

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
HOUSE OF REPRESENTATIVES
50TH LEGISLATIVE SESSION

The meeting of the Fish and Game Committee was called to order by Chairman Orval Ellison on January 13, 1987, at 1:00 p.m. in Room 312 of the State Capitol.

ROLL CALL: All committee members were present, with the exception of Rep. Daily and Driscoll who were excused.

HOUSE BILL NO. 64: Rep. Hanson, District #100, sponsor of the bill, stated this concern had been brought to her attention by a member of the Bowhunters Association in her area. It was emphasized there was no safety training for kids 12-18 out in the field bowhunting. Since there is a Hunter's Safety training course for rifle hunting, it would seem appropriate the bowhunters have a similar course. Rep. Hanson stated she was surprised after being shown some of the training they will receive in the course, and how different it was from the rifle training course.

PROPONENTS: Mr. Jim Flynn, Director, Department of Fish, Wildlife and Parks submitted testimony (Exhibit 1). He stated his department has worked closely with the MBA developing this legislation. They feel it would be an effective way of assuring bowhunters will go afield properly instructed in ethical behavior and the safe handling of bowhunting equipment. He stated his department has administered the state's Hunter Education Program for the last 29 years, certifying over 190,000 young hunters. The experience we have gleaned from our administration of the hunter education program, the willingness of the MBA to participate in the program and the fact that a bowhunter education course is available, should make transition into a bowhunter education program relatively trouble free.

Robert Van Der Vere, concerned citizen lobbyist, agreed with Mr. Flynn, and he feels there are too many animals out there being hit by bowhunters and getting away. Considering the time of the season bowhunting takes place, there is usually not a lot of snow and this will make it easier for the animals to be found.

Scott Ross representing the Montana Bowhunters Association submitted testimony (Exhibit 2). He stated there are differences between hunting with a bow and hunting with a firearm. The MBA feels that such a course would not only concern itself with the safe handling of bow hunting equipment, but also teaches young hunters proper outdoor ethics and respect for the resource, other hunters and landowners. The program would be administered by volunteer sportsmen just as the hunter education program is. The MBA is involved in trying to identify individuals statewide who would be willing and capable of administering the program.

The MBA is working to insure that young sportsmen statewide would have the opportunity to take the course. The bill also calls for a one dollar increase in the archery stamp which is supported by the MBA; that would fund the cost and production of materials and teaching aids necessary to administer the program.

Jan Hamer, member of the Lewis & Clark Archery Club and the area representative for the Montana Bowhunters Association stated the ultimate goal of the National Bowhunter Education Program being used in this area is to provide bowhunters with the fundamentals of good safe hunting and to instill a responsible attitude and maintain standards of instruction and information. A system of updating both course material and the manual is administered by the National Bowhunter Foundation on a yearly basis or as reprinted. She explained a little bit about the program, using an example of the visual aids they will be using in the program. The L&C Archery Association is willing to cooperate with the MBA in getting this program going.

Geoff Capps, President, Lewis & Clark Archers Association stated they feel archery is a "family sport", and through HB 64 we can educate the kids of bowhunting families and the parents, thus educating twice as many people in the same amount of time.

Jeanne Klobnak representing the Montana Wildlife Federation submitted testimony (Exhibit 3). MWF encourages conservation education programs which build understanding for wildlife needs. Requiring competency training for young persons before purchase of a bow and arrow hunting license seeks to promote such understanding. Presently, there are no rules nor regulations which require the knowledge and skills of bowhunter safety. HB 64 would require young persons be properly educated on how to use a bow.

NO OPPONENTS

Rep. Rapp-Syrcek voiced concerns regarding the availability of the program. He asked Mr. Ross if the MBA was confident that a certified course will be available to all the areas where kids could take advantage of it.

Mr. Ross stated the MBA is involved in the process of identifying individuals who are certified or would be able to be certified. As of last week, approximately 50 instructors or potential instructors were identified. At this time, he was not sure how the distribution of these instructors would take place, but the association is working to ensure this program get started.

Rep. Moore referred to the fiscal note and asked Mr. Flynn what the \$6,387 for Personal Services was for.

Mr. Flynn stated it would be for the staff time taken to put the program together. Mr. Flynn pointed out it was staff they already had in place. There is a Hunter Safety instructor/coordinator on our Helena staff that coordinates the statewide programs for all hunter's safety. That individual would, if HB 64 becomes law, include this into his responsibilities for bow hunter safety as well.

Rep. Cobb asked Mr. Flynn if it was necessary to raise the extra one dollar, considering the surplus DFWP already has, and with the \$130,000 raised from the bow and arrow license, and wondered if it was really necessary to raise that one dollar.

Mr. Flynn stated the one dollar fee is there to offset the costs of the program itself. The \$130,000 collected from the bow-hunter license, may or may not be put back into the administration of the bowhunter program. The department feels that any time there is a new program, there should be a charge attached to it.

Rep. Brandewie asked Mr. Flynn about the possibility of there not being enough qualified people to teach the kids that want to bow hunt. He stated presently, there is almost one program per school district for the rifle hunter safety, and wondered if there could be a wide enough distribution of bowhunter instructors to cover everyone in the state.

Mr. Flynn stated they've worked closely with the MBA and feel there are the instructor personnel out there to provide this service in all instances. He also stated this is the reason for the effective date being in the next license year as opposed to this license year. It gives us that much more time to prepare. He then assured the committee that the MBA and the DFWP are confident of being able to provide this service.

Rep. Ream stated that to his recollection, part of the hunter safety program involves basic principles of wildlife management, and asked Mr. Flynn if they anticipate the same basic information for both courses.

Mr. Flynn stated the rifle hunter education consists of a minimum of ten hours instruction in firearms handling. The bow-hunter education as now proposed, would consist of a minimum of six additional hours. The duplication of the two is minimal, being primarily in the area of landowner relations and ethics in game management.

Rep. Hanson closed stating in the first year on the fiscal note, there is about a \$6,000 discrepancy in the amount of funds that will be raised versus the department's estimate of what the total expenses are going to be. At the end of the biennium, this program will be a self sufficient program with about \$4,000 left over.

Hearing closed on HB 64.

HOUSE BILL NO. 93: Rep. Marion Hanson, District #100, sponsor of the bill stated this is a bill the bowhunters asked her to sponsor and deals with the taking of catfish and nongame fish with a longbow and arrow. They had already included paddle fish and felt it should also include catfish and nongame fish.

PROPOSERS: Jim Flynn, Director, Department of Fish, Wildlife and Parks submitted testimony (Exhibit 4). He stated as Rep. Hanson indicated HB 93 allows the taking of channel catfish and nongame fish with a longbow and arrow under commission rules and regulations. The commission now has such authority for paddle fish. The department is aware of one place in the state where catfish may be taken by bow and arrow, that being below the Tongue River Dam. Including nongame fish in this legislation also helps clarify the department's authority to permit this practice.

NO OPPONENTS

Rep. Moore wanted to know how you could get a catfish with a bow and arrow.

Robert Van Der Vere answered this question for her.

Rep. Hanson closed stating she was merely requested to include channel catfish along with paddle fish and urges support for HB 93.

Hearing closed on HB 93.

EXECUTIVE SESSION

HOUSE BILL NO. 93: Rep. Hanson moved that HB 93 DO PASS. Question being called, the motion carried unanimously.

HOUSE BILL NO. 64: Rep. Hanson moved that HB 64 DO PASS. Rep. Cobb moved to amend the \$1 fee increase. See Standing Committee Report No. 1. Rep. Ream then moved to amend HB 64 regarding the effective date. See Standing Committee Report No. 6. Question being called on the amendments, the motion carried unanimously.

Rep. Giacometto moved HB 64 DO PASS AS AMENDED. Question being called for, a roll call vote was taken. The motion carried 11-4.

ADJOURNMENT: There being no further business to come before the committee, the meeting was adjourned at 1:45 p.m.


ORVAL ELLISON, CHAIRMAN

DAILY ROLL CALL

FISH & GAME

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date JANUARY 13, 1987

| NAME | PRESENT | ABSENT | EXCUSED |
|------------------------------|---------|--------|---------|
| ORVAL ELLISON, CHAIRMAN | X | | |
| MARIAN HANSON, VICE CHAIRMAN | X | | |
| RAY BRANDEWIE | X | | |
| TOM BULGER | X | | |
| JOHN COBB | X | | |
| FRITZ DAILY | | | X |
| GENE DEMARS | X | | |
| JERRY DRISCOLL | | | X |
| LEO GIACOMETTO | X | | |
| ED GRADY | X | | |
| LOREN JENKINS | X | | |
| VERNON KELLER | X | | |
| JANET MOORE | X | | |
| BOB PAVLOVICH | X | | |
| MARY LOU PETERSON | X | | |
| JOHN PHILLIPS | X | | |
| PAUL RAPP-SVRCEK | X | | |
| BOB REAM | X | | |
| STAFF: DAVE COGLEY | X | | |
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STANDING COMMITTEE REPORT

JANUARY 13,

19 87

Mr. Speaker: We, the committee on FISH & GAME

report HB 64

- do pass be concurred in as amended
 do not pass be not concurred in statement of intent attached

REP. ELLISON

Chairman

AN ACT REQUIRING COMPETENCY TRAINING FOR PERSONS UNDER 18 YEARS OF AGE BEFORE PURCHASING A BOW AND ARROW HUNTING LICENSE

1. Title, line 6.
Following: "LICENSE,"
Strike: "INCREASING THE BOW AND ARROW LICENSE FEE BY \$1; AND"
2. Title, line 7.
Strike: "SECTIONS"
INSERT: "SECTION"
3. Title, lines 7 and 8.
Following: "87-2-105"
Strike: "AND 87-2-708"
4. Title, line 8.
Following: "MCA"
Insert: " ; AND PROVIDING A DELAYED EFFECTIVE DATE"
5. Page 3, lines 12 through 21.
Strike: Section 2 in its entirety
Ranumber: subsequent section
6. Page 3.
Following: line 25
Insert: "NEW SECTION. Section 3. Effective date. This act is effective March 1, 1988."

FIRST _____ reading copy (WHITE)
color

ROLL CALL VOTE

HOUSE COMMITTEE FISH & GAME

DATE JANUARY 13, 1987 BILL NO. HB 64 TIME 4:30 p.m.

| NAME | EXCUSED | AYE | NAY |
|----------------------------|---------|-----|-----|
| ORVAL ELLISON, CHAIRMAN | | | X |
| MARION HANSON, V. CHAIRMAN | | X | |
| RAY BRANDEWIE | | X | |
| TOM BULGER | | X | |
| JOHN COBB | | X | |
| FRITZ DAILY | X | | |
| GENE DEMARS | | X | |
| JERRY DRISCOLL | X | | |
| LEO GIACOMETTO | | X | |
| ED GRADY | | X | |
| LOREN JENKINS | | X | |
| VERNON KELLER | | X | |
| JANET MOORE | | | X |
| BOB PAVLOVICH | | X | |
| MARY LOU PETERSON | | X | |
| JOHN PHILLIPS | X | | |
| PAUL RAPP-SVRCEK | | | X |
| BOB REAM | | | X |

TALLY

11

4

Lee Powell
Secretary

Orval S. Ellison
Chairman

MOTION: Representative Giacometto moved that HB 64 DO PASS
AS AMENDED. Motion was seconded by Rep. Grady. Question
being called for, motion carried 11-4.

