

IN THE HOUSE

MARCH 16, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 17, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

1 HOUSE BILL NO. 64
 2 INTRODUCED BY HANSON
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING COMPETENCY
 5 TRAINING FOR PERSONS UNDER 18 YEARS OF AGE BEFORE PURCHASING
 6 A BOW AND ARROW HUNTING LICENSE; INCREASING THE BOW AND
 7 ARROW LICENSE FEE BY \$1; AND AMENDING SECTIONS 87-2-105 AND
 8 87-2-708, MCA."

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

11 Section 1. Section 87-2-105, MCA, is amended to read:

12 "87-2-105. Safety instruction required. (1) No hunting
 13 license ~~shall~~ may be issued to any resident person under the
 14 age of 18 years unless he presents to the person authorized
 15 to issue such license a certificate of competency as
 16 provided by this section.

17 ~~{2}--The department--shall--provide--for--a--course--of~~
 18 ~~instruction--in--the--safe--handiing-of-firearms-and-for-the~~
 19 ~~purpose-may-cooperate--with--any--reputable--association--or~~
 20 ~~organization--having--as-one-of-its-objectives-the-promotion~~
 21 ~~of-safety-in-the-handring-of-firearms;--The--department--may~~
 22 ~~designate--any--person--found--by-it-to-be-competent-to-give~~
 23 ~~instructions-in-the-handling-of-firearms;--A--person--so~~
 24 ~~appointed-shall-give-such-course-of-instruction-and-upon-the~~
 25 ~~successful-completion--thereof--shall--issue--to-the-person~~

1 ~~instructed-a-certificate-of-competency-in-the-safe--handling~~
 2 ~~of-firearms.~~

3 ~~{3}~~(2) No hunting license ~~shall~~ may be issued to any
 4 nonresident person under the age of 18 years unless he
 5 presents to the person authorized to issue such license a
 6 certificate of competency as provided in this section or a
 7 certificate verifying that he has successfully completed a
 8 course in the safe handling of firearms in any state or
 9 province.

10 {3} No bow and arrow license may be issued to any
 11 resident or nonresident person under the age of 18 years
 12 unless he presents to the person authorized to issue such
 13 license a certificate of competency in the safe handling of
 14 bow hunting tackle, in addition to the certificate of
 15 competency in the safe handling of firearms.

16 {4} The department shall provide for a course of
 17 instruction in the safe handling of firearms and for that
 18 purpose may cooperate with any reputable organization having
 19 as one of its objectives the promotion of safety in the
 20 handling of firearms. The department may designate as an
 21 instructor any person it finds to be competent to give
 22 instructions in the handling of firearms. A person so
 23 appointed shall give such course of instruction and shall
 24 issue a certificate of competency in the safe handling of
 25 firearms to any person successfully completing the course.

1 (5) The department shall provide for a course of
2 instruction in the safe handling of bow hunting tackle and
3 for that purpose may cooperate with any reputable
4 organization having as one of its objectives the promotion
5 of safety in the handling of bow hunting tackle. The
6 department may designate as an instructor any person it
7 finds to be competent to give instructions in the handling
8 of bow hunting tackle. A person so appointed shall give
9 such course of instruction and shall issue a certificate of
10 competency in the safe handling of bow hunting tackle to any
11 person successfully completing the course."

12 Section 2. Section 87-2-708, MCA, is amended to read:

13 "87-2-708. Class A-2--special bow and arrow license.

14 A holder of a valid hunting license for which a special
15 archery season is set by the department may receive, upon
16 payment of an additional fee of ~~96~~ \$7, a Class A-2 license
17 which shall authorize the holder thereof to pursue, hunt,
18 shoot, and kill with bow and arrow the game animals so
19 authorized by the licenses held and to possess the carcass
20 thereof during seasons and in areas, as designated by the
21 department."

22 NEW SECTION. Section 3. Extension of authority. Any
23 existing authority of the department of fish, wildlife, and
24 parks to make rules on the subject of the provisions of this
25 act is extended to the provisions of this act.

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB064, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act requiring competency training for persons under 18 years of age before purchasing a bow and arrow hunting license; increasing the bow and arrow license fee by \$1; and amending Sections 87-2-105 and 87-2-708, MCA."

ASSUMPTIONS:

1. 5% of the 21,750 bow hunters, or 1,090, persons, are under 18 years of age. All of these hunters would take the bow and arrow hunters training in year one.
2. Implementation of this training program would require 0.1 FTE.
3. 2.6% of all hunters take hunter education classes each year. This same percentage of all bow and arrow hunters would take bow and arrow hunter education classes each year starting with year 2. 565 bow and arrow hunters would take the class in year 2.
4. It currently costs \$18.40 per student for hunter education classes. Bow hunter education classes would also cost \$18.40 per student.

FISCAL IMPACT:

	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Personal Services	\$ 0	\$ 6,387	\$ 6,387	\$ 0	\$ 3,310	\$ 3,310
Operating Expenses	200	23,205	23,005	200	7,090	6,890
TOTAL	\$ 200	\$ 29,592	\$ 29,392	\$ 200	\$ 10,400	\$ 10,200
<u>Revenues:</u>						
Bow & Arrow Licenses	\$130,500	\$152,250	\$ 21,750	\$130,500	\$152,250	\$ 21,750

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

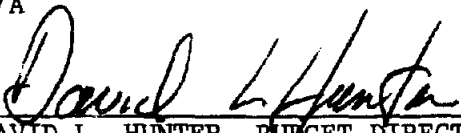
N/A

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

 DATE 4/10/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

DATE _____
 MARIAN W. HANSON, PRIMARY SPONSOR
 Fiscal Note for HB064, as introduced.

HB 64

APPROVED BY COMM.
ON FISH AND GAME

HOUSE BILL NO. 64
INTRODUCED BY HANSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING COMPETENCY TRAINING FOR PERSONS UNDER 18 YEARS OF AGE BEFORE PURCHASING A BOW AND ARROW HUNTING LICENSE; ~~INCREASING-THE-BOW-AND-ARROW-LICENSE-FEE-BY--\$1;--AND~~ AMENDING SECTIONS SECTION 87-2-105 AND--87-2-708, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 87-2-105, MCA, is amended to read:
"87-2-105. Safety instruction required. (1) No hunting license shall may be issued to any resident person under the age of 18 years unless he presents to the person authorized to issue such license a certificate of competency as provided by this section.

~~(2)--The--department--shall--provide--for--a--course--of--instruction--in--the--safe--handling--of--firearms--and--for--the--purpose--may--cooperate--with--any--reputable--association--or--organization--having--as--one--of--its--objectives--the--promotion--of--safety--in--the--handling--of--firearms.--The--department--may--designate--any--person--found--by--it--to--be--competent--to--give--instructions--in--the--handling--of--firearms.--A--person--so--appointed--shall--give--such--course--of--instruction--and--upon--the~~

~~successful-completion--thereof--shall--issue--to--the--person--instructed--a--certificate--of--competency--in--the--safe--handling--of--firearms.~~

~~(3)(2)~~ No hunting license shall may be issued to any nonresident person under the age of 18 years unless he presents to the person authorized to issue such license a certificate of competency as provided in this section or a certificate verifying that he has successfully completed a course in the safe handling of firearms in any state or province.

(3) No bow and arrow license may be issued to any resident or nonresident person under the age of 18 years unless he presents to the person authorized to issue such license a certificate of competency in the safe handling of bow hunting tackle, in addition to the certificate of competency in the safe handling of firearms.

