

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2345

2001 SENATE NATURAL RESOURCES
SB 2345

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

Senate Natural Resources Committee

Conference Committee

Hearing Date 2-8-01

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|-------------|
| 1 | | X | 20.3 - 32.0 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Janet Garner</i> | | | |

Minutes:

SENATOR FISCHER opened the hearing on SB 2345.

SENATOR TOM TRENBEATH of District 10 testified in support of SB 2345 to extent the black powder white tail hunting season from 9 days to an additional week. This would make sense for his area because of the possibly late sugar beet and potato harvest, they are overrun with white tail deer and thirdly because it is a great hunting experience.

MARK ROSTER although he is president of the North Dakota Muzzleloaders Association testified on his own behalf in support of SB 2345 (See attached testimony).

JOHN HORNER of Mandan ND, testified and wished to have his name on the roster in support of SB 2345.

MIKE DONAHUE, representing the United Sportsman and the North Dakota Wildlife Federation testified in support of SB 2345.

PAUL CRARY of the Cass County Wildlife Club wanted to be on record in support of SB 2345.

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Senate Natural Resources Committee
Bill/Resolution Number SB 2345
Hearing Date 2-8-01

DARREL RYTTER from Kenmare, ND wanted to be on record in support of SB 2345.

There was no neutral or opposing testimony given of SB 2345.

SENATOR CHRISTMANN asked for an opinion of the State Game & Fish Department on SB 2345.

DEAN HILDABRAND, Director of The North Dakota Game & Fish Department answered that the department stood in support of SB 2345.

SENATOR KELSH made a motion for "DO PASS" of SB 2345.

SENATOR EVERY second the motion.

SENATOR FISCHER called for roll vote of SB 2345. The vote indicated 6 YAYS, 0 NAYS AND 1 ABSENT.

SENATOR KELSH will carry SB 2345.

FISCAL NOTE
 Requested by Legislative Council
 01/24/2001

Bill/Resolution No.: SB 2345

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 1999-2001 Biennium | | 2001-2003 Biennium | | 2003-2005 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | | | | | | |
| Expenditures | | | | | | |
| Appropriations | | | | | | |

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

| 1999-2001 Biennium | | | 2001-2003 Biennium | | | 2003-2005 Biennium | | |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties | Cities | School Districts | Counties | Cities | School Districts | Counties | Cities | School Districts |
| | | | | | | | | |

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

None.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

None.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

None.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

None.

| | |
|------------------------------|--|
| Name: Paul Schadewald | Agency: ND Game and Fish Department |
|------------------------------|--|

Phone Number: 328-6328

Date Prepared: 01/24/2001

REPORT OF STANDING COMMITTEE (410)
February 8, 2001 1:23 p.m.

Module No: SR-23-2737
Carrier: Kelsh
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2345: Natural Resources Committee (Sen. Fischer, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2345 was rereferred to the Appropriations Committee.

2001 SENATE APPROPRIATIONS

SB 2345

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2345

Senate Appropriations Committee

Conference Committee

Hearing Date February 19, 2001

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|-----------|
| Tape #1 | x | | 40,0-43,0 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Jennie R. [Signature]</i> | | | |

Minutes:

Senator Nething opened the hearing on SB2345.

Senator Trenbeath, District 10, Cavalier, provided information regarding SB2345, a bill relating to hunting deer with muzzleloading firearms.

Senator Nething: Not sure why the bill was referred here -- no fiscal note?

Senator Trenbeath: Not sure either.

No additional testimony; hearing closed by Senator Nething.

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Senate Appropriations Committee

Bill/Resolution Number SB2345

Hearing Date ~~February 17, 2001~~

February 20, 2001 Full Committee (Tape #1, Side A, Meter No. 12.2 - 13.3__

Senator Nething reopened the hearing on SB2345.

Discussion on the bill.

Senator Lindaas moved a DO PASS; Senator Holmberg seconded. Discussion.

Roll Call Vote: 13 yes; 0 no; 1 absent and not voting.

Floor assignment back to the original committee; carrier: Senator Kelsh.

