

MINUTES

**MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FISH & GAME

Call to Order: By Bob Williams, on March 21, 1991, at 3:26 P.M.

ROLL CALL

Members Present:

Bob Williams, Chairman (D)
Don Bianchi, Vice Chairman (D)
John Anderson Jr. (R)
Eve Franklin (D)
Lorents Grosfield (R)
Greg Jergeson (D)
Dick Pinsoneault (D)
David Rye (R)
Paul Svrcek (D)
Bernie Swift (R)

Members Excused: None

Staff Present: Andrea Merrill (Legislative Council).

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

Announcements/Discussion:

Roll taken and noted.

HEARING ON HB 615

Presentation and Opening Statement by Sponsor:

Representative Thoft, House. Dist. 63, explained this bill would extend the hunting season on private bird preserves from four months to seven months. This extension would accommodate hunters for a greater part of the year and will not infringe on the nesting season. This bill would allow a 3-day permit at a cost of \$20. The present cost for a 3-day permit is \$53 which is too much to pay for a day of hunting.

Proponents' Testimony:

K. L. Cool, Director of Fish, Wildlife, and Parks (FWP), supports HB 615. See Exhibit No. 1.

Tom Fox, Hamilton, is owner/operator of the Fetch Inn Hunting Preserve. With only a four-month season, they found it difficult

to compete with neighboring states who offer from a 7-12 month season. Most of these states offer a 1-3 day reduced preserve license. He compared his situation where he owns the birds to the cattle farmer who is told he can only sell his cows four months out of the year. In order to bring increased revenue into the business, they simply must have a longer season. See Exhibit No. 2.

Opponents' Testimony:

None

Questions From Committee Members:

None

Closing by Sponsor:

Representative Thoft urged the committee to give HB 615 a do pass.

EXECUTIVE ACTION ON HB 615

Recommendation and Vote:

Senator Jergeson made the motion to concur HB 615. The vote was unanimous. Senator Williams will carry the bill on the Senate floor.

HEARING ON HB 495

Presentation and Opening Statement by Sponsor:

Representative Harper, House Dist. 44, explained this is legislation that will establish a policy for improvement of State parks. Before changes are made in significant use patterns for improvements in parks throughout the State, an advertised hearing will be held locally to make sure the local people will have a chance to address these changes.

Proponents' Testimony:

Wayne Hirst, Montana State Parks Foundation, spoke in support of HB 495.

K. L. Cool, Director of Fish, Wildlife, and Parks, supports HB 495. See Exhibit No. 3.

Janet Ellis, Montana Audubon Legislative Fund, Supports HB 495. See Exhibit No. 4.

Opponents' Testimony:

None

Questions From Committee Members:

None

Closing by Sponsor:

Representative Harper feels this legislation will have a purpose and urges committee support.

EXECUTIVE ACTION ON HB 495

Recommendation and Vote:

Senator Rye made the motion to concur HB 495. The vote was unanimous. Senator Rye agreed to carry the bill on the Senate floor.

HEARING ON HB 174

Presentation and Opening Statement by Sponsor:

Representative Grady, House Dist. 47, explained that HB 174 will allow the Commission to set hunting and fishing regulations biennially which will save the Department quite a bit of money.

Proponents' Testimony:

K. L. Cool, Director of Fish, Wildlife, and Parks, supports HB 174. See Exhibit No. 5.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Swift asked Director Cool if this action would affect the Commission's ability to reduce seasons, etc? Director Cool said it would not.

Closing by Sponsor:

Representative Grady felt this legislation would have advantages especially for people who were planning their vacation--they could depend on the seasons set by the FWP for a two-year period.

EXECUTIVE ACTION ON HB 174

Recommendation and Vote:

Senator Swift made the motion to concur HB 174. The vote was unanimous. Senator Swift will carry on the Senate floor.

HEARING ON HJR 19

Presentation and Opening Statement by Sponsor:

Representative Wallin, House Dist. No. 78, explained that HJR 19 would allow the FWP to do a study on the appropriateness and importance of Parks within the State Park System in order to recommend which Parks should be closed or disposed of in order to reduce the costs of necessary funding.

Proponents' Testimony:

K. L. Cool, Director of Fish, Wildlife, and Parks, presented a report concerning the Park situation which was recently completed by the Department. See Exhibit No. 6.

Opponents' Testimony:

None

Questions From Committee Members:

None

Closing by Sponsor:

Representative Wallin urged the committee to pass HJR 19.

EXECUTIVE ACTION ON HJR 19

Recommendation and Vote:

Senator Rye made the motion to table HJR 19. The vote was unanimous.

HEARING ON HB 833

Presentation and Opening Statement by Sponsor:

Representative Lee, House Dist. No. 49, stated that the bill before the committee is the result of a considerable amount of

work over the last year and a half. He explained that this legislation would revise the laws relating to motorcraft noise, safety, and sewage requirements. He presented letters from Mr. Stephen Felt, Vice President of Eagle Bend Company, Bigfork, Mt., and Richard A. Lanpheer, Chairman, NMMA Boat Sound Level Task Force. See Exhibits Nos. 7-8.

Proponents' Testimony:

George Darrow, businessman from Bigfork, Mt., feels this legislation makes a significant contribution toward enhancing Montana's economy. He supports HB 833. See exhibit No. 9.

Senator Harding, Senate Dist. No. 25, stated that they live on Flathead lake. This legislation has a good safety proposal for kids under 18 and will teach them that they must adhere to the noise level also. Because of the increased tourism promotion, there is more activity on the lake; therefore, there must be rules and regulations.

Dan Mizner, president of the Home Owners Assn., Lake Inez. The 78 members strongly support the bill. The safety factor and noise levels are no different on small lakes than they are on large lakes. In his opinion, accidents and deaths are just as permanent on small lakes as they are on big lakes. He urges support of HB 833.

Don Johnson, Helena, president of the Canyon Ferry Recreation Assn., urged boater responsibility. All of the major features of this legislation has already been implemented by other states and they are working successfully.

Bill Myers, from Bigfork, Mt., has invested everything into a house on Flathead Lake. He is also a water user and has first-hand experience finding raw sewage and toilet paper floating up on the shoreline. This greatly disturbs him especially when he is trying to swim there. The problem has been increasing as houseboats are becoming more popular. The noise level on the lake is so high it is like having a hive of bees right outside your door--it is a very unpleasant experience to sit on your porch and try to enjoy a Saturday or Sunday afternoon. See Exhibit No. 10.

Stan Bradshaw, Montana Trout Unlimited, supports HB 833. He especially likes the section allowing the FWP to have rule-making authority on rivers and lakes.

Elna Darrow, representing Flathead Lakers, advised that in 1968 the Lakers distributed a brochure on boating regulations called "Protecting Your State and Flathead Lake." The problems documented and discussed in the brochure are problems that have only worsened today. See Exhibit No. 11.

Ken Reick, representing the Echo Lake Assn. of Flathead Co., supports HB 833. Noise and racket on the lakes are becoming more of a problem each season. See Exhibit No. 12.

Bonnie Ellis, a limnologist from Polson, Mt., supports HB 833. This legislation is not political nor special interest. See Exhibit No. 13.

Bill Leary, Helena, has a cabin on Canyon Ferry Lake. We have a significant number of fishermen on the lake and on any given Sunday or weekday, we can have as many as 100 boats on the lake. Five years ago, we had serious problems with jet boats making noise on the lake; they ran without mufflers, would sit in front of cabins revving their engines so high that you couldn't carry on a normal conversation when you were sitting on your deck. The noise problem has decreased since the 1987 Legislature established boat decibel limits and through a process of education and monitoring by FWP, the noise problem has decreased. The boat dealers have also helped by making sure that boats which leave their stores, are properly muffled and have cautioned the jet boat owners as to the law regarding the decibels allowed. As you've heard testimony, the decibels allowed in HB 833 are national standards.

Senator Pinsoneault commended the people who have worked on this bill and feels they have done a fine job in addressing the problem. He compared Lake Tahoe to Flathead Lake. He stated there is no sewage that remains in the Lake Tahoe Basin. Every bit of it is carried out and dumped somewhere else.

K. L. Cool, Director of Fish, Wildlife, and Parks, supports HB 833 as they receive many complaints regarding noise and safety violations throughout the boating/swimming season on the State's lakes and rivers. The Department will support this bill if the noise restrictions on rivers and streams are removed because it would be extremely difficult for the wardens to enforce. See Exhibit No. 14.

Opponents' Testimony:

Ken Hoovestall, representing the Montana Boaters Assn., disagrees with the section on noise restrictions. The 75 decibel level at the shoreline is of major concern. Testimony heard today states that there is an industry standard of 75 dB(A). That is basically incorrect. There are no industry standards from a logical point of view. How can a boat manufacturer adopt a standard when he has no idea what motor is going to be on that boat? A series of tests done on a combination of boats with different engines will show that some are below 75 dB(A) standards and some are above. In a letter from Jeff Napier, President of the National Marine Manufacturers Assn. (NMMA), he states "that the patchwork of differing regulations would be impossible to enforce". See Exhibit No. 15.

There is no other state that has adopted the limitations of 75 dB(A) at shoreline. The only state that has an inkling of that requirement is Maryland, but in Maryland the 75 dB(A) shoreline regulation applies strictly to tidal but not inland waters. I can show you examples of different decibel rating charts enjoining different motor noises; underwater exhaust boat, current model, at 80 dB; vacuum cleaners at 70 dB; inside a motor bus traveling down the road at 85 dB, and an example of a test done on a boat at cruising speed, 85-90 dB, etc. What I'm attempting to point out is that these charts come from the NMMA and OSHA, both reputable entities and yet showing different results of their testing. This shows the complexity, the variety of conditions and the number of things that affect test results which of course are being worked on by the industry in order to adopt rules that's feasible. Again these tests were done under very tightly controlled conditions.

Boating would be seriously curtailed on rivers within the State if the 75 dB(A) is enforced as our rivers are so narrow. The language of the bill states the Commission shall adopt rules. There is no mention as to what time frame, whether it is required or mandatory. The use to proximity of residences sounds vague and possibly some legal definitions could make the language more clear.

The responsibility lies directly on the boat owner to know the sound level of his/her boat. With no industry standards referred to, how would the owner/operator be able to find out the distance from shore that would pertain to their particular boat. Would the FWP have the manpower to individually test the 37,000 plus boats in Montana and then again when a different engine is purchased for that boat? If the individuals are to be held liable it would only seem fair to provide at least a reasonable opportunity to abide by the law. The provision would also place our boating tourist in jeopardy. Tourists are able to operate their boats if registered in their home state. How will they know if they are in compliance or not? He would hate to see this turn into a "speed trap" situation for our tourists. Language in the bill restricts manufacturers, individuals and dealers by requiring no boat to be sold either by a dealer or an individuals after January 1, 1994 unless it conforms to the sound provisions in the law. Again, we support this bill provided you amend out the sections of this bill that deal with shoreline restrictions.

Doug Erickson, shoreline owner from Flathead Lake, has numerous recreational water vehicles and does not feel there is a noise problem. Acknowledges there are a few bad apples in every bunch.

Questions From Committee Members:

Senator Franklin asked for an explanation of the conflict of the decibel levels and the data presented. Rep. Lee explained that he has data from the NMMA, who through extensive research, has developed a model noise act. This act of the 75 dB level has

been adopted in Maryland on its tidal waters. This law applies down to 30-yard wide stretches of water. They have had less boat noise compliance difficulties since this law was adopted. Testimony heard today has stated that there will be boats outlawed. The 75 dB is not a manufacturers standard. The only manufacturing standard that exists is the requirement for a muffler.

Senator Bianchi asked Ken Hoovestall to explain his boating assn. Mr. Hoovestall stated that it was organized 5-6 years ago to address some problems when they worked on the current noise limitation levels. Membership consists of dealers as well as individuals.

Senator Bianchi asked Rep. Lee about the license requirement for anyone 18 years or under who would need to be licensed before operating watercraft. Rep. Lee advised that FWP has a mail-in program where you request a license, they will mail the forms to you for completion, you send it back to them and they will issue you a certificate.

Senator Swift asked Rep. Lee how he felt about the FWP request to delete the river and streams from the bill. Rep. Lee advised that he was prepared to present amendments which would delete reference to rivers and streams. See Exhibit No. 17.

Chairman Williams asked Ken Hoovestall if he opposed only the noise level section of the bill. Mr. Hoovestall explained they supported every other portion of the legislation but strongly opposed all references to the 75 dB.

Senator Pinsoneault questioned Ken Hoovestall if the 75 dB was not a realistic standard, then what would be a liveable limitation? Mr. Hoovestall commented that the 75 dB was too low but didn't indicate a noise level the Assn. would approve.

