

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1220

2005 HOUSE NATURAL RESOURCES

HB 1220

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1220

House Natural Resources Committee

Conference Committee

Hearing Date January 28, 2005

Tape Number	Side A	Side B	Meter #
1	x		3100-4760

Committee Clerk Signature

*Karen Bonnet*

Minutes:

**Chr. Nelson:** Opened the hearing; Roll was called, Solberg absent. Bill was read aloud.

**Rep. DeKrey:** This bill came from a constituent in our district. It's a simple bill that does exactly what the title says.

**Chr. Nelson:** Any questions of Rep. DeKrey? Seeing none, thank you. Is there further testimony in support of HB 1220?

**Glen Baltrusch, Harvey, ND:** Urge do pass. (Written testimony attached)

**Chr. Nelson:** Are you aware of whether the states around us allow lighted sight pins?

**Baltrusch:** I believe some do, but I can't tell you which ones do and which don't.

**Rep. Drovdal:** I'm not a bow hunter, but my question comes from that. My perception is that a bow hunting shot takes some time for the deer to collapse. Am I wrong in my perception, and if not, approximately how long does it take before that deer collapses?

**Baltrusch:** You are correct. When you're hunting with a bow you're not going to get the clean, quick kill that you do with a rifle. Once you know that you got the shot, let him go for a half hour and wander a bit.

**Drovdal:** Are you saying that the deer would wander about 100 -200 yards from where it was shot?

**Baltrusch:** Yes.

**Chr. Nelson:** Any further questions? Seeing none, thank you for your testimony. Is there further supporting testimony on HB 1220. Seeing none, is there opposing testimony?

**Bill Helphrey, ND Bowhunters Assoc.:** Urge defeat as bill is. **(Written testimony attached)**

**Chr. Nelson:** Are there any questions for Mr. Helphrey?

**Nottestad:** I'm confused by the last statement. Are you saying that Section 1 would be permitted if an amendment were written in that would be visually handicapped only, and if it was that way, what would that do with your National Crossbow Association with trophies?

**Helphrey:** Section 1 is the part we do not want.

**Chr. Nelson:** Are you aware of requirements in states surrounding ours, Minnesota, South Dakota, Montana for example? the use of electronic devices in the surrounding area?

**Helphrey:** I have hunted in a number of those states. I'm personally not aware of any states where a lighted sight pin is legal to hunt big game.

**Chr. Nelson:** Seeing no further questions, thank you for your testimony. Is there further testimony opposing HB 1220?

**Mike Donahue, The United Sportsmen of ND and the ND Wildlife Federation:** **(Written testimony attached)**

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House Natural Resources Committee

Bill/Resolution Number 1220

Hearing Date January 28, 2005

**Chr. Nelson:** Are there questions of Mr. Donahue? Seeing none, thank you, Mike. Is there further testimony in opposition to HB 1220? Seeing none, I will close the hearing on HB 1220.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1220

House Natural Resources Committee

Conference Committee

Hearing Date February 4, 2005

Tape Number	Side A	Side B	Meter #
2	x		1500-1555

Committee Clerk Signature

*Loren Borner*

Minutes:

**Chr. Nelson:** Opened hearing on HB 1220. Rep. Nottestad absent. Bill was read aloud.

Are there any amendments to this bill?

**Rep. DeKrey:** We wanted to amend out the general hunting with lighted pins, but letting the blind and paraplegic use one. My amendment would be to cut the bill down only to the disabled.

**Chr. Nelson:** Restate the amendment.

**DeKrey:** I move the amendment to eliminate Section 1, keep Section 2, and renumber accordingly.

**Chr. Nelson:** Does everybody understand the amendment? Section 2 would become Section 1.

Any discussion on the amendment as moved? Is there a second?

**Hanson: Second**

**Rep. Porter:** I think we might want to ask Mr. Rostvet to come up. In that Section 2, it's only talking about crossbows, not regular bows, so that's not going to help anybody. If your intention

is to allow people with a regular bow to use lighted sight pins if they meet the definition of disabled, then we're going to have to do a little more work.