Date: 2-20-01

Roll Call Vote #: _____

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2345

Senate Appropriations Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken As Pass

Motion Made By

Seconded
By

| Senators | Yes | No | Senators | Yes | No |
|----------------------------|-----|--------------|----------|-----|----|
| Dave Nething, Chairman | ✓ | | | | |
| Ken Solberg, Vice-Chairman | ✓ | | | | |
| Randy A. Schobinger | | | | | |
| Elroy N. Lindaas | ✓ | | | | |
| Harvey Tallackson | ✓ | | | | |
| Larry J. Robinson | ✓ | | | | |
| Steven W. Tomac | ✓ | | | | |
| Joel C. Heitkamp | ✓ | | | | |
| Tony Grindberg | ✓ | ✓ | | | |
| Russell T. Thane | ✓ | | | | |
| Ed Kringstad | ✓ | | | | |
| Ray Holmberg | ✓ | | | | |
| Bill Bowman | ✓ | | | | |
| John M. Andrist | ✓ | | | | |

Total Yes 13 No 0

Absent 1

Floor Assignment Sen. Heitkamp

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 20, 2001 9:47 a.m.

Module No: SR-31-3956
Carrier: Kelsh
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2345: Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2345 was placed on the
Eleventh order on the calendar.

2001 HOUSE NATURAL RESOURCES

SB 2345


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

House Natural Resources Committee

Conference Committee

Hearing Date March 8, 2001

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|----------|
| 1 | x | | 1 to 800 |
| Committee Clerk Signature  | | | |

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will call the House Natural Resources committee to order, call the roll.

Sen. Trenbeath - District 10: I have the honor of sponsoring this bill on behalf of hunters using Muzzle Loading weapons. I am not one of those hunters. I had a call from one of my constituents to sponsor this bill, as you may or may not know the Muzzle Loading season is after the deer season and often times then it suffers disabilities including firing a weapon that has a low muzzle velocity and having a skittish population of deer and also the weather is inclement. At present the season is 9 ½ days long which encompasses 2 weekends. Often times people firing this kind of weapon are unable to take the field let alone get a shot, because of weather conditions. This bill

would lengthen that season another week and increase the odds of at least taking the fields. They tell me that odds of bagging an animal are not increased whatsoever. About 1 out of 3 fills their tags. The importance of this bill is to enable them to have a better chance at actually being in the field. I appreciate your positive consideration of this bill.

Chairman Rennerfeldt: Any questions of the committee?

Rep. Tieman - District 10: I am here this morning to speak in favor of this bill. These are some very good people, I just feel this is a very good bill and I would hope for your favorable consideration.

Chairman Rennerfeldt: Any questions from the committee? Anyone else care to testify in favor of this bill?

Loren Sterner - Cass County Wildlife Club: We support this bill because it provides more opportunity for sportsmen to be out in the field. We get more hours in the field.

Chairman Rennerfeldt: Any questions of the committee? Anyone else care to testify in favor of SB 2345?

Rep. Weiler: A question just occurred to me. Can Sen. Tieman answer this. Since there is an increase in the amount of days, is there going to be an increase in licensing fees?

Sen. Tieman: It doesn't account for an increase in licensing fees and frankly that's something that has never been considered. Maybe we should be paying these guys to shoot some of our excessive deer.

Chairman Rennerfeldt: Is there any opposition to SB 2345?

Rep. DeKrey: Can Roger Rostvedt from Game and Fish comment?

Chairman Rennerfeldt: Roger, do you have any comments?

Rep. DeKrey: Do you anticipate this affecting the other deer gun seasons, license numbers, greater harvest, or any affects of this bill?

Roger Rostvedt - ND Game and Fish: In discussing this bill, there are no significant changes right now, it would actually be a more consistent harvest, because right now you are talking weather conditions and mis- firing. It would probably lead to a more consistent harvest.

Rep. DeKrey: So from a management standpoint, you guys really don't care?

Rostvedt: No.

Chairman Rennerfeldt: There is plenty of deer out there and this would give them a little more opportunity to pick and choose better weather?

Rostvedt: Better weather, right now those success rates do fluctuate based on the weather. December is tough to get two weekends together.

Rep. Klein: I was wondering about the possibility of an amendment stating the season would be extended if the weather was bad. 16 days, we have a lot of people complaining out there already about the hunters running around.