STANDING COMMITTEE REPORT

JANUARY 13

19 37

Mr. Speaker: We, the committee on FISH & GAME

report HOUSE BILL NO. 73

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

REP. ELLISON

Chairman

AN ACT TO ALLOW THE TAKING OF CATFISH AND NONGAME FISH WITH LONGBOW AND ARROW

MAS

FIRST

reading copy (WHITE)
color

EXHIBIT (1)
DATE 1/13/87
HB 64 HANSEN

HB 64
January 13, 1987

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife and Parks

The Department has worked closely with the Montana Bowhunters Association as they developed this legislation. This legislation would be an effective way of assuring that bowhunters will go afield properly instructed in ethical behavior and the safe handling of bowhunting equipment.

We have administered the state's Hunter Education Program for the last 29 years, certifying over 190,000 young hunters in the safe handling of firearms. The experience we have gleaned from our administration of the Hunter Education Program, the willingness of the Montana Bowhunters Association to participate in the program and the fact that a bowhunter education course is available that has gained national acceptance should make transition into a bowhunter education program relatively trouble free.

We do have one suggested amendment. We suggest an effective date of March 1, 1988. This would coincide with the beginning of the new license year for 1988.

DATE 1-13-87
HB 64 HANSON



The Montana Bowhunters Association supports HB64.

HB64 would require bowhunters under the age of 18 to be certified competent before obtaining a bow and arrow license; the bill also provides for a course of instruction for the purpose of certifying those under the age of 18 in the safe handling of bowhunting tackle.

The language authorizing the 'bowhunter safety' course is nearly identical to that which authorized the present hunter education program. The substance of the new course, however, will be considerably different than today's hunter education program.

The differences between firearms and bowhunting tackle are obvious. One aspect shared by the sports is the necessity for respect in the safe handling of a weapon. The differences in weapon characteristics suggest that a separate bowhunter education program is needed. Other states have recognized this need and have established such programs.

Any good hunter safety course is not limited solely to safe handling of weapons. Teaching young hunters proper outdoor ethics and respect for the resource, other hunters, and landowners can be an important component of these courses.

Bowhunting is a sport characterized by the use of relatively primitive weapons. It is important for bowhunters to understand the limitations of their equipment. They must rely on personal skills and good judgement if they are to be responsible hunters. A bowhunter education program can insure that young hunters are well aware of their limitations and responsibilities.

Good landowner-sportsman relations are an objective of the responsible hunter and are the key towards lessening many of the 'misunderstandings' between landowners and hunters. Education programs for young hunters provide an excellent forum in which to instill these values.

The bowhunter education program, like the present general hunter education program, would rely on volunteer sportsmen to provide instruction. The Montana Bowhunters Association is currently identifying qualified individuals who would be able to administer the program. The MBA Bowhunter Education Committee is working to insure that suitable numbers of instructors will be

(2)

able to provide instruction statewide.

The course would utilize a standard course outline and would require some instructional materials. The cost for the materials would be borne by a \$1 increase in the archery stamp. This increase is included in the provisions of HB64.

Education remains our best tool to insure that new generations of sportsmen are exposed to ethics that work in the best interests of the sportsman, the landowner, and the resource. HB64 provides for the expansion of such educational programs.

The Montana Bowhunters Association asks for your support in passing HB64.



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Montana Bowhunters Association

The ultimate goal of the National Bowhunter Education Program is to provide bowhunter with the fundamentals of good, safe, bowhunting, and appreciation and respect for the environment in which they hunt and a desire to maintain the highest standards in the sport.

The immediate objective is to instill in bowhunters a responsible attitude and to assist them to adopt and follow an acceptable behavior toward people, wildlife and the environment in which they hunt.

To maintain standards of instruction and information. A system of updating both course material and the manual is administered by the National Bowhunter Education Foundation on a yearly basis or as reprinted.

PROCEDURES:

The Bowhunter Education Course is presented in two sections:

- a. The Hows of Bowhunting
- b. The Field Experience

HOW AND WHERE THE COURSE IS CONDUCTED

The Hows of Bowhunting are best conducted in a classroom situation using demonstrations and visual aids.