**Chr. Nelson:** We'll put this away. Would you get that ready by Thursday?

**DeKrey:** Do you want me to do that?

**Chr. Nelson:** Yes.

**DeKrey:** Is it agreed that it should be anyone that is blind or paraplegic, either cross or regular bow?

**Chr. Nelson:** Yes.

**Rep. Porter:** I think Mr. Rostvet can help you.

**DeKrey:** O.K.

**Rep. Keiser:** I'm not sure about the blind part. I just wondered if there isn't something sub segment of the blind that this would apply to rather than all blind. That is something you could research based on the definition. Somebody who is 100% blind...

**Rep. Nottestad:** We heard testimony last session about camps that have blind people who work with sighted people.

**Keiser:** If it works in the camp, I'd say yes. That's why I raise that question. You asked whether we were all in agreement and I'm in general agreement, but I think you need to research that aspect.

**Chr. Nelson:** Committee members, we will close this hearing and reopen it next week.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1220

House Natural Resources Committee

Conference Committee

Hearing Date February 11, 2005

Tape Number	Side A	Side B	Meter #
1	x		1980-2540

Committee Clerk Signature

*Karen Bonnet*

Minutes:

**Chr. Nelson:** Committee members, let's take HB 1220.

**Rep. DeKrey:** An amendment has been handed out. It's 50354.0101, February 10, 2005. What the amendment does is take out Section 1 which would have made it legal for everybody to use cited pins. It makes it just cited pins for the disabled and the blind. If the blind hunt, it would have to be on a preserve or area approved by the director. The reason for that language is because we had talked about only wanting it (blind hunting) held on the Twist of Fate place. The Twist of Fate could go broke or go out of business. The Game & Fish Department would be in a much better position to determine if there's a like area where someone blind could hunt. **That is the amendment, and I would move it.**

**Rep. Keiser: Second**



**Chr. Nelson:** The amendment has been moved by Rep. DeKrey and seconded by Rep. Keiser.

Further discussion on the amendment? Seeing none, I'll call for a voice vote. All those in favor, signify by aye. Opposed, same sign.

**Rep. Solberg:** I missed this hearing. What did the bowhunters say about this?

**Chr. Nelson:** Let's get a motion on the floor first. What is the committee's wishes?

**Rep DeKrey:** I'll move **do pass as amended**, no one disagrees with the bill.

**Chr. Nelson:** Rep. DeKrey moves a do pass, is there a second?

**Rep. Keiser:** **Second.**

**Chr. Nelson:** Second by Keiser. Rep. Solberg.

**Rep. Solberg:** Did they testify prior to the amendment?

**Chr. Nelson:** Yes, they did. Bill Helphrey from the Bowhunters' Association, Mike Donahue, representing the United Sportsmen and the Wildlife Federation.

**DeKrey:** They testified that if we amended out Section 1 and made it so it was just for the blind and the disabled they would support it. Basically, with this amendment there was no one that disagreed with the bill.

**Chr. Nelson:** Any further committee discussion?

**Rep. Hanson:** Question.

**Rep. Drovdal:** I don't understand this bill and I won't vote until I understand it. Would you explain, it was lighted sights, but was it only for the blind that you're talking about?

**DeKrey:** Anybody handicapped.

**Rep. Charging:** It says for the legally blind...

**DeKrey:** You can have sight and still be determined that you're disabled if you're sight is not completely blind so, to include the totally blind and those that are just disabled it was written the way it is.

**Rep. Nottestad:** So if I poke my right eye out, I can use the lighted sight?

**Charging:** Right now it reads that "if you are blind," but it doesn't say handicapped.

**Chr. Nelson:** As I read that, Rep. Charging, the permit section is the handicapped permit. The Director (of the Game & Fish) has to approve that. He does that after a (handicapped) hunter takes a doctor's order to him. It's already available with a special permit.

**Chr. Nelson:** Question has been called on a do pass as amended motion. Call the roll, on a

**Do Pass as Amended Vote** on HB 1220:

**13-Yeas; 1-Nay; 0-Absent; CARRIER: Nottestad**

VR  
2/11/05

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1220

Page 1, line 1, remove "create and enact a new section to chapter 20.1-01 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to the use of lighted sight pins while bow hunting, and to"

Page 1, remove lines 6 through 9

Page 1, line 17, after the underscored period insert "However, an individual who is blind and who receives a special permit to hunt game with a crossbow under this subsection may hunt only on a preserve or area approved by the director."