Rostvedt: When you take a look at the numbers currently in the law right now, it limits them to 2% of the regular deer gun season. On a statewide basis that is about 1700 people out there, divided by 53 counties and you don't see them.

Rep. Nottestad: Give a short description of the number of complaints you have on muzzle loader hunters as far as call ins on violations perceived or whatever.

Rostvedt: Generally it is very, very low, simply because when you spread those people out, it is a low impact activity.

Mike Donahue - ND Wildlife Federation and United Sportsmen: In support of SB 2345. (see written testimony).

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House Natural Resources Committee
Bill/Resolution Number SB 2345
Hearing Date March 8, 2001

Chairman Rennerfeldt: If there is no opposition I will close the hearing on SB 2345.

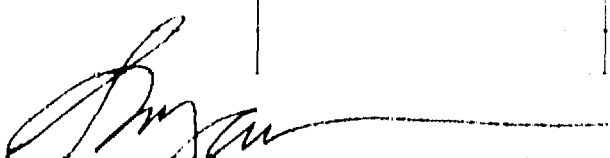
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

House Natural Resources Committee

Conference Committee

Hearing Date March 16, 2001

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|--------------|
| 1 | x | | 1078 to 1792 |
| Committee Clerk Signature  | | | |

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: Let's look at SB 2345.

Rep. Hanson: I have a suggestion. First of all, the regular deer season is set by proclamation. it is not in the Century Code and I talked to Paul Schadwald and he thought it would all right if we had the Muzzle Loader season by proclamation rather than the Century Code. On line 7 remove a nine, sixteen and on line 8 one/half consecutive day and add muzzle loading firearm to that. So it would read....

Vice Chair Nelson: Then they could set the season.

Rep. Hanson: Game and Fish could set it at any way they want, just like regular gun season. I will move that amendment.

Rep. Porter: I second.

(Discussion on amendment)

Rep. DeKrey: I am going to support the amendment and the bill. This could be like the dark house fishing thing, we give them the option to do it and then they don't do, and then it comes back to us in two years.

Rep. Porter: I would agree with that if this was the first time this was happening, but I think that the muzzle loaders would protest.

Rep. Galvin: Would you have Rep. Hanson go over his change.

Rep. Hanson: (Reads amendment).

Rep. Weiler: I just have one question, if it says here that the Governor shall provide than there is not a concern about him may or may not, he has to do it?

(Some discussion)

Rep. Nottestad: The important thing is that this is the same wordage as regular gun season so if they cut the gun season down to 2 ½ days and we put the sixteen days for muzzle loader season there would be a 2 ½ day regular season and a 16 day muzzle loader season and that is where the inequity comes in. I think this is an excellent amendment.

Rep. Weiler: And again, I know we took out the amount of days, you don't want to put any limitations on it?

Rep. Nottestad: There is no number of days on the rifle season, that is set by Game and Fish. This gives them the opportunity to set the muzzle loading season also.

Rep. Weiler: As long as you guys aren't concerned about it, that's fine.

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House Natural Resources Committee
Bill/Resolution Number SB 2345
Hearing Date March 16, 2001

Chairman Rennerfeldt: Your main concern is how are the muzzle loaders going to react.

Vice Chair Nelson: The odds are that this bill will be in conference because the Senate will not look at this like we did.

Chairman Rennerfeldt: Any further discussion on the amendments. If not, please signify by saying Aye. Opposed? Amendment carries. We have the bill before us as amended.

Rep. Winrieh: I move a Do Pass as Amended.

Rep. Solberg: I second.

Chairman Rennerfeldt: Any further discussion? If not, call the roll.

MOTION FOR A DO PASS AS AMENDED

YES, 14 NO, 1

CARRIED BY REP. HANSON


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

House Natural Resources Committee

Conference Committee

Hearing Date March 22, 2001

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|----------|
| 1 | x | | 1 to 300 |
| Committee Clerk Signature  | | | |

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will call the House Natural Resource Committee to order. Call the roll.

Let's work on SB 2345.

Vice Chair Nelson: I move to reconsider our action on SB 2345.

Rep. Hanson: I second.

Chairman Rennerfeldt: All those in favor of reconsidering signify by saying Aye. Opposed?

