

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

CONFERENCE COMMITTEE ON SENATE BILL 259

Call to Order: By CHAIRMAN KEN MESAROS, on April 4, 1995, at
10:00 a.m.

ROLL CALL

Members Present:

Sen. Kenneth "Ken" Mesaros (R)
Sen. Gary Forrester (D)
Sen. Don Hargrove (R)

Rep. Douglas T. Wagner (R)
Rep. Rod Marshall (R)

Members Excused: Representative Bob Pavlovich

Members Absent: None

Staff Present: Serena Andrew, Secretary
Andrea Merrill, Legislative Council Staff

Discussion:

SENATOR KEN MESAROS, SD #25, CASCADE, called the conference committee to order. REPRESENTATIVE DOUGLAS WAGNER, HD #83, HUNGRY HORSE, said REPRESENTATIVE PAVLOVICH was unable to attend and asked REPRESENTATIVE WAGNER to vote his proxy.

SENATOR MESAROS said the committee was not a free conference committee, and only the difference between amendments made in the House and Senate would be reviewed. He stated that the rules for conference committees required that two Senate and two House votes were needed to pass the bill out of the committee.

SENATOR MESAROS commented that he believed most of the concern about the House amendments to SB 259 came from bowhunters who objected to the use of an atlatl during the entire archery season, rather than the two-day season approved by the Senate. Initially the bill requested a two-day atlatl season for deer prior to the opening of archery season.

REPRESENTATIVE ROD MARSHALL, HD #28, BOZEMAN, asked if the rules permitted tabling the bill.

SENATOR MESAROS told him the purpose of the conference committee was to work out differences between the House and Senate versions of the bill.

SENATOR GARY FORRESTER, SD #8, BILLINGS, stated that he had no problem with allowing use of the atlatl during the first or last two days of archery season, but not through the entire season. Following the House action, the bowhunters didn't approve of even a two-day season. He suggested no committee action on the bill.

REPRESENTATIVE WAGNER commented that he had received numerous comments from the United Bowhunters of Montana; they strongly opposed the bill. There was concern about allowing use of an atlatl during the entire archery season. If a two-day season should be authorized, he suggested that it be the last two days, rather than the first two days of archery season.

He said the atlatl was not a precision weapon, and hunters were afraid animals would be wounded, with resulting damage to the public perception of hunting.

SENATOR DON HARGROVE, SD #16, BOZEMAN, told the committee he had been very pleased when the Senate had agreed to a two-day atlatl season. People were also very supportive in the House. He was surprised, but pleased, when he found SB 259 had been amended to allow the use of an atlatl during the entire archery season and an immediate effective date.

As he remembered, the bill went through the House 92-8. He didn't know the amendments had been added until it came back to the Senate. The bowhunters came in as opponents in the Senate, but came to the House as proponents, and he thought that was very decent of them. As far as he knew, the bill as presently written wasn't what was requested by atlatl users or what they should have received. He said he understood the bowhunters' objections.

SENATOR HARGROVE commented that he would not protest if the bill disappeared, as he knew that was the way the system sometimes worked. He suggested asking **PAT GRAHAM, Director of the Department of Fish, Wildlife & Parks**, how he felt about the bill. He mentioned again that he understood the bowhunters' objections, and knew it had taken them 27 years to get their season.

MR. GRAHAM said he thought **SENATOR HARGROVE** had expressed the bowhunters' feelings accurately. Originally they were willing to go along with the bill as it came from the Senate, but they did object to the amendments from the House. His department had been against a separate season, and he appreciated the Senate's action on that issue.

MR. GRAHAM commented that he knew people were always cautious about changes in regulations, but thought it would be only a matter of time before the atlatl would be accepted. The

bowhunters objected to the immediate effective date because of the difficulty in scheduling appropriate hunter education.

SENATOR MESAROS agreed that the bowhunters had been concerned about the educational requirements in the Senate but thought those concerns had been addressed. He asked if he were correct in thinking that the length of the season and the immediate effective date were made during executive action.

REPRESENTATIVE WAGNER said that was correct - the changes were made after the hearing.

SENATOR MESAROS stated that he would support putting the bill back into the form in which it left the Senate.

SENATOR FORRESTER said he had received a number of calls and at least 20 letters from bowhunters who wanted to see the bill tabled. He would be agreeable to restoring the two-day season or tabling SB 259.

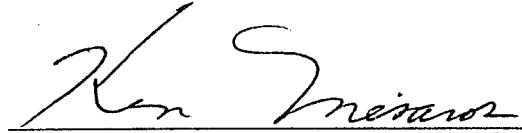
SENATOR MESAROS stated that the options were to accept some version of the amendments as the bill left the Senate or to accept the bill in its present form. If no action were taken, the bill would ultimately die.

REPRESENTATIVE MARSHALL remarked that he had carried SB 259 in the House where amendments were added and the atmosphere had been very good. However, it had received adverse publicity in the media since that time. He said he would like to find some way to gracefully forget it.

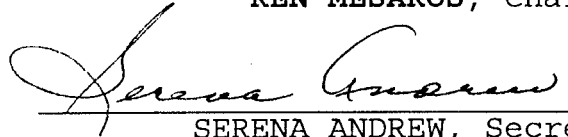
SENATOR MESAROS asked if the committee wanted to act on the bill. Seeing no response, he said the committee would take no action on SB 259.

ADJOURNMENT

Adjournment: The meeting adjourned at 10:25 a.m.



KEN MESAROS, Chairman



SERENA ANDREW, Secretary

KM/sa