The Field Experience should be conducted in the field under bowhunting conditions using broadheads whenever possible.

The Hows of Bowhunting is a four hour session.

Field Experience - it is desirable to give this session as one 2 hour block of time in the field.

BASIC COURSE OUTLINE

- adequate legal equipment and being familiarity with its proper use.
- how to sharpen broadheads and/or the proper use of pre-sharpened blades.
- the importance of limiting the distances of his shots.
- safety under field conditions.
- his own limitations.
- proper use of tree stands and/or ground blinds.
- following a blood trail before he makes one.
- reading signs in the field.



Montana Wildlife Federation

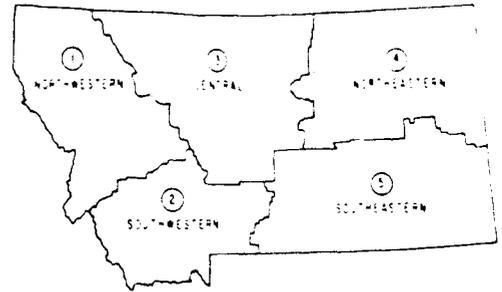
AFFILIATE OF NATIONAL WILDLIFE FEDERATION

MONTANA WILDLIFE FEDERATION

Testimony on HB 64

House Fish & Game Committee

January 13, 1987



Mr. Chairman, honorable members of the Committee, my name is Jeanne Klobnak. I stand before you today to represent the Montana Wildlife Federation in their support of HB 64.

The Montana Wildlife Federation (MWF), comprised of 4600 members is a conservation organization dedicated to promoting wildlife, wildlife habitat and sportsmen's interests.

As one of its primary goals, MWF is proud to encourage conservation education programs which build understanding for wildlife needs. Requiring competency training for young persons before purchase of a bow and arrow hunting license seeks to promote such understanding.

Presently there are no rules nor regulations which require the knowledge and skills of bowhunter safety. HB 64 would require that young persons be properly educated on how to use bow. It would require that they understand the difference between shooting an animal with a rifle and with a bow. For example, instructors would teach that game can not be shock killed with a bow as with a rifle, and instruct individuals on the location and importance of the vital areas. Young persons would be taught how to properly track an animal, and be informed on the limited distance from which game should be shot with a bow.

Competency training would also aid in promoting landowner/sportsmen relations by teaching the young bowhunters to respect the rights of private landowners.

Safe bow hunting, clean kills, and mutual respect between landowners and sportsmen means increased hunter opportunity and enjoyment in Montana.

MWF urges this committee's support of HB 64. Thankyou.

HB 93
January 13, 1987

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife & Parks

HB 93 allows the taking of channel catfish and nongame fish with longbow and arrow under Commission rules and regulations.

The Commission now has such authority for paddlefish, and we support this expansion.

We are aware, at this time, of only one place in the state where catfish could be taken by bow and arrow. It is below Tongue River dam during the summer low flow period.

Including nongame fish in this legislation on Page 3, Line 7, would clarify the department's authority to permit this practice.

The department supports HB 93.

VISITOR'S REGISTER

FISH & GAME

COMMITTEE

BILL(S) HB 64; HB 93

DATE JAN. 13, 1987

SPONSOR(S) HANSON

PLEASE PRINT

| NAME | REPRESENTING | BILL NO. | SUP-PORT | OP-POSE |
|----------------|--------------------------|----------|----------|---------|
| Scott Ross | MBA | 64 | ✓ | |
| Jan James | M.B.A. I | 64 | ✓ | |
| Al [unclear] | Lewis & Elect. [unclear] | 64 | ✓ | |
| Win [unclear] | [unclear] | 64 | ✓ | |
| Kyle P. Nagel | self | 64 | ✓ | |
| [unclear] | | | | |
| Jim Clark | self | 64 | | |
| Jeanne Klavick | MWF | 64 | ✓ | |
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR VISITOR'S STATEMENT.
 IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.