(4) The department shall provide for a course of instruction in the safe handling of firearms and for that purpose may cooperate with any reputable organization having as one of its objectives the promotion of safety in the handling of firearms. The department may designate as an instructor any person it finds to be competent to give instructions in the handling of firearms. A person so appointed shall give such course of instruction and shall issue a certificate of competency in the safe handling of



1 firearms to any person successfully completing the course.
 2 (5) The department shall provide for a course of
 3 instruction in the safe handling of bow hunting tackle and
 4 for that purpose may cooperate with any reputable
 5 organization having as one of its objectives the promotion
 6 of safety in the handling of bow hunting tackle. The
 7 department may designate as an instructor any person it
 8 finds to be competent to give instructions in the handling
 9 of bow hunting tackle. A person so appointed shall give
 10 such course of instruction and shall issue a certificate of
 11 competency in the safe handling of bow hunting tackle to any
 12 person successfully completing the course."

13 ~~Section 2.--Section--87-2-708,--MCA,--is--amended--to--read--~~
 14 ~~"87-2-708,--Class--A--2--special--bow--and--arrow--license--~~
 15 ~~A--holder--of--a--valid--hunting--license--for--which--a--special~~
 16 ~~archery--season--is--set--by--the--department--may--receive,--upon~~
 17 ~~payment--of--an--additional--fee--of--\$6--\$7,--a--Class--A--2--license~~
 18 ~~which--shall--authorize--the--holder--thereof--to--pursue,--hunt,~~
 19 ~~shoot,--and--kill--with--bow--and--arrow--the--game--animals--so~~
 20 ~~authorized--by--the--licenses--held--and--to--possess--the--carcass~~
 21 ~~thereof--during--seasons--and--in--areas,--as--designated--by--the~~
 22 ~~department."~~

23 NEW SECTION. Section 2. Extension of authority. Any
 24 existing authority of the department of fish, wildlife, and
 25 parks to make rules on the subject of the provisions of this

1 act is extended to the provisions of this act.

2 NEW SECTION. SECTION 3. EFFECTIVE DATE. THIS ACT IS
 3 EFFECTIVE MARCH 1, 1988.

-End-

1 HOUSE BILL NO. 64

2 INTRODUCED BY HANSON

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING COMPETENCY
5 TRAINING FOR PERSONS UNDER 18 YEARS OF AGE BEFORE PURCHASING
6 A BOW AND ARROW HUNTING LICENSE; ~~INCREASING-THE-BOW-AND~~
7 ~~ARROW-LICENSE-FEE-BY--\$1;--AND~~ AMENDING SECTIONS SECTION
8 87-2-105 AND--87-2-700, MCA; AND PROVIDING A DELAYED
9 EFFECTIVE DATE."

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

12 Section 1. Section 87-2-105, MCA, is amended to read:

13 "87-2-105. Safety instruction required. (1) No hunting
14 license shall may be issued to any resident person under the
15 age of 18 years unless he presents to the person authorized
16 to issue such license a certificate of competency as
17 provided by this section.

18 ~~(2)--The--department--shall--provide--for--a--course--of~~
19 ~~instruction-in-the-safe-handling-of--firearms--and--for--the~~
20 ~~purpose--may--cooperate--with--any--reputable-association-or~~
21 ~~organization-having-as-one-of-its-objectives--the--promotion~~
22 ~~of--safety--in-the-handling-of-firearms;--The-department-may~~
23 ~~designate-any-person-found-by-it-to-be--competent--to--give~~
24 ~~instructions--in--the--handling--of--firearms;--A-person-so~~
25 ~~appointed--shall--give--such--course--of--instruction--and--upon--the~~

1 ~~successful-completion--thereof--shall--issue--to--the--person~~
2 ~~instructed--a-certificate-of-competency-in-the-safe-handling~~
3 ~~of-firearms.~~

4 ~~(3)(2)~~ No hunting license shall may be issued to any
5 nonresident person under the age of 18 years unless he
6 presents to the person authorized to issue such license a
7 certificate of competency as provided in this section or a
8 certificate verifying that he has successfully completed a
9 course in the safe handling of firearms in any state or
10 province.

