EXHIBIT 10
DATE 1/18/11
HB 173

MBA Counterpoints to HB 173

Counterpoint 1: Importance of limiting technology during archery season

Archery seasons exist as challenging, close-range seasons where harvest rates are low because of the difficulty and skill needed to harvest animals. Technology threatens the integrity and future existence of our archery seasons on two levels. First, there is the consideration of fair chase. Archery seasons provide an opportunity for bowhunters to get up close and personal and to match wits with the animals they pursue. Increases in bowhunting technology could shift the advantage away from the animal, dampening the challenge of close-range hunting. Secondly, success rates are typically quite low during archery season. Should technology be allowed to progress to the point where success rates are high and too many game animals are being harvested, then these seasons and the opportunities they provide would need to be severely shortened, restricted, or combined into the general rifle season in order to protect the viability of our game populations. This would result in a loss of opportunity for bowhunters young and old alike. North Dakota is experiencing this conundrum and struggling with ways to cope with shortened seasons and diminishing bowhunting opportunities.

Counterpoint 2: Lighted nocks will not improve the tracking ability of a hunter

Lighted nocks will only assist in recovering the arrow, not necessarily the animal. Knowing where the arrow hit the animal does not improve the blood trail. Effectively tracking and locating the animal depends on the hunter's blood-trailing skill, and in many cases, perseverance. Will knowing that the arrow passed under the spine and above the lungs make a hunter look more or less for the wounded animal? In short, these "aids" will not improve the hunter's skill or ethics in recovering game.

Counterpoint 3: The Fish, Wildlife and Parks Commission has repeatedly voted in favor of maintaining the "no electronics" stance.

In the late 1990's, due to rapidly expanding technological advances in bowhunting accessories, the bowhunting community asked the FWP Commission to set regulations regarding what would be considered legal equipment during an archery only season. Bowhunters across the state asked the commission to do this to safeguard the future of our sport. After considerable public input and well within their authority, the Commission adopted the regulations as we have them now. As recently as last December, the Commission was asked to reconsider their stance on electronics and make an exception for lighted nocks. They decided against the exception, upholding the intent of the regulations.

Counterpoint 4: The archery industry lacks studies to substantiate their claims of increased game recovery with lighted nocks.

MBA President Jason Tounsley recently contacted archery industry leaders to research studies on lighted nock effectiveness. In conversations with Eric Price, Cofounder/VP of The Burt Coyote Co. Inc. (manufacturer of the Lumenok), and Jason Harris, Easton Technical Products, neither manufacturer could cite studies to substantiate claims that lighted nocks increase game recovery.

Counterpoint 5: Lighted nocks violate Pope and Young Club Equipment Regulations

The Pope and Young Club is the authoritative scoring and record-keeping organization for bowhunting trophies. Many of bowhunting's ethical standards are maintained by the Pope and Young Club. Electronic devices such as lighted nocks are excluded from equipment considered ethical for taking game with a bow and arrow. Animals harvested with excluded equipment are not considered to have been taken by means of fair chase and are not allowed into the record book.

(Excerpted from the Pope and Young website)
II. Hunting Arrow

A. A hunting arrow shall have the following characteristics:
1. It shall be a projectile at least 20 inches overall length. The length of the arrow shall be measured from the rearward point of the nock to the tip of the broadhead.
2. Fletching shall be attached to the aft end.
3. A broadhead shall be mounted on the fore end.
4. The arrow shall weigh no less than 300 grains with the broadhead attached.

B. Exclusions:
1. No electronic or battery-powered devices shall be attached to the arrow.
2. No poison, drug, or explosives shall be attached to the arrow.

http://www.pope-young.org/bowhunting_equipment.asp