Renumber accordingly

Date: 2/11/05  
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1220

House NATURAL RESOURCES Committee

Check here for Conference Committee

Legislative Council Amendment Number :

Action Taken : Do Pass as Amended

Motion Made By : DeKrey Seconded By : Keiser

Representatives	Yes	No	Representatives	Yes	No
Chairman - Rep. Jon O. Nelson	✓		Rep. Lyle Hanson	✓	
Vice Chairman - Todd Porter	✓		Rep. Bob Hunsakor	✓	
Rep. Dawn Marie Charging	✓		Rep. Scot Kelsh	✓	
Rep. Donald L. Clark	✓		Rep. Dorvan Solberg	✓	
Rep. Duane DeKrey	✓				
Rep. David Drovdal		✓			
Rep. Dennis Johnson	✓				
Rep. George J. Keiser	✓				
Rep. Mike Norland	✓				
Rep. Darrell D. Nottestad	✓				

Total (Yes) 13 No 1

Absent 0

Floor Assignment Nottestad

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

**REPORT OF STANDING COMMITTEE**

**HB 1220: Natural Resources Committee (Rep. Nelson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1220 was placed on the Sixth order on the calendar.**

Page 1, line 1, remove "create and enact a new section to chapter 20.1-01 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to the use of lighted sight pins while bow hunting, and to"

Page 1, remove lines 6 through 9

Page 1, line 17, after the underscored period insert "However, an individual who is blind and who receives a special permit to hunt game with a crossbow under this subsection may hunt only on a preserve or area approved by the director."

Renumber accordingly

2005 SENATE NATURAL RESOURCES

HB 1220

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1220


Senate Natural Resources Committee

Conference Committee

Hearing Date March 4, 2005

Tape Number	Side A	Side B	Meter #
1	X		37.6 - end
		X	0.0 - 2.6

Committee Clerk Signature



Minutes:

**Senator Stanley Lyson**, Chairman of the Senate Natural Resources Committee opened the hearing on HB 1220 relating to use of crossbows by handicapped individuals.

All members of the committee were present.

**Glen Baltrusch**, Harvey, North Dakota testified on his own behalf in support of HB 1220 (See attached testimony).

**Senator Michael Every** understanding that crossbows are almost as accurate as a rifle, asked how does electronic sighting improve them.

**Glen Baltrusch** stated that the older pins require recharging and were occasional used with a flashlight. The electronic pins are recharged by a touch of a button. They do not illuminate the target but only the arrow tip with different colors to give the estimated yardage away from the target. This is not allowed on a compound bow as it was amended out of the original bill as many considered it not be fair chase.

**Jason Dubold** representing the North Dakota Wildlife Federation testified in support of HB 1220, stating the reason that these electronic pins would be used mostly in a hunting blind. In a tent where it is dark, the end of the arrow is not visible and is used there. The Federation promotes hunting for the handicapped which often need to use blinds.

**Bill Helphrey** representing the North Dakota Bowhunters Association testified in a neutral position of HB 1220. He stated they were opposed to Section 1 of the original bill that allowed lighted electronic sites on all bows. This has been amended to have the lighted sites on crossbows to be used by handicapped individuals and their association will not oppose that action. They question the need of the lighted sites, but they will not question it if a handicapped individual thinks it will better their chances while hunting. He presented the "Book" that has over 41,000 entries of animals taken by bows without lighted sites. They cannot be published in the book if the animals have been taken using lighted sites as this is not considered fair chase. The association will support the bill with or without the lighted sites as long it is only used for handicapped individuals.

**Dennis Daniels** testified in a neutral position of HB 1220 stating as long as ethical and fair chase be applied to all the laws of hunting he is not opposed.

**Senator Lyson** closed the hearing on HB 1220.

**Senator Rich Wardner** stated that if the lighted pin is removed from the bill there is nothing left of the bill.

**Senator Lyson** agreed and added that the cross bows are very accurate but in a blind it is difficult to see the pins.



Page 3  
Senate Natural Resources Committee  
Bill/Resolution Number HB 1220  
Hearing Date 3-4-05

The committee asked for confirmation that if an animal is taken with a lighted pin even under this bill, it would not go into the record book

**Bill Helphrey** confirmed this, as the hunter needs to sign the fair chase act.

**Senator Wardner** made a motion for a Do Pass of HB 1220.

**Senator Ben Tollefson** second the motion.

**Senator Wardner** told the committee that if the bill supports the handicapped he was all for it.

Roll call vote for Do Pass of HB 1220 was taken indicating 7 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING.

**Senator Wardner** will carry HB 1220.

Date: 3-4-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1220

Senate Senate Natural Resources

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Wardner Seconded By Tollefson

Senators	Yes	No	Senators	Yes	No
Senator Stanley Lyson, Chairman	✓		Senator Joel Heitkamp	✓	
Senator Ben Tollefson, Vice Chair	✓		Senator Michael Every	✓	
Senator Layton Freborg	✓				
Senator Rich Wardner	✓				
Senator John Traynor	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Wardner.

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

**REPORT OF STANDING COMMITTEE (410)**  
March 4, 2005 11:41 a.m.

**Module No: SR-40-4167**  
**Carrier: Wardner**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1220, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)**  
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1220 was placed on the Fourteenth order on the calendar.

**2005 TESTIMONY**

HB 1220

**House Bill No. 1220**  
**Testimony before the Natural Resources Committee**  
**January 28, 2005**

Mr. Chairman, and Members of the Committee;

Good morning. My name is Glen E. Baltrusch, and I wish to thank Representatives Weisz, DeKrey, and Herbel for their sponsorship of House Bill 1220. I reside in Harvey, North Dakota, and stand before you today to testify in support of House Bill 1220, and respectfully request your support for a "DO PASS" recommendation of House Bill 1220.

I am quite aware that there are a few individual purists' s who may argue against passage of this bill. They may argue that permitting the use of lit sight pins on bows and crossbows, and by allowing the usage of a scope on a crossbow will destroy the intent, the sport, and create an unfair advantage over wild game by man. I am also aware of animal right's activists who will oppose a bill such as House Bill 1220, as cruelty and inhumane treatment to animals; an unfair advantage and desire to ban bow hunting entirely. Nothing could be further from the truth.

Currently, bow hunters are prohibited from using telescopic sights, and battery-powered and electronically lighted sight pins in the taking of big game. According to the various North Dakota hunting guides provided by the North Dakota Game and Fish Department to successful license applicants, usage of telescopic sights and battery-powered or electronically lighted sight pins are not prohibited in the taking of small game, game birds, and waterfowl during their legal hunting seasons. The same applies to the unfortunate who must use a crossbow in their pursuit of wild game as well. Enactment of House Bill 1220 will assist hunters by allowing the use of sights that will help provide for a clean shot and kill while out in the field hunting game during low-light conditions at dawn and dusk, during overcast skies, and what most people would describe as unfavorable, inclement, weather conditions.

Section 1. of this bill creates a new section of law to chapter 20.1-01 that will allow the use of lighted sight pins as an aid for bow hunters in the taking of big game, small game, game birds, and waterfowl during their respective legal hunting seasons. The use of lit sight pins are of no value over regular sight pins during hours of bright sun or daylight. They are useful when the hunter is required to make a quick shot while on the ground, in the trees, or in tree-stands during low-light conditions such as

early morning before sunrise and after evening sunset, on days when the skies are overcast, or in inclement weather, such as fog, rain, or snow for example. The lighted sight pins are not powerful lights that can be used for shining or spotting wild game, which is illegal.

Section 2. amends subsection 12 of section 20.1-02-05 of the current law, and will provide those bow hunters who are blind or disabled and allowed a special permit to hunt game with a crossbow, the use of lighted sight pins or scope that is designed for crossbows, as an aid in the taking of big game, small game, game birds, and waterfowl during their respective legal hunting seasons. For the hunter who is required to use the crossbow, the use of battery-powered or electronically lighted sight pins or use of a scope is very critical during the hunt, as the user of a crossbow generally will never get a second chance at taking another shot at any game because of the length of time required to re-draw and cock the crossbow, place the bolt (arrow), and the noise caused and associated with such activity. The usage of lit sight pins is the same for a crossbow as with a bow in Section 1. The use of a scope that is designed for use on a crossbow is not the same scope that is used on a rifle. It is shorter in length and diameter, and is designed specifically for a crossbow, as a crossbow is held and shot similar to a rifle or shotgun.

Mr. Chairman, Committee Members, House Bill 1220 does not provide bow hunters an unfair advantage in the pursuit of wild game, but does aid in the prevention of wounding, suffering, and loss of an animal that has been shot by arrow in the course of bow hunting. However, it would apply to all wild game, during the respective legal hunting seasons of big game, small game, game birds, and waterfowl. The use of lit sight pins and scope as written in House Bill 1220 is beneficial to bow hunters in North Dakota, and we respectfully request that you give House Bill 1220 a "DO PASS" recommendation. If you have any questions, I will gladly attempt to answer them for you.

Thank you for the opportunity to testify in support of House Bill 1220 and for your consideration of this matter.



# North Dakota Bowhunters Association

By: Bill Helphrey

pg 1 of 2



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Web: [www.ndbowhunters.org](http://www.ndbowhunters.org)

HB 1220

Good morning Mr. Chairman and members of the committee

My name is Bill Helphrey and I represent the North Dakota Bowhunters Association.

We are asking you to defeat this bill as it is written.

An organization called The "Pope and Young Club" is recognized as the leading authority in the record keeping of record class animals taken with the bow and arrow in North America. Animals taken with the bow and arrow that meet the minimum size qualifications can be listed in this "record book". Taking an animal that "makes book" is considered quite an accomplishment and hunters that have an entry in "the book" are considered elite among their peers.

One of the requirements for putting an animal in the book, besides the size, is whether or not the animal was taken under the rules of fair chase. These rules of fair chase are designed to eliminate questionable hunting methods and assure that any animal listed in "the book" was taken in a fair hunting manner. The rules of fair chase rule out entries from animals taken in situations such as being fenced in, regardless of the size of the enclosure, animals helpless in the water, snow or ice, animals taken by jack lighting, animals taken from motor vehicles and animals taken "by the use of electronic devices for attracting, locating, or pursuing game or guiding the hunter to such game, or by the use of a bow or arrow to which any electronic device is attached". If the leading authority on bow hunting in North America believes a lighted sight violates the rules of fair chase I think North Dakota should really consider if making this equipment legal is the right thing to do.

With the exception of opening day, North Dakota law presently has set shooting hours from one half hour before sunrise to one half hour after sunset. Lighted sight pins are not needed during today's legal shooting hours.

If this bill is reworded so that lighted sight pins and scopes would apply to cross bows only, and for visually handicapped individuals only, we will support it.

Thank you for your time

What questions do you have of me?



# Pope & Young Club

Dedicated to the Protection of Our Bowhunting Heritage and North America's Wildlife


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## Fair Chase

From its beginnings, the Club has grown to epitomize fair chase and sportsmanship in hunting. This fair chase philosophy reaches to the very foundations of the hunting spirit; it remains a dominant factor in the personal hunting ethic of every responsible individual; it is key to bowhunting's future with deep roots in America's hunting heritage. Simply defined, fair chase is the ethical, sportsmanlike, and lawful pursuit of free-ranging wild game animals in a manner which does not give the hunter an improper or unfair advantage over the animal. It does, however, extend beyond the hunt itself; it is an attitude and a way of life based in a deep-seated respect for wildlife, for the environment, and for other individuals who share the bounty of this vast continent's natural resources.

The term "Fair Chase" shall not include the taking of animals under the following conditions:

1. Helpless in a trap, deep snow or water, or on ice.
2. From any power vehicle or power boat.
3. By "jacklighting" or shining at night.
4. By the use of any tranquilizers or poisons.
5. While inside escape-proof fenced enclosures.
6. By the use of any power vehicles or power boats for herding or driving animals, including use of aircraft to land alongside or to communicate with or direct a hunter on the ground.
7. By the use of electronic devices for attracting, locating, or pursuing game or guiding the hunter to such game, or by the use of a bow or arrow to which any electronic device is attached.
8. Any other condition considered by the Board of Directors as unacceptable.

**SPECIAL NOTE:** For the purpose of the Pope and Young Club's Records Program, a bow shall be defined as a longbow, recurve bow or compound bow that is hand-held and hand-drawn, and that has no mechanical device to enable the hunter to lock the bow at full or partial draw. Other than energy stored by the drawn bow, no device to propel the arrow will be permitted. A let-off exceeding sixty-five (65) percent, using the A.M.O. standard method of measurement, will be listed with an asterisk (\*) in the Records. For further information, please click here for the "Definition of a Hunting Bow, Arrow and Broadhead"

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**2005 Conservation Raffle Begins** 12/23/2004 4:21:46 PM

Win an all-expense paid bighorn sheep hunt in the Canmore Bow Zone of Alberta or a Montana elk/deer [...more](#)

**Deadline for 6th Edition Record Book Approaching** 12/21/2004 10:48:37 AM

December 31, 2004 is the deadline for the 6th Edition record book. [...more](#)

**Membership Dues to Increase / Lifetime Associate Membership Offered** 12/17/2004 9:06:49 AM

Effective January 1, 2005, Associate Membership dues will increase from \$25 to \$35, and Regular Memb [...more](#)

**Emerging Threat to Bowhunting** 12/10/2004 4:10:40 PM

The Humane Society of the United States and the Funds for Animals has announced their merger and rev [...more](#)

**Museum Grand Opening Draws Praise and Excitement** 11/15/2004 11:39:49 AM

The Pope and Young Club / St. Charles Museum of Bowhunting held its public opening on October 2nd. [...more](#)

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# North Dakota Wildlife Federation

Abundant wildlife and wildlife habitat, and access to wildlife recreational opportunities

By: Mike Donahue



1/28/2005

For: House Natural Resources Committee

Ref: HB1220

The United Sportsmen of North Dakota and the North Dakota Wildlife Federation do not support HB1220 because of Section 1.

We believe that section 1, tramples the need for "Fair Chase".

We think the unimpeded do not need an unfair physical advantage over the animal.

Amend out section 1, and we support the bill.

Thank you,  
Mike Donahue  
Lobbyist #275



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Office Manager: 701-222-2557 • 1-888-827-2557 • Web: [www.ndwf.org](http://www.ndwf.org)

**Senate Testimony on Engrossed House Bill No. 1220**  
**before the Senate Natural Resources Committee**  
**9:20 A.M.; March 4, 2005**  
**Presented by Glen E. Baltrusch**

Mr. Chairman, and Members of the Committee;

Good morning. My name is Glen E. Baltrusch, and I wish to thank Representatives Weisz, DeKrey, and Herbel for their sponsorship of House Bill 1220. I reside in Harvey, North Dakota, and stand before you today to testify in support of Engrossed House Bill 1220, and respectfully request your support for a "DO PASS" recommendation.

Currently, all hunters who are permitted by law to hunt big game with a bow are prohibited from using telescopic sights, or battery-powered and electronically lighted sight pins in the taking of big game. According to the various North Dakota hunting guides provided by the North Dakota Game and Fish Department to successful license applicants, usage of telescopic sights and battery-powered or electronically lighted sight pins are not prohibited on any type of bow in the taking of small game, game birds, and waterfowl during their legal hunting seasons, including recurve, compound, or long bow. The same applies to the unfortunate who must use a crossbow in their pursuit of wild game as well.

Originally, Section 1. of House Bill 1220 created a new section of law to chapter 20.1-01 that would have provided for the use of lighted sight pins as an aid for all bow hunters in the taking of big game, small game, game birds, and waterfowl during their respective legal hunting seasons. During the House Natural Resources Committee Hearing, a number of bow hunting and wildlife organizations opposed the bill as it was originally written, but stated they supported the House Bill 1220 if amended, by removal of Section 1. The reason for the opposition was "fair chase" and what appears to be valid reasons for those bow hunters who love the challenge of the ever endearing trophy, to able to be recognized by their peers for a successful hunt, for the record books (Pope and Young), their pride, and the ability to be able to hang that trophy mount on the wall.

Mr. Chairman, Committee Members, that section has been removed from the original bill.

Enactment of Engrossed House Bill 1220, will assist those disabled and handicapped hunters permitted by law under this section, to hunt with a crossbow, in the taking of big game by allowing the use of telescopic sights and battery-powered or electronically lighted sight pins that will help provide for a clean shot and kill while out in the field hunting game during low-light conditions at dawn and dusk, during overcast skies, and what most people would describe as unfavorable, inclement, weather conditions

Section 1. amends subsection 12 of section 20.1-02-05 of the current law, and will provide those bow hunters who are blind or disabled and allowed a special permit to hunt game with a crossbow, the use of lighted sight pins or scope that is designed for crossbows, as an aid in the taking of big game, small game, game birds, and waterfowl during their respective legