

MINUTES

MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON SENATE BILL 014

ROLL CALL

Call to Order: By Senator Bob Pipinich, Chair, on March 23, 1993, at 3:30 p.m.

Roll Call

Members Present:

Sen. Bob Pipinich, Chair (D)
Sen. Gary Forrester (D)
Sen. Bernie Swift (R)
Rep. Bob Clark (R)
Rep. Bill Ryan ((D)
Rep. Liz Smith (R)

Members Excused: None.

Members Absent: None.

Staff Present: John McMaster, Legislative Council
Kathy Collins, Committee Secretary

Please Note: These are summary minutes. Discussion is paraphrased and condensed.

Discussion:

John McMaster explained the amendments to SB 14 (see penciled additions to Exhibit #1).

Senator Swift stated as long as the amendment does not violate the adult requirement discussed on the Senate floor, the amendment would be agreeable with him.

Senator Smith stated the amendment would not prevent abuse of the law. Representative Ryan said the key is the authorization by the parent or guardian.

John McMaster stated he did not believe Senator Swift's concerns were being addressed with the amendment. Line 20 says "family member", not "adult family member". Mr. McMaster stated the amendment would allow for a family member who is not an adult. Senator Swift stated he felt this violated the law already in place, and stated "adult family member" would be better.

Representative Ryan stated he felt his teenage son, who has completed a hunter safety course, is fit to accompany another one of his children when hunting. Representative Ryan said he should

FREE CONFERENCE COMMITTEE ON SB 014

March 23, 1993

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have the right, as a parent, to authorize his teenage son to do that. Representative Ryan stated this type of activity is already going on, and a number of people who grew up in Montana grew up in this manner. Senator Pipinich stated not all parents are of the responsible type to be qualified to authorize this.

Senator Swift stated there needs to be qualifying language regarding the family member, and any time the law is changed to include minors in this respect would create some real problems.

Representative Ryan stated he would like SB 14 to read that the parent or guardian has the right to authorize who their son or daughter goes hunting with.

Representative Clark stated, the way SB 14 reads, the only one who has to be authorized by the parent or guardian is the "other adult".

Senator Pipinich stated the amendment could be kept intact, and add a comma after "adult" on lines 7 and 20. Representative Clark stated that would clear up his concern. Senator Swift stated if this went along with the intent of SB 14, he would agree with it.

Representative Smith asked Senator Swift what his intent was with SB 14. Senator Swift stated the intent was for a parent or guardian of a minor to give the official approval for an adult or safety instructor to take that minor hunting.

Senator Pipinich suggested the amendment should read, "safety instructor, family member, or adult,". Senator Swift stated he would agree to that.

Motion/Vote:

Senator Swift moved the amendment to SB 14. The motion CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: 3:45 p.m.

Senator Bob Pipinich
SENATOR BOB PIPINICH, Chair

Kathy Collins
KATHY COLLINS, Secretary

ROLL CALL

FREE CONFERENCE COMMITTEE ON SENATE BILL 14

DATE 3-23-93

NAME

PRESENT ABSENT EXCUSED

Free Conference Committee
on Senate Bill No. 14
Report No. 1, March 23, 1993

Page 1 of 1

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 14, met and considered:

Senate Bill No. 14 in its entirety.

We recommend that Senate Bill No. 14 (reference copy - salmon) be amended as follows:

1. Page 1, line 21.

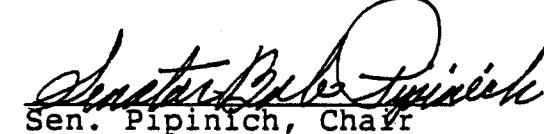
Strike: "other"

Following: "ADULT"

Insert: ","

And that this Free Conference Committee report be adopted.

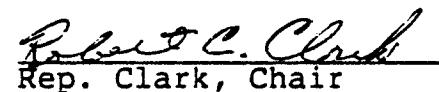
For the Senate:


Sen. Peter Pipinich
Sen. Pipinich, Chair


Sen. Gary Forrester
Sen. Forrester

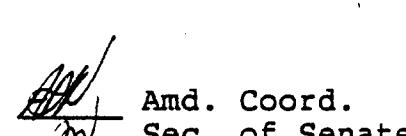

Sen. Bernie Swift
Sen. Swift

For the House:


Rep. Robert C. Clark
Rep. Clark, Chair


Rep. William Ryan
Rep. Ryan


Rep. Liz Smith
Rep. Smith


Am. Coord.
Sec. of Senate

ADOPT

REJECT

651631CC.San

Exhibit #1
Senate Committee
Feb 23, 14
Free 3-23-14
SB 14

1 SENATE BILL NO. 14
2 INTRODUCED BY SWIFT

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW
5 REGARDING THE USE OF FIREARMS BY CHILDREN UNDER 14 YEARS OF
6 AGE TO ALLOW THOSE CHILDREN TO USE A FIREARM WHEN
7 ACCOMPANIED BY ~~A FAMILY MEMBER OR~~ AN ADULT AUTHORIZED BY A PARENT OR
8 GUARDIAN; AND AMENDING SECTION 45-8-344, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 45-8-344, MCA, is amended to read:
12 "45-8-344. Use of firearms by children under fourteen
13 prohibited -- exceptions. It is unlawful for a parent,
14 guardian, or other person having charge or custody of a
15 minor child under the age of 14 years to permit the minor
16 child to carry or use in public any firearms ~~or~~
17 ~~described~~ ~~loaded~~ ~~with~~ ~~powder~~ ~~and~~ ~~lead~~, except when the
18 child is accompanied by a person having charge or custody of
19 the child or under the supervision of a qualified firearms
20 safety instructor ~~or~~ ~~other~~ ~~person~~, ADULT who has been
21 authorized by the parent or guardian."

-End-

ROLL CALL VOTE

FREE CONFERENCE COMMITTEE > BILL NO. SENATE BILL 14

DATE 3-23-93 TIME 3:30 A.M. P.M.

NAME YES NO

KATHY COLLINS
SECRETARY

B. PIPINICH
CHAIR

MOTION: Amend SB 14