their organization would like more time for in-depth studies which included developing a point system as a way of addressing the habitual offender. He supported tabling HB 69.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. BOB CLARK asked Pat Graham if forfeiting a person's assets (e.g., vehicles & weapons) when caught violating fish & game laws will be added to HB 69. Pat Graham said another bill was being introduced by SEN. VALKENBURG that might address the topic, and he should be introducing it in the senate.

REP. BOB REAM asked Pat Graham why the language of felony was stricken from HB 69. Pat Graham replied it was a housekeeping measure.

REP. BRAD MOLNAR asked REP. VOGEL if there were provisions in HB 69 for eliminating the possibility a person might gather all his points in one violation. REP. VOGEL answered that firm conclusion had not been reached yet.

REP. REAM asked Pat Graham why he wanted to table HB 69. He responded saying that he did not expect to complete the amendments in the 1993 session.

Closing by Sponsor:

In closing, REP. VOGEL stated that he would like to table HB 69.

EXECUTIVE ACTION ON HB 69

Motion/Vote: REP. REAM MOVED HB 69 BE TABLED. Motion carried
unanimously.

ADJOURNMENT

Adjournment: 3:30 p.m.



REP. MIKE FOSTER, Chair



MARY RIITANO, Secretary

MF/MR

HOUSE OF REPRESENTATIVES

FISH & GAME

COMMITTEE

ROLL CALL

DATE

1/5/93

NAME	PRESENT	ABSENT	EXCUSED
CHAIRMAN MIKE FOSTER	✓		
V. CHAIRMAN CHASE HIGBARD	✓		
V. CHAIRMAN BOB REAM	✓		
REP. BEVERLY BARNHART	✓		
REP. BOB CLARK	✓		
REP. FRITZ DAILY	✓		
REP. JIM ELLIOT	✓		
REP. DUANE GRIMES			✓
REP. MARIAN HANSON	✓		
REP. DICK KNOX	✓		
REP. BEA MCCARTHY	✓		
REP. BRAD MOLNAR	✓		
REP. SCOTT ORR	✓		
REP. BILL RYAN			✓
REP. EMILY SWANSON	✓		
REP. DOUG WAGNER	✓		

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Fish & Game

COMMITTEE

BILL NO.

69

DATE

1/5/93

SPONSOR(S)

Rep Vogel

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Rep Andy Vogel</u>		<input checked="" type="checkbox"/>	
<u>Mark Smith</u>	<u>715 d 1111</u>		
<u>Pat Graham</u>			

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

EXHIBIT 1
DATE 1/5/93
HB 69

HB 69
January 5, 1993

Testimony presented by Pat Graham, Dept. of Fish, Wildlife & Parks
to the House Fish and Game Committee

The Department of Fish, Wildlife and Parks supports the concept of HB 69 to create a separate penalty for habitual fish and game violations. However, we have concerns with this bill as written - including undetermined amount of staff time required for record keeping, and no way to determine an unintentional or unknowing violation from a knowing or purposeful violation.

We would like to have time to investigate the process of revoking drivers' licenses for possible application to fish and game violations.

Finally, we would like to study and develop a point system for wildlife violations that has been used successfully in other states.