Chairman Williams questioned Bonnie Ellis who she was working for when she made the study of Flathead Lake. She advised that she did the research on her own. Much of the information that Mr. Hoovestall has presented is simply not true. They have many letters and she has talked to people by phone for two years. The NMMA does endorse the model noise act and is an industry standard. Fifteen hundred manufacturers are behind it. See Exhibit No. 18.

Senator Franklin asked if Ken Hoovestall could respond to Ms. Ellis's comments. Mr. Hoovestall agreed that the industry has been working on standards for a number of years. The manufacturers do endorse the concept of the model legislation but falls short in being an industry standard as to where all manufacturers have to comply.

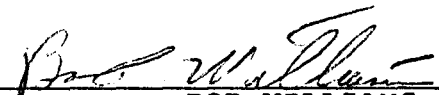
Closing by Sponsor:

Representative Lee came prepared with documentation to substantiate his position. He responded that the opponent's testimony was not credible because there was no substance or fact. Rep. Lee presented pictures of the type of sound equipment that the FWP would most likely be using. He advised that it would be very effective for use at the shoreline. See Exhibit No. 19.

Nineteen states have reportedly adopted this as a reference to the 86 dB full throttle at 50 feet. Two states have currently adopted this, Maryland and Michigan, and the industry is working in South Carolina and New Jersey to implement these standards in their statutes. The test results presented by Mr. Hoovestad had nothing to do with the noise levels nor the 75 dB levels. He had visited with the people who had run the tests and found out how it was run and did not feel that it was credible testimony. See Exhibits Nos. 20-23.

ADJOURNMENT

Adjournment At: 4:55 P.M.


BOB WILLIAMS, Chairman


JULIA LEVENS, Secretary

BW/jl

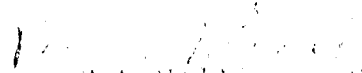
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 22, 1991

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration House Bill No. 174 (1991) do hereby respectfully report that House Bill No. 174 be concurred in.

Witness my hand



William H. Harrison, Chairman

LB 3/22/91
Amd. Comm.

Sec. of Senate 12:15

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 2, 1991

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration House Bill No. 615 (third reading copy) do hereby respectfully report that House Bill No. 615 be amended in

Amended

[Signature]
Bob Williams, Chairman

3/22/91 LB
Am. Coord.

26 260 1715
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 2 of 2
March 22, 1991

MR. PRESIDENT:

We, your committee on Fish and Game, having had under consideration House Bill No. 495 (third reading copy), have respectfully report that House Bill No. 495 be concurred in.

Signed,



Don Williams, Chairman

46 3/22/91
And. Chord.

46 3/22/91
Sec. of Senate

SENATE FISH AND GAME

EXHIBIT NO. 1

DATE 3/21/91

BILL NO. HB 615

HB 615
March 21, 1991

Testimony presented by K. L. Cool, Dept. of Fish, Wildlife & Parks
to Senate Fish and Game Committee

HB 615 provides for a three-day nonresident shooting preserve stamp
and extends the shooting preserve season by three months.

The department does not object to a reasonable extension of the
shooting preserve season to the period from September 1 through
March 31. We also support the concept of the three-day nonresident
shooting preserve stamp.

SENATE FISH AND GAME
EXHIBIT NO. 3
DATE 3/21/91
BILL NO. HB 495

HB 495
March 21, 1991

Testimony presented by K. L. Cool, Dept. of Fish, Wildlife & Parks
to the Senate Fish and Game Committee

Our department supports HB 495. Its effect will be to formalize, through public rule making, practices the department currently follows pursuant to the Montana Environmental Policy Act and the State Antiquities Act.

The bill addresses only those park and fishing access development projects which significantly change site features or use patterns. Maintenance, repair or replacement of existing facilities, and the protection of natural and cultural resources, for example, would normally be exempt.

The public involvement process and meeting requirements allow flexibility to use the most appropriate techniques. The environmental assessment requirements conform to MEPA.

Most of the significant park projects and many of the fishing access projects are now handled in accordance with this bill. However, specific analysis of future costs and impacts on tourism have not always been considered.

While this bill will not assure that we will please all interests, it does formalize a process that will assure the important and relevant issues are addressed.

The most significant change in current practice will probably occur on fishing access projects where more formal public involvement and analysis will be required on small projects. Extra expense and time for meetings and reports will have to be built into as many as half or more of 40-50 projects improved each biennium. At an estimated \$800 per site, costs could be \$8,000 to \$11,000 per year for fishing access sites reporting requirements under this bill.

State park projects approved for the current biennium are now undergoing a review much like the one prescribed by HB 495. The additional cost of publishing reports for these and future projects is estimated to be about \$800 each or about \$16,000 for 20 projects annually.

In conclusion, Mr. Chairman, we agree with the intent of HB 495 and appreciate the sponsor's amendments which will make the process more effective.

SENT TO SENATE AND GAME
FILE NO. 4
3/21/91
BILL NO. HB 495

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 21 day of March, 1991.

Name: Janet Ellis

Address: _____

Telephone Number: MT Audubon Legislative Fund

Representing whom? State Parks Futures Committee

Appearing on which proposal?

HB 495

Do you: Support? X Amend? _____ Oppose? _____

Comments:

I was a member of Governor Stephen's State Parks Futures Committee. The Futures Committee endorsed the idea of planning before development should occur in all our state parks. This bill sets up a planning process for parks — we endorse it

HB 174
March 21, 1991

Testimony presented by K. L. Cool, Dept. of Fish, Wildlife & Parks
to Senate Fish and Game Committee

Most anglers, hunters and recreationists associate our commission with the setting of fishing, hunting and land use regulations. The outcome of these annual processes has a significant effect on the experiences and satisfaction of many sportsmen and women. We support this proposed legislation because it would provide sportsmen more time and opportunity to become involved in our regulatory process by spreading the current annual process over a two year period.

The commission's authority to set these regulations annually is a statutory exception to the normal rule making process. It provides our department and commission with the needed flexibility to use the best available biological data in combination with extensive public review. However, today we see a growing diversity of public desires resulting in increasingly complex regulations. The process to arrive at suitable decisions requires more time than is available in the annual process.

The department began experimenting with the idea of biennial regulations during the 1986 fishing season. It allowed the department to complete management plans on the more complex and controversial waters prior to making recommendations to the commission. Because regulations could only be set annually, the department and commission urged the public to avoid making any significant recommendations during "off years." This has worked well and been strongly supported by anglers.