Motion carried.

Rep. Hanson: The amend before us is not correct.

(Discussion on amendment)

Page 2

House Natural Resources Committee

Bill/Resolution Number SB 2345

Hearing Date March 22, 2001

Chairman Rennerfeldt: We will table this until we get the corrected amendment.


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

House Natural Resources Committee

Conference Committee

Hearing Date March 22, 2001

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|--------------|
| 1 | | 8 | 3236 to 3836 |
| Committee Clerk Signature  | | | |

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droxdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: Let's look at SB 2345.

Rep. Keiser: I move to reconsider our action on SB 2345.

Rep. Weiler: I second.

(Discussion)

MOTION CARRIED BY VOICE VOTE.

Rep. Keiser: I move the amendments that Rep. Hanson suggested.

Rep. Weiler: I second.

MOTION CARRIED BY VOICE VOTE.

Page 2
House Natural Resources Committee
Bill/Resolution Number SB 2345
Hearing Date March 22, 2001

Rep. Hanson: I move a Do Pass as Amended.

Rep. Solberg: I second.

Chairman Rennerfeldt: I have a motion for a Do Pass as Amended. Any further discussion. Call the roll.

MOTION FOR A DO PASS AS AMENDED

YES, 15 NO, 0

CARRIED BY REP. HANSON

Re-referred

Date: *3/15/01*
Roll Call Vote #: *1*

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *SB 2345*

House Natural Resources Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken *DO Pass By 2 minutes*

Motion Made By *Rep. Winick* Seconded By *Rep. Solberg*

| Representatives | Yes | No | Representatives | Yes | No |
|-------------------------------|-----|----|------------------|-----|----|
| Earl Rennerfeldt - Chairman | ✓ | | Lyle Hanson | ✓ | |
| Jon O. Nelson - Vice Chairman | ✓ | | Scot Kelsh | ✓ | |
| Curtis E. Brekke | ✓ | | Lonnie B. Winick | ✓ | |
| Duane DeKrey | ✓ | | Dorvan Solberg | ✓ | |
| David Drovdal | | ✓ | | | |
| Pat Galvin | ✓ | | | | |
| George Keiser | ✓ | | | | |
| Frank Klein | ✓ | | | | |
| Darrell D. Nottestad | ✓ | | | | |
| Todd Porter | ✓ | | | | |
| Dave Weiler | ✓ | | | | |
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Total (Yes) *14* No *1*

Absent _____

Floor Assignment *Rep. Hanson*

If the vote is on an amendment, briefly indicate intent:
More Hanson Amend. *Proclamation to determine days.*
Porter Inds. *Carried by Voice Vote*

HA. Amend
ments

Date:
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House Natural Resources Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Rep. Keiser Seconded
Hanson By Wei

| Representatives | Yes | No | Representatives | Yes | No |
|-------------------------------|-----|----|-------------------|-----|----|
| Earl Rennerfeldt - Chairman | | | Lyle Hanson | | |
| Jon O. Nelson - Vice Chairman | | | Scot Kelsh | | |
| Curtis E. Brekke | | | Lonnie B. Winrich | | |
| Duane DeKrey | | | Dorvan Solberg | | |
| David Drovdal | | | | | |
| Pat Galvin | | | | | |
| George Keiser | | | | | |
| Frank Klein | | | | | |
| Darrell D. Nottestad | | | | | |
| Todd Porter | | | | | |
| Dave Weiler | | | | | |
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Total (Yes) _____ No _____

Absent Voice Vote Caucus

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Hanson Amendments

10688.0102
Title.0300

Prepared by the Legislative Council staff for
Representative Hanson
March 22, 2001

YK
3/22/01

HOUSE AMENDMENTS TO SB 2345 **HOUSE NATURAL RESOURCES** **03/23/01**
In lieu of the amendments to Senate Bill No. 2345 as printed on page 985 of the House
Journal, Senate Bill No. 2345 is amended as follows:

Page 1, line 7, overstrike "nine", remove "sixteen", and overstrike "and"

Page 1, line 8, overstrike "one-half consecutive day" and insert immediately thereafter
"muzzleloading firearm"

