

Senate Bill 101  
March 5, 2013  
Presented by Mike Korn  
House Fish, Wildlife & Parks Committee

Mr. Chairperson and committee members, I am Mike Korn, Deputy Chief of Law Enforcement of the Montana Department of Fish, Wildlife and Parks (FWP). I am here today on behalf of the Director in support of Senate Bill 101.

FWP supports Senate Bill 101 for a number of reasons. First, we support and encourage opportunities for all hunters and the Permit to Hunt from a Vehicle stands as an important and appropriate means of providing these opportunities to those whose mobility has become substantially and permanently impaired. That was the original intent of this law when it was first adopted- that a disabled hunter could still take part in hunting although he or she was unable to physically leave the confines of a vehicle or only travel a very short distance from it. The original law contained language that also provided the requirement to have a companion along to aid the disabled hunter in the subsequent handling of animals the permitted hunter harvests. Additionally, the companion was granted the ability to pursue and dispatch on behalf of the hunter any animal that may have been wounded on behalf of the disabled hunter.

With changes to the law, and with the best of intentions, this opened the opportunities up far beyond the original intent. The number of people who qualified increased exponentially while additional privileges were added.

FWP Law Enforcement has encountered a number of situations where the PTHV was issued to someone who in fact, was not substantially and permanently impaired. Abuses encountered run the gambit from using the PTHV to transport non-disabled hunters into walk-in only areas, hunting without a companion, basically "turning on and turning off" their Permit thus not a permanent and total disability; telling private landowners that, by virtue of the permit and the law, they absolutely had to allow them to drive on lands where driving was prohibited, as well as numerous cases of what amounts to workers-comp fraud whereby people who were able to get endorsement were encountered not just yards but miles from their vehicle, single-handedly dressing and packing a game animal back to a PTHV identified truck.

As a result, landowners have become suspicious of PTHV holders and turn them away, and those who truly merit the privilege lose out.

We support the efforts of the Blackfoot Access group to provide hunting opportunities for those who might not otherwise be able to go afield. They, along with landowners who allow public and especially, disabled access, recognize the pitfalls that the huge, unwarranted expansion of the qualifications have presented. It is a loss to both their opportunities as well as to hunters everywhere. We stand in support of Senate Bill 101.