The public was also asked to comment on its preference for a biennial process to set hunting regulations in 1990. This proposal received extensive support because of the increased opportunity for meaningful involvement on important changes which are necessary each year.

It is important to retain the flexibility to set regulations annually or biennially. Quotas for moose, bighorn sheep, mountain goat and special elk permits must be adjusted annually. Other regulations such as season dates and district boundaries can be set biennially. While general land use regulations are adopted under the ARM rule process, seasonal road closures, parking and camping site restrictions and park fees require the flexibility of annual or biennial regulations.

We urge you to support this bill. It will allow us to better serve our customers through longer lasting regulations which will provide consistency and simplification for our current process. It will therefore provide more meaningful public involvement on the important changes that must be considered each year.

HJR 19
March 21, 1991

Testimony presented by K.L. Cool, Dept of Fish, Wildlife and Parks

Prior to discussing the concept of HJR 19 with Representative Wallin, our Parks Division had begun to work on the type of report requested in this resolution. We have recently completed the report and we believe it fulfills the requirements of this bill.

The bill addresses prioritization and classification of state parks to facilitate decisions on balancing park system size with funding needed. A similar report, entitled "Montana State Parks, A System Plan" (Recreation Management Opportunities Inc.) was also completed in 1989 by an outside consultant. The State Park Futures Committee prepared a third report addressing current public opinion on the subject of park prioritization and disposal. Conclusions of the report are summarized as follows:

- Federal Land and Water Conservation Funds (LWCF) have been used for acquisition or development of all but nine of our state parks. This program requires the park be managed for public recreation in perpetuity. If disposed of, or closed, these sites require full replacement at current appraised values. This would not result in any revenue savings and in some cases might cost the state more money. I have attached a letter from the National Park Service which verifies this.
- Of the nine sites with no LWCF obligations (Anaconda Smelter Stack, Beaverhead Rock, Clark's Lookout, East Gallatin, Elkhorn, Fort Owen, Granite, Parker Homestead and Pirogue Island State Parks), six have no current operating budget (all but Anaconda Stack, Fort Owen and East Gallatin), and seven have significant historical or cultural value (all but East Gallatin and Pirogue Island). The attached letter from the State Historic Preservation Office explains the state's obligations under federal historic preservation law if sites are considered for disposal.
- The 1989 consultant's report identified eight sites (Ackley Lake, Big Pine, East Gallatin, Frenchtown Ponds, Lake Elmo, Les Mason, Lost Creek, Natural Bridge, Painted Rocks and Springs Meadow Lake State Parks), as inappropriate for the state park system because they typify a city or county park or are better managed by another entity. Of these eight sites, four (Big Pine, East Gallatin, Les Mason and Natural Bridge) have been turned over to other managing entities and the remaining four are associated with LWCF, and no willing entities have been identified to assume park management.

we
1018 W. Murdock Ave.
Oshkosh, WI 54901

STATE FISH AND GAME
7
3/21/91
HB 833
ON 7718

February 16, 1991

TO: Committee Reviewing House Bill #833, State of Montana, Att'n. Rep. Tom Lee,
Seat #52

SUBJECT: House Bill Revlising Marine Noise, Safety and Sewage Laws

Dear Sirs:

I am writing to you in response to some questions which have been asked regarding the Model Noise Act which was developed by the National Marine Manufacturers Association (NMMA). By way of introduction, I am the Chairman of the Boat Sound Level Task Force sponsored by NMMA. This Task Force has been very active over the past few years in noise testing a variety of engine/boat combinations, and I have recently sent a copy of one of our test reports to Dr. Bonnie Ellis so that she may share some of that data with you. I am also Chairman of the Marine Sound Level Subcommittee of the Society of Automotive Engineers (SAE), and it is this body which develops and publishes the noise measurement standards which are referred to in the Model Noise Act. Professionally, I am Manager of Acoustical Engineering for Brunswick Marine Power, and have had many years of professional experience in measuring noise emitted by pleasure motorboats.

Dr. Ellis recently sent me a list of questions and has asked that I respond to you so as to make my comments a part of the public record in any testimony regarding Bill #833.

1) RE: stationary tests on pleasure motorboats per SAE J2005, after what year of manufacture will boats/motors pass the 90 dB(A) noise limit?

3-2-521
Answer: a) all "production" outboards will pass the requirement regardless of year of manufacture. b) inboard and sterndrive powered boats will meet the requirements regardless of year of manufacture if they are equipped with either underwater exhaust or an effective muffler. It may interest you to know that, according to my records, Montana already has a law requiring all boats to have a muffler. This provision simply allows enforcement officers (the opportunity) to quickly determine the effectiveness of the muffler and whether it has been altered to make it louder. The importance of this requirement is that most complaints about boat noise are the result of people operating boats which have above-water exhaust and which are not equipped with mufflers.

2) Is a "grandfather clause" an acceptable means of dealing with older boats/motors?

Answer: As stated above, the only boats which fail the stationary requirement are those boats which have above-water exhaust and no muffler or an ineffective muffler. The concept of a "grandfather clause" is fraught with difficulties, particularly for enforcement officers, and is not recommended.

SENATE FISH AND GAME

EXHIBIT NO. 8DATE 3/21/91BILL NO. HB 833EAGLE BEND
GOLFING COMMUNITY

P.O. Box 960

Bigfork, Montana 59911

1-(800)-255-5641

(406)837-5641

March 20, 1991

Senate Fish and Game Committee
State Capital
Helena, Montana 59601

Mr. Chairman and members of the committee:

As an officer of a business that derives it's income from the visitor industry, I understand the importance of maintaining the quality of the amenities found in the Flathead Valley and throughout the state.

I was raised on the shores of Flathead Lake and have a special appreciation of this resource. I obtained an ocean operator's license and professionally operated vessels up to 100 gross tons in the state of Hawaii. I understand the problems associated with sewage disposal and noise abatement in boating.

The quality of the water, the health and safety of the individuals utilizing these amenities is of utmost importance and needs to be preserved. I speak also on behalf of the other members of Eagle Bend.

I believe that the contents of HB833 accomplishes these goals, therefore I fully stand by and support this bill.

Sincerely,

Stephen Felt
Vice President
Eagle Bend Company

EXHIBIT NO. 9DATE 3/21/91BILL NO. HB 833WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 21st day of March, 1991.