11 (3) No bow and arrow license may be issued to any
12 resident or nonresident person under the age of 18 years
13 unless he presents to the person authorized to issue such
14 license a certificate of competency in the safe handling of
15 bow hunting tackle, in addition to the certificate of
16 competency in the safe handling of firearms.

17 (4) The department shall provide for a course of
18 instruction in the safe handling of firearms and for that
19 purpose may cooperate with any reputable organization having
20 as one of its objectives the promotion of safety in the
21 handling of firearms. The department may designate as an
22 instructor any person it finds to be competent to give
23 instructions in the handling of firearms. A person so
24 appointed shall give such course of instruction and shall
25 issue a certificate of competency in the safe handling of

1 firearms to any person successfully completing the course.
 2 (5) The department shall provide for a course of
 3 instruction in the safe handling of bow hunting tackle and
 4 for that purpose may cooperate with any reputable
 5 organization having as one of its objectives the promotion
 6 of safety in the handling of bow hunting tackle. The
 7 department may designate as an instructor any person it
 8 finds to be competent to give instructions in the handling
 9 of bow hunting tackle. A person so appointed shall give
 10 such course of instruction and shall issue a certificate of
 11 competency in the safe handling of bow hunting tackle to any
 12 person successfully completing the course."

13 ~~Section 2. Section 87-2-708, MCA, is amended to read:~~
 14 ~~"87-2-708. Class A-2 special bow and arrow license-~~
 15 ~~A holder of a valid hunting license for which a special~~
 16 ~~archery season is set by the department may receive, upon~~
 17 ~~payment of an additional fee of \$6.97, a Class A-2 license~~
 18 ~~which shall authorize the holder thereof to pursue, hunt,~~
 19 ~~shoot, and kill with bow and arrow the game animals so~~
 20 ~~authorized by the licenses held and to possess the carcass~~
 21 ~~thereof during seasons and in areas, as designated by the~~
 22 ~~department."~~

23 NEW SECTION. Section 2. Extension of authority. Any
 24 existing authority of the department of fish, wildlife, and
 25 parks to make rules on the subject of the provisions of this

1 act is extended to the provisions of this act.

2 NEW SECTION. SECTION 3. EFFECTIVE DATE. THIS ACT IS
 3 EFFECTIVE MARCH 1, 1988.

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HOUSE BILL NO. 64
INTRODUCED BY HANSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING COMPETENCY TRAINING FOR PERSONS UNDER 18 YEARS OF AGE BEFORE PURCHASING A BOW AND ARROW HUNTING LICENSE; ~~INCREASING THE BOW AND ARROW LICENSE FEE BY \$1; AND INCREASING THE BOW AND ARROW LICENSE FEE BY \$1; AMENDING SECTIONS SECTION SECTIONS 87-2-105 AND 87-2-708 AND 87-2-708, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.~~"

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

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"87-2-105. Safety instruction required. (1) No hunting license shall may be issued to any resident person under the age of 18 years unless he presents to the person authorized to issue such license a certificate of competency as provided by this section.

~~(2) The department shall provide for a course of instruction in the safe handling of firearms and for the purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of safety in the handling of firearms. The department may designate any person found by it to be competent to give instructions in the handling of firearms. A person so~~

~~appointed shall give such course of instruction and upon the successful completion thereof shall issue to the person instructed a certificate of competency in the safe handling of firearms.~~

~~(3) (2) No hunting license shall may~~ be issued to any nonresident person under the age of 18 years unless he presents to the person authorized to issue such license a certificate of competency as provided in this section or a certificate verifying that he has successfully completed a course in the safe handling of firearms in any state or province.