Renumber accordingly

Date: 3/27/01
 Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2345

House Natural Resources Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Rep. Hanson Seconded By Rep. Solberg

| Representatives | Yes | No | Representatives | Yes | No |
|-------------------------------|-----|----|-------------------|-----|----|
| Earl Rennerfeldt - Chairman | ✓ | | Lyle Hanson | ✓ | |
| Jon O. Nelson - Vice Chairman | ✓ | | Scot Kelsh | ✓ | |
| Curtis E. Brekke | ✓ | | Lonnie B. Winrich | ✓ | |
| Duane DeKrey | ✓ | | Dorvan Solberg | ✓ | |
| David Drovdal | ✓ | | | | |
| Pat Galvin | ✓ | | | | |
| George Keiser | ✓ | | | | |
| Frank Klein | ✓ | | | | |
| Darrell D. Nottestad | ✓ | | | | |
| Todd Porter | ✓ | | | | |
| Dave Weiler | ✓ | | | | |
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Total (Yes) 15 No 0

Absent _____

Floor Assignment Rep. Hanson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 22, 2001 3:43 p.m.

Module No: HR-50-6471
Carrier: Hanson
Insert LC: 10688.0102 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2345: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2345 was placed on the Sixth order on the calendar.

In lieu of the amendments to Senate Bill No. 2345 as printed on page 985 of the House Journal, Senate Bill No. 2345 is amended as follows:

Page 1, line 7, overstrike "nine", remove "sixteen", and overstrike "and"

Page 1, line 8, overstrike "one-half consecutive day" and insert immediately thereafter "muzzleloading firearm"

Re-number accordingly

2001 SENATE NATURAL RESOURCES

CONFERENCE COMMITTEE

SB 2345

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

Senate Natural Resources Committee

~~☒~~ Conference Committee

Hearing Date 4-5-01

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|--------------|
| 1 | X | | Start - 18.7 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Janet Jensen</i> | | | |

Minutes:

SENATOR CHRISTMANN, Chairman of the Conference Committee for SB 2334 opened the meeting.

Roll call was taken with SENATOR CHRISTMANN, TOLLEFSON, REPRESENTATIVES NOTTESTAD, KLEIN and HANSON present. SENATOR KELSH who with the change of schedule had a prior scheduled meeting and was late in attending the meeting.

The Representatives explained the rationale of their amendments, stating that they had no problem with leaving the muzzle loading hunting season at 16 1/2 days, but why should it be left in statute as it is not necessary. Of all the hunting season except migratory waterfowl, there is nothing set up in statute as to the number of days for a season. They visited with the Game & Fish Department who has no problem with the 16 1/2 days, but if something happens that the deer season needs to be cut short, the 16 1/2 days set for muzzle loading hunting would still have to happen because it is set in statute. That is why if the season is set by proclamation the season

Page 2
Senate Natural Resources Committee
Bill/Resolution Number SB 2345
Hearing Date 4-5-01

could be adjusted to solve any problems. The season was originally in law because there was not a season and this was used to develop the season.

Discussion was held as to the numbers of licenses issued, harvest numbers the by muzzle loading hunting season and if there was any management problems by the Game & Fish Department.

SENATOR CHRISTMANN explained the Senate Committee did not concur because the sponsor intent was to extend the muzzle loading hunting season and with the changes the bill was taking a different route and heading to in a different direction.

SENATOR TOLLEFSON made a motion for the Senate to accede to the House Amendments of SB 2345.

REPRESENTATIVE NOTTESTAD second the motion,

SENATOR CHRISTMANN called for the roll vote of SB 2345 indicating 5 YAYS, 1 NAY, AND 0 ABSENT OR NOT VOTING.

SENATOR CHRISTMANN closed the Conference Committee meeting on SB 2345.

Date: 4-5-01
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2345

Senate NATURAL RESOURCES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Senate approve to H amendment

Motion Made By Tollefson Seconded By Nottestad

| Senators | Yes | No | Representatives | Yes | No |
|------------------------------|-----|----|-------------------|-----|----|
| Randell Christmann, Chairman | | ✓ | Darrell Nottestad | ✓ | |
| Ben Tollefson | ✓ | | Frank Klein | ✓ | |
| Jerome Kelsh | ✓ | | Lyle Hanson | ✓ | |
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Total (Yes) 5 No 1

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Insert LC: .

REPORT OF CONFERENCE COMMITTEE

SB 2345: Your conference committee (Sens. Christmann, Tollefson, Kelsh and Reps. Nottestad, F. Klein, Hanson) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1004-1005 and place SB 2345 on the Seventh order.

SB 2345 was placed on the Seventh order of business on the calendar.

2001 TESTIMONY

SB 2345

SB 2345

Dear Mr Chairman Fischer and Honorable Senators of the Natural Resource Hearing Committee,

For the record, my name is Mark Roster. I live in Davenport, ND.

I am writing to you in regards to SB 2345. I hope to be to the hearing in person to testify, but there is a chance of a snowstorm on Thursday, so I am also e mailing you my testimony, just in case weather conditions keep me from traveling.

I am the current President of the North Dakota Muzzleloaders Assoc but come to you as a individual and not as a "voice of a organization" simply because our Association does not have their next meeting until this Saturday!

Over the years (since 1987), the muzzleloading season has steadily grown in numbers of available licenses and length of season, due to increased interest. This has been a positive impact to many.

Also, over the years, we have seen several weekends stormed out. Weekends

are where the majority of the time is spent in the field hunting.

This last year (2000) season, we had storms both the first weekend and the last weekend here in the eastern part of the state. And as you may know, when it storms, the animals "hole up", just like people! Even if you do risk danger to be out, your chance of being successful is near zero. The last Sunday, temps hovered around -15 below with 10-20 mph winds. So hunters lost virtually 4 days out of the 9.5 and MOST do not get out during the week. By adding the additional week (making the season 16.5 days), you will be giving the muzzleloaders a chance for a few extra days in the field, as GENER

ALLY the probability of storms 3 weekends in a row are slim - although we have all seen it happen.

This also puts the muzzleloaders on a equal number of hunting days as the regular rifle season.

Will passage of this bill increase the percentage of deer harvested? The answer to that is a flat out "NO". You can go to any state in the lower 48 that keeps statistics of deer harvested by muzzleloader and that statistic hovers around 36-38 percent. Even 2 years ago with the "beautiful" December weather, success was around that percentage. No matter length of season (many states have 3 -4 weeks, and yes there are some that have less), or the number of available licenses (Nebraska gives out about 8,000 muzzleloading tags), the percent harvested remains at 36 -38 percent.

Very similar to the archery seasons success rate, with their near 100 days of season and many more hunters. I do not have a number of licenses sold for bow, but muzzleloaders are 2% of the total whitetail licenses available - this year, around 1,750 before gratis tag issue.

Some ranching and farming opponents of this bill may claim, hunting season is too long the way it is - or they are tired of the road hunters, thus they are against it. MOST muzzleloaders would not even be recognized as hunters if we were not wearing the safety orange (which I believe in). MOST muzzleloader hunters are going from point A to point B to hunt - they are not road hunters. Granted, if they spot a deer on the way to point B, and it is on unposted land, they may give fair chase or if posted they may ask the landowner for

permission, but as a whole they have a destination to reach to hunt in a manner most conducive to the arm they are using. Slow loading and one shot, in close for a humane kill. Not driving around and taking shots from the road or vehicle (which we all know is illegal but regrettably done).

If muzzleloading hunters were not wearing orange, they would be nearly as unintrusive as the archery hunter and MOST landowners would not even know there is a open season except for the occasional "BOOM". 1,750 hunters statewide do not make much of a impact.

To pass this bill, the legislation does not have to spend any money for a good will gesture!

I urge you to vote "yes" for the passage of SB 2345.

Thank you for your time and consideration.

Sincerely,
Mark Roster
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TESTIMONY SUPPORTING SB 2345

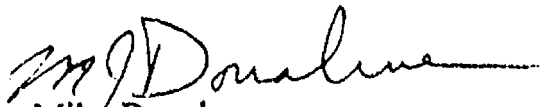
By Mike Donahue

March 8, 2001

House Natural Resources

The United Sportsmen of North Dakota and the N.D. Wildlife Federation support SB 2345 and ask for a **Do Pass**.

Thank you.



Mike Donahue
Lobbyist #258