Name: George DarrowAddress: Box 400Bigfork, MT 59911Telephone Number: 406-837-4848

Representing whom?

Bigfork Business men

Appearing on which proposal?

H.B. 833Do you: Support? XAmend? Oppose?

Comments:

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 21 day of MARCH, 1991.

Name: WILLIAM G. MYERS, SR.

Address: EAST SHORE RT

BIG FORK, MT. 59911

Telephone Number: 837-5617

Representing whom?

SELF

Appearing on which proposal?

H. 833

Do you: Support? X Amend? Oppose?

Comments:

INCLUDING COPY OF LETTER FROM YAMAHA MOTOR
CORP., USA SUPPORTING NMMA MODEL NOISE ACT, TO
BONNIE ELLIS.

EXHIBIT NO. 11DATE 3/21/91BILL NO. HB 833WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 21st day of March, 1991.

Name: Elna Danow

Address: Box 400

Bigfork, MT 59911

Telephone Number: 837-4848

Representing whom?

Slathead Lake

Appearing on which proposal?

HB 833

Do you: Support? ☒ Amend? ☐ Oppose? ☐

Comments:

Mr. Chairman. Committee members.

My name is Ken Reick. I am representing the Echo Lake Association of Flathead county.

I'm going to limit my discussion on this legislation to the noise standards. I'm going to first of all talk about the problems we have and the need for the noise standards, and then, briefly, about the means by which this legislation addresses the problems.

The problem is, obviously, racket and a lot of it. We aren't talking about a nuisance or an aggravation. Noise pollution, to the extent that it occurs on surface waters, is a very serious problem. When this occurs to an extent such that it drives people off the water or at least ruins their enjoyment of the water, and literally drives one from a home that happens to be located near the water, then it becomes an extremely serious problem.

This problem is invariably caused by boats equipped with large, inboard, unmuffled V8's. They exhaust straight through the transom above the water line. The noise that these boats make is indescribable. If you have never heard it, then I can't tell just how bad it is. A fellow I know lives about a mile from the lake. He can hear these boats from his home. There's the water, then about a mile of forest, then Foothill Road, and his house sits in the trees. He tells me that the noise is obnoxious where he lives. And he asks me, "How the hell can you stand it right there on the water?" The answer is, we can't.

At this point, I'd like to address a comment we frequently hear when discussing noisy boats. That is: Lakes are noisy. What do you expect? You are on the water and there is going to be noise.

This is true. People who live near the water or recreate on the water expect noise. There are going to be boats, water skiers, jet skiers, parties, swimming and yelling and all of the things that are connected with a water recreational area. That's fine. We not only expect that, we participate in it. We all own boats. No one objects to this.

But there is a threshold beyond which no one should be subjected to. And this threshold is breached by these large unmuffled engines.

What this legislation is about in one respect, is removing a restriction on the use of the water. For when these boats are operating, they steal the water from everyone else. This water is for multiple use. But I know people who won't use Echo Lake on the weekends because that's when these boats are usually operating. If these folks want to fish or boat or whatever on Echo, they come during the week or not at all.

The problem is particularly acute on smaller lakes. For on these waters, there is no place one can go to get away from the noise. There is simply no relief. On larger lakes, a fisherman or canoeist for instance, can move to another part of the lake. Not so on Foy's, Echo, Blaine, Ashley, Seely, Inez, Lindberg, Placid, etc.

SENATE FISH AND GAME

March 21, 1991

EXHIBIT NO. 13
DATE 3/21/91
BILL NO. HB 833

Dear Chairman Williams and Committee Members:

My name is Bonnie Ellis and I am a Limnologist; a scientist who studies freshwaters, such as lakes and streams. I chaired a committee for the last year and a half that reviewed all of the current state and federal legislation concerning use of surface waters in Montana and other states and made recommendations for improvement of existing statutes. Most of our recommendations were incorporated into House Bill 833. The provisions of HB 833 are not trivial or special interest oriented.

That we should have the option of disposing of sewage when boating on pristine waters, like Flathead, should require little discussion. We recognize that it is currently against Montana law to discharge untreated human wastes into our waters. But, when no disposal facilities are available, dilution of pollution is too often the solution. Our research showed that as many as 50 boats with onboard, sewage holding tanks may be present on Flathead Lake during a summer weekend. These boats need pump out facilities.

Noise regulations are needed to protect the rights of shoreline property owners, sailboaters and other shoreline users interested in enjoying a reasonable level of quiet without unduly compromising motor vessel operations by others. The Society of Automotive Engineers has recommended that the old procedure they developed for determining boat noise (which we are currently using) be replaced by two new measurement procedures. The current method was not intended for use in enforcement of boat noise. It is often inaccurate, cannot effectively deal with operator control on noise levels and has substantial liability implications.

Research has shown that complaints about boat noise originate as a result of boat operation where 1) the boat does not have an effective muffler, or 2) where the boat is operated too close to shore. The new stationary muffler test was developed at the request of law enforcement officials to deal with problem #1. It provides an accurate, safe measurement procedure to determine if a boat is properly muffled. To deal with problem #2 the SAE, the EPA and European governmental agencies did extensive tests on hundreds of lakes of varying surrounding topography and background noise levels and results indicated that when boat noise exceeds 75 dB, complaints from shoreline users increase substantially. The new law is aimed at controlling noise at the shoreline by placing the responsibility on the operator to maintain a distance or speed such that boat noise is within the 75 dB limit when measured at the shoreline.

The average boat operated at full throttle would be within the noise limit 100 feet from the shoreline. Industry recommends no open throttle within 200 feet of the shoreline. Very large, loud boats would have to increase the distance from the shoreline (i.e. 220 feet max) for full speed operation or simply reduce speed when nearing the shoreline. These new measurement procedures have been adopted by the National Marine Manufacturers Association (made up of 1500 U.S. boat manufacturers) and the Personal Watercraft Industry Association. Keep in mind that you cannot carry on a conversation when boat noise exceeds 75 dB at the shoreline and 86dB can cause hearing loss.

Meetings with area citizens, boating groups and FWP officials indicate the need to gradually implement mandatory education of our young boat handlers, resulting in the eventual education of most future boat handlers. A very good home study booklet for watercraft safety exists and requires only

HB 833
March 21, 1991

Testimony presented by K. L. Cool, Dept. of Fish, Wildlife & Parks
to Senate Fish and Game Committee

Each year the Department of Fish, Wildlife & Parks answers numerous noise and safety complaints from the people who utilize Montana's lakes, rivers and reservoirs for water-based recreation. This bill attempts to address many of these concerns.

Although we encourage diverse water-based recreation, we are concerned when one type of active recreation excludes another more passive use of our waters due to excessive equipment noise, or reckless and inconsiderate behavior.

HB 833 increases noise restrictions on water-based recreation which will increase the time commitment for our enforcement officers and park rangers in some areas. More sophisticated noise enforcement equipment will also be needed. The bill provides some revenue to purchase this equipment.

We generally endorse the concepts embodied in HB 833, however we do not support the amendments added on the floor of the House requiring the Fish and Game Commission to adopt rules regarding noise restrictions on motorboats operated on rivers and streams. It is our feeling that these restrictions will be very difficult, if not impossible, to enforce. In addition, the time and resources required to accomplish the administrative and rule making process which would be required by the House amendments would be exhaustive. Given what is required in the rest of this bill, we would request you reject the House amendments.

If the amendments addressing rule making on rivers are removed we could support this bill.

111
NATIONAL
MARINE



MANUFACTURERS
ASSOCIATION

SENATE FISH AND GAME

March 12, 1991

EXHIBIT NO. 15
DATE APR 3/21/91
BILL NO. HB833

Mr. Dave Siefert
Flathead Sports
2307 Highway 93 South
Kalispell, MT 59901

Dear Dave:

Let me respond more formally and in greater detail regarding your questions on the origins and intent of NMMA's work in the boat noise control area.

Our goals are two: First, to put a scientific basis under boat noise control measurement and regulation. Heretofore, a lot of discussions in this area were based on various unscientific ideas and unsophisticated understandings of noise propagation and measurement. Second, to provide a reasonable degree of uniformity where boat noise regulation is felt necessary in heavy boat traffic areas -- whether among bodies of water or jurisdictions within a state, or, between states. A patchwork quilt of differing regulations would be impossible to enforce and merely a harassment to boat owners.

The work we did over recent years with the help of many, including law enforcement people and acoustical experts, is generally described in a pamphlet and video. We also have model regulation guidelines based on these studies and other work, for those government bodies which feel regulation is necessary.

While the quality of our scientific work is very good and our model regulatory guidelines generally helpful, we don't suggest that these are the rigid requirements in all circumstances. For example, where the guidelines suggest operation at a certain distance from shore, this should not be taken as an absolute, since its rigid application could be used to prohibit boat traffic altogether as, for example, in a narrow channel between two bodies of water, between two islands or in a narrow bay or cove. Such is not our intent and such application would be unreasonably restrictive and normally not justified by any noise pattern.

Changes in the footages of the guidelines may be necessary for local situations or, alternatively, exemptions of particular areas, such as narrow channels or coves, from the overall applications.



401 North Michigan Avenue • 312/836-4747
Chicago, Illinois 60611 • Fax: 312/329-9815

NATIONAL MARINE MANUFACTURERS ASSOCIATION

SENATE FISH AND GAME

EXHIBIT NO. 16DATE 3/21/91BILL NO. HB 833

March 20, 1991

Dr. Bonnie Ellis
311 Bio Station Lane
Poulson, MT 59860

Dear Dr. Ellis:

Regarding your recent communication with our office, the NMMA Model Noise Act is, in fact, fully endorsed by the NMMA Board of Directors. We are working currently to pass legislation based on this model act in South Carolina and New Jersey and, as you know, we have recently distributed a video describing our Model Act and the boat noise issue as seen by NMMA.

Dick Lampheer, Brunswick's resident acoustical engineer has and will continue to serve as our industry spokesperson and expert witness on noise. He has and will continue to represent the industry at meetings such as those held by the National Association of Boating Law Administrators where boat noise regulation is discussed.

As I've explained previously, the model bill represents our best technical thinking on how to measure and regulate boat noise. There will be specific geographical areas and circumstances where the model act or the shoreline test may not be applicable. In those situations, it is likely the state legislature will provide noise exemptions in the legislation.

I hope this clarifies our position.

Sincerely,

John H Dane

John H. Dane
Director
State Government Relations

JHD/rm

cc: Jeff Napier, NMMA
Dick Lampheer, Brunswick



SENATE FISH AND GAME
17
DATE 3/21/91
BILL NO. HB 833

AMENDMENT TO HOUSE BILL 833

AMENDING THE HOUSE THIRD READING COPY

OFFERED WITHOUT OBJECTION OF THE CHIEF SPONSOR

MARCH 21, 1991

BEFORE THE SENATE COMMITTEE ON FISH AND GAME

Page 12, Line 9:

AFTER "waterski being towed by the vessel":

STRIKE: "."

ADD: , except when directly entering or leaving a public or private marina, watercraft facility, or other watercraft docking or loading area.

RATIONALE:

This amendment permits a vessel to jump or cross the wake of another vessel within 100 yards of the other vessel when both vessels are entering or exiting a marina, watercraft facility, or docking area. The amendment will permit orderly but close vessel traffic. The amendment is drafted so that the provisions under Section 3 (a) will still govern all vessel traffic exempted under Section 3 (b) by this amendment.



National Marine Manufacturers Association

401 North Michigan Avenue
Chicago, Illinois 60611
(312) 836-4747

1000 Thomas Jefferson St. N.W.
Suite 525
Washington, D.C. 20007
(202) 338-6662

MODEL NOISE ACT

- 10/19/89 -

SENATE FISH AND GAME
EXHIBIT NO. 18
DATE 3/21/91
BILL NO. HB 833

1. Muffler Requirements. Effective _____ pleasure motorboats shall be equipped and maintained with an effective muffler or underwater exhaust system. An effective muffler shall enable the boat to meet the noise level limitation of Section 2. An underwater exhaust system is one which has exhaust outlets which are below the water line in all modes of boat operation.

2. Stationary Noise Level Limitations. Pleasure motorboats shall not exceed 90 dB(A) when subjected to a stationary sound level test as prescribed by SAE J2005 (Draft - Stationary Sound Level Measurement Procedure for Pleasure Motorboats).

3. Operational Noise Level Limitations. Effective _____ no person may operate a pleasure motorboat on the waters of this state in such a manner so as to exceed a sound level of 75 dB(A) measured as specified in SAE J1970 (Draft - Shoreline Sound Level Measurement Procedure).

4. Restrictions on manufacture and sale. *This section has been deleted from the 1990 revision. NMMA no longer recommends specific date many* No person may manufacture or offer for sale any motorboat manufactured after _____ for use on the waters of this state if that motorboat cannot be operated in such a manner so as to comply with the exhaust system requirements in Section 1) and the noise levels established in Section 2) and 3) above.

5. Scope of regulation. This act shall apply to all public waters over which the state has jurisdiction.

6. Exemption for specific uses. This act does not apply to:

a) A motorboat tuning up, testing for and/or participating in official trials for speed records or a sanctioned race conducted pursuant to a permit issued by an appropriate unit of government.

b) A motorboat being operated by a boat or marine engine manufacturer for the purpose of testing and/or development.

Sound Level Meters Filters & Calibrators



Precision Sound Level Meter

EXHIBIT NO. 19

DATE

3/21/91

BILL NO.

HB 833

type 2232

USES:

- Community and industrial noise measurements
- Checking compliance with noise rating recommendations
- Traffic noise measurements

FEATURES:

- Ease of operation
- Light weight (460 g)

- Measuring range from 34 to 130 dB
- Type 1 precision
- "F" and "S" detector response in accordance with IEC 651 Type 1
- Built in A-weighting network
- Equipped with a robust, high sensitivity prepolarized condenser microphone
- Automatic and manual display-reset modes
- Large easily-read digital display
- DC output for Level Recorder

The Precision Sound Level Meter Type 2232 is a truly portable instrument that combines simplicity of operation with Type 1 precision. The Type 2232 is eminently suitable for noise investigations, checking compliance with permissible noise levels, measurements of traffic noise, and other applications where both expert and non-expert staff need to carry out acoustic measurements.

The Type 2232 complies with IEC 651 Type 1 and ANSI S 1.4 1983 Type S1A.



Fig. 1. Community noise measurements using the handy Type 2232

Introduction

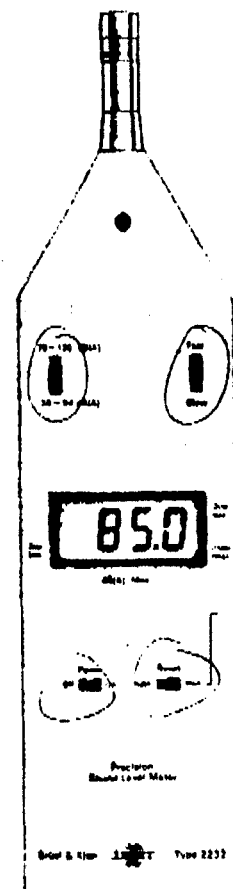
Precision Sound Level Meter Type 2232 is an inexpensive instrument, primarily designed for community noise surveys and less demanding acoustic measurements, which nevertheless offers the accuracy and quality associated with a precision-grade sound level meter. Its excellent ergonomic design and ease of operation enable even the inexperienced user to quickly and effectively carry out reliable measurements. The handy convenience of a Type 1 precision sound level meter which can be carried around in the pocket will be appreciated by all users. A large, easily-read digital display gives a single value indication of the maximum A-weighted RMS sound pressure level measured during the previous second, thereby eliminating meter reading errors. The Type 2232 is robust, compact and lightweight (460 g), and is the ideal tool for environmental health inspec-

tors and other personnel concerned with maintaining acceptable noise levels in industrial and residential locations.

The Sound Level Meter satisfies the requirements of IEC 651 Type 1 and ANSI S 1.4 1983 Type S1A, the latter when fitted with the Random Incidence Corrector DZ 9566 which is supplied as an accessory.

Description

The Sound Level Meter consists basically of a microphone, an amplifier and detector with associated frequency and time weighting circuits, an analogue DC output, and a digital display. Overload, under-range and low battery indications are also provided. These



conditions are displayed as shown in Fig. 2.

The Type 2232 is equipped with a high sensitivity B & K Prepolarized Condenser Microphone Type 4176 which was developed especially for use with the Sound Level Meter. The non-removable protection grid is internally

opinions

The great debate

Public turmoil once again stirred the waters of the Upper Yellowstone last week, with another chapter of the Great Jet-Boat Debate.

Department of Fish, Wildlife and Parks officials returned to Livingston to re-open a controversy some of us thought had been closed a couple of years ago. At that time, state officials had ruled that jet-boats — those powered by motors with more than 10 horsepower — would be prohibited on the Yellowstone upstream of the Springdale bridge.

Jet-boat operators, of course, objected to the restriction, and even filed a suit against the state over it. As a result of the suit, the state agreed to review its earlier rule, and hold a couple of more hearings.

Last week, some of the same arguments were heard about the power boating issue. Safety seemed to be one of the central issues, as jet-boat opponents claimed the wakes from passing power boats can cause hazards for floaters, waders and anglers. Another boating opponent revived the issue of sediment control and fish-spawning problems, both of which have long been reasons for criticism of power boating on the river.

The boaters, of course, ardently denied

these claims. They maintain they should have just as much access to the river as the non-boaters, and don't seem to see any reason why it's being restricted. They claim they actually perform a service in emergencies — something nobody denies, and something which is not prohibited by the present regulation.

The power boats are more than just a safety hazard. They offer a major intrusion on the quiet enjoyment of the Yellowstone. They are very noisy, disturbing fish and wildlife as well as humans. They do, indeed, stir up sediment in the riverbed, and almost any experienced fly fisherman will tell you a passing jet-boat can ruin a good stretch of river for an hour or more.

The upper reaches of the river have become a national destination for fly-fishers, and a vital local industry. Extending the jet-boat zone to Livingston would seriously endanger that part of our local economy.

The present designation is a fair and appropriate one — it leaves plenty of the Yellowstone River for the power boating public. The state should continue its restriction on power boats upstream of the Springdale bridge, and not knuckle under to the pressure from the boaters.

SENATE FISH AND GAME

EXHIBIT NO. 20

DATE 3/21/91

BILL NO. HB 833 LEE

KEY PROVISIONS OF HB 833

1.) The Montana Department of Health and Environmental Sciences will provide a model rule establishing guidelines for construction, operation and maintenance of sewage pumpout facilities to serve boats at docks, parks or marinas.

These changes are needed to prevent human wastes from being directly discharged from boats into our lakes and rivers simply because no pumpout facilities are available.

2.) Two new criteria for boat noise will be implemented:

a) not to exceed 90 decibels when recorded at a distance of 1 meter from the exhaust port while the vessel is operated at idle speed; and,

b) not to exceed 75 decibels when recorded on any shoreline of the surface waters. It is intended that the Fish and Game Commission set appropriate decibel levels for rivers or streams 300 feet wide or less based on density of use and proximity of residences.

The 90 dB muffler test and the 75 dB shoreline procedure were developed by the Society of Automotive Engineers for boats and are endorsed by the boat manufacturing industry (Personal Watercraft Industry; National Marine Manufacturers Assoc.) and the National Association of State Boating Law Administrators. All new (1990) boats meet these criteria, unless they lack a muffler or the muffler has been modified. Older boats that do not meet these criteria (most older boats are also in compliance) can be retrofitted easily and inexpensively. These standards are also much easier for wardens, and other law enforcement personnel to enforce and prosecute.

3.) HB833 establishes that vessels including jet skis will not be operated in a manner that unreasonably or unnecessarily endangers life.

The wording is in accordance with the recommendations of the Personal Watercraft Industry and provides clear understanding to law enforcement personnel as to what constitutes reckless vessel operation.

4.) HB833 revises the boating statutes to provide for more meaningful education of boating safety by requiring that beginning in 1994 persons between the ages of 12 and 15 complete a home study watercraft operators safety course offered by MDFWP and that children operating boats greater than 10 horsepower be at least 13 years of age. An allowance is made for children 12 years of age or younger, if accompanied and supervised by an adult.

Currently education is not mandatory and a child of any age may operate a vessel of any size unsupervised.

5.) It is intended that the Fish and Game Commission adopt rules regarding the display of a fluorescent flag by the person observing a skier being towed during the time fallen skiers or others are in the water. The commission's determination of necessity for implementing the rules should be based on the density of use of a body of water.

This is a simple safety precaution endorsed by skiers and is an effective law in several states.

6.) Water-skiing will be prohibited from sunset to sunrise.

This statute is needed as a safety precaution and to limit noise at dawn and dusk.

March 13, 1990

Dr. Bonnie Ellis
311 Bio Station Lane
Flathead Lake Biological Station
Polson, MT 59860
Phone (406) 982-3301
FAX (406) 982-3201

Dear Dr. Ellis,

Regarding our recent conversation, you asked a few questions about the NMMA Model Noise Act, how it would affect boat and motor dealers in Montana, some general questions on acoustics and how the 75 dB(A) shoreline noise limit compares to human speech noise levels.

First, let's take the issue of the impact on boat and motor dealers in Montana. Since I have not seen a copy of the proposed legislation for Montana, let's address the subject from the standpoint of the NMMA Model Act. As I understand it, there is some concern by at least one dealer that he will not be able to take older boats and motors in trade and sell them again because of the stationary noise requirement [90 dB(A) @ 1 metre (3.3 ft.)]. If this is the same dealer that I have talked to, I have explained to him that all engines with underwater exhaust will pass the requirement without any problem, and this includes all outboards and most sterndrives and inboards. The only engines which may cause problems are those with above-water exhaust, and they must be fitted with an effective muffler in order to comply. Under no circumstances will the Fish and Game wardens have to be called upon to verify acceptance of any boats with underwater exhaust. My estimate of the number of boats which would be constructed with above water exhaust would be only a few percent in your area, and they can be fitted with factory-specified mufflers, usually without any problem. Incidentally, it is these few percent of the boaters who operate their boats so as to cause complaints about boat noise.

The second question related to the 75 dB(A) requirement at the shoreline. In our telephone conversation, you asked what the level of ordinary conversation is in terms of dB(A), and how that compares to the recommended shoreline limit. To answer your question, we performed a test in my office this morning with three persons in a conversation over a period of 30 minutes. The microphones were placed at a position which was 3 ft. from one person, 4.5 ft. from the second person and 11 ft. from the third. In the 30 minute time period the average sound level was 54.3 dB(A), the maximum was 69.3 dB(A) and the minimum was 38.1 dB(A). One of the microphones was connected to a recording sound level meter and I am enclosing a portion of that tape so that you may see for yourself.

Now, let's also look at what the experts say about sound levels for speech, and I will

EXHIBIT NO.

23

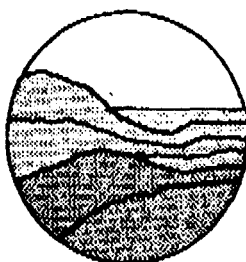
DATE

3/21/91

BILL NO.

HB833

(KEE)



Maryland Department Of Natural Resources

Natural Resources Police

Tawes State Office Building
Annapolis, Maryland 21401
(301) 974-2248-(301) 974-3170

March 1, 1991

William Donald Schaefer
Governor

Torrey C. Brown, M.D.
Secretary

Col. Jack T. Taylor
Superintendent

Lt. Willis L. Dennis
Deputy Superintendent

Ms. Bonnie K. Ellis
Flathead Lakers Inc.
P.O. Box 290
Polson, Montana 59860

Dear Ms. Ellis:

I am writing this letter in response to our conversation last week regarding Maryland's vessel noise level laws. As stated in my conversation, I feel that Maryland's present law and procedure has enhanced enforcement efforts and been a benefit to the public.

More specifically, we have found that voluntary compliance to the new law is much higher than it was for the old law. It is important to note that boat operators are now aware of the possibility that law enforcement officers may be covertly monitoring the noise emissions of their boats. Subsequently, they have modified their behavior as it relates to boat operation while in the close proximity to shore. Since the law has been into effect, we have noted a significant decrease in the number of complaints filed by shoreline property owners regarding noisy boats. I do believe that this law, like any other law, which is supported by the majority of the public, will require a minimum of enforcement action because it has been accepted by the people. On the other hand, as you well know, any law that is not supported by the public will not be observed no matter how intense the level of enforcement. In summation, the law has given the operators of noisy boats the opportunity to operate their boats without fear of charges of "excessive noise" as long as noisy operations are conducted in open waters away from the shoreline.

I am enclosing a brochure produced by our Department regarding Maryland's noise limits. I hope that the above information will be of assistance to you and if you have any further questions, please feel free to contact me.

Sincerely,

Lt. Col. Franklin I. Wood
Deputy Superintendent

Enclosure:

Page 1 of 1
March 22, 1991

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration House Bill No. 495 (third reading copy -- blue), respectfully report that House Bill No. 495 be concurred in.

Signed: _____

Bob Williams, Chairman

CB 3/22/91
Amd. Coord.

2-2 422 11:11
Sec. of Senate