~~(3) No bow and arrow license may be issued to any resident or nonresident person under the age of 18 years unless he presents to the person authorized to issue such license a certificate of competency in the safe handling of bow hunting tackle, in addition to the certificate of competency in the safe handling of firearms.~~

~~(4) The department shall provide for a course of instruction in the safe handling of firearms and for that purpose may cooperate with any reputable organization having as one of its objectives the promotion of safety in the handling of firearms. The department may designate as an instructor any person it finds to be competent to give instructions in the handling of firearms. A person so appointed shall give such course of instruction and shall~~

1 issue a certificate of competency in the safe handling of
 2 firearms to any person successfully completing the course.

3 (5) The department shall provide for a course of
 4 instruction in the safe handling of bow hunting tackle and
 5 for that purpose may cooperate with any reputable
 6 organization having as one of its objectives the promotion
 7 of safety in the handling of bow hunting tackle. The
 8 department may designate as an instructor any person it
 9 finds to be competent to give instructions in the handling
 10 of bow hunting tackle. A person so appointed shall give
 11 such course of instruction and shall issue a certificate of
 12 competency in the safe handling of bow hunting tackle to any
 13 person successfully completing the course."

14 ~~Section 2. Section 87-2-708, MCA, is amended to read:~~
 15 ~~"87-2-708. Class A-2 special bow and arrow license:~~
 16 ~~A holder of a valid hunting license for which a special~~
 17 ~~archery season is set by the department may receive, upon~~
 18 ~~payment of an additional fee of \$6-\$7, a Class A-2 license~~
 19 ~~which shall authorize the holder thereof to pursue, hunt,~~
 20 ~~shoot, and kill with bow and arrow the game animals so~~
 21 ~~authorized by the licenses held and to possess the carcass~~
 22 ~~thereof during seasons and in areas, as designated by the~~
 23 ~~department."~~

24 SECTION 2. SECTION 87-2-708, MCA, IS AMENDED TO READ:
 25 "87-2-708. Class A-2 special bow and arrow license.

1 A holder of a valid hunting license for which a special
 2 archery season is set by the department may receive, upon
 3 payment of an additional fee of \$6 \$7, a Class A-2 license
 4 which shall authorize the holder thereof to pursue, hunt,
 5 shoot, and kill with bow and arrow the game animals so
 6 authorized by the licenses held and to possess the carcass
 7 thereof during seasons and in areas, as designated by the
 8 department."

9 NEW SECTION. Section 3. Extension of authority. Any
 10 existing authority of the department of fish, wildlife, and
 11 parks to make rules on the subject of the provisions of this
 12 act is extended to the provisions of this act.

13 NEW SECTION. SECTION 4. EFFECTIVE DATE. THIS ACT IS
 14 EFFECTIVE MARCH 1, 1988.

-End-

STANDING COMMITTEE REPORT

SENATE

March 5

87

..... 19.....

MR. PRESIDENT

Fish and Game

We, your committee on.....

having had under consideration..... House Bill..... No. 64.....

Third reading copy (Blue)
color

BOW HUNTER COMPETENCY TRAINING

Representative Marian Hanson (Senator William Yellowtail)

House Bill

64

Respectfully report as follows: That..... No.....

be amended as follows:

1. Title, line 7.

Following: "AND"

Insert: "INCREASING THE BOW AND ARROW LICENSE FEE BY \$1; AND"

Strike: "SECTION"

Insert: "SECTIONS"

2. Title, line 8.

Following: "87-2-708"

Insert: "AND 87-2-708"

3. Page 3.

Following: line 22

Insert: "Section 2. Section 87-2-708, MCA, is amended to read:

"87-2-708. Class A-2--special bow and arrow license. A holder of a valid hunting license for which a special archery season is set by the department may receive, upon payment of an additional fee of ~~\$6~~ \$7, a Class A-2 license which shall authorize the holder thereof to pursue, hunt, shoot, and kill with bow and arrow the game animals so authorized by the licenses held and to possess the carcass thereof during seasons and in areas, as designated by the department."

Renumber: subsequent sections

AND AS AMENDED
BE CONCURRED IN

~~XXXXXXXX~~

~~XXXXXXXXXX~~

Ed Smith