

Dear Natural Resource Committee members,

I would like to express my support for SB2211. This bill would amend Section 2 of 20.1-01-08 NDCC that states:

2. An individual may use an artificial light, night vision, thermal vision, or infrared light with a power source of not more than six volts while hunting afoot for coyote, fox, raccoon, or beaver during the open season on the animal. The artificial light must produce a red, green, or amber color when used in the hunting of coyote, fox, raccoon, or beaver, except when taking a raccoon treed or at bay.

SB2211 would allow the use of the already allowed night hunting equipment listed above during any open firearms season for any furbearer or nongame animal, currently ground squirrel, prairie dog, porcupine, rabbit, or skunk. Under the current law when passed coyote, fox, raccoon, and beaver were allowed to be hunted year-round, however, this past year ND Game and Fish established a separate season which was not previously in place for night hunting of coyotes and fox in which they restricted that season to November 23, 2020 to March 15, 2021, thus circumventing the legislation.

Passage of SB2211 would simplify regulations and allow increased opportunities to harvest animals that many people consider a nuisance and none of them are considered threatened or endangered or there wouldn't be a firearms season on them in the first place.

This bill would likely be the biggest benefit to coyote and fox hunters who sell fur. Currently the night season doesn't start until November 23. This costs hunters that sell fur five or six weeks of the best fur these animals have all year. It will help control the populations of all of these animals as well. I have yet to hear anyone say they think there should be more coyotes or rabbits or porcupines. Again, most look at these animals as destructive nuisances.

I know there is some sentiment that night hunting should not be allowed during the open deer rifle season as it could give poachers greater opportunity while hiding under the umbrella of hunting coyotes. As a former Game Warden that served North Dakota for 19 years I feel this concern is greatly exaggerated. The key provision of this law is that you must be hunting afoot. Poachers are poachers because they are notoriously lazy and don't get out of the vehicle to actually hunt. If seen using this equipment from a vehicle by a warden there would be no question as to what is going on because the perpetrator would not be hunting afoot. Poachers want to be able to shoot from the road with a quiet small caliber rifle in most cases and they want to be able to get that animal in a vehicle and away from the scene as quickly as possible. Their greatest tools are the headlights of a vehicle and a .22 rifle. Poachers are also poachers because they don't follow the law anyway. If they are inclined to use this equipment to poach a deer they'll do it regardless of whether there is an open season for doing it anyway. Night hunting of raccoon and beaver is currently allowed during the deer season. If poachers were

going to use this as a loophole we likely would have seen incidents of this nature occurring already and to my knowledge that has not happened. Also, our wardens are trained to assess these situations and deal with them appropriately. They already deal with somewhat similar situations when they encounter individuals in the field that do not have a deer license but are accompanying an individual or individuals with licenses. Is that person there to hunt coyotes or are they helping their friends harvest a deer? That's probably a harder situation to assess than a poacher illegally hunting deer at night with night equipment.

In short, this bill will simplify current regulations and provide greater opportunity for hunters with no substantiated negative consequences and I urge your support.

Thank You

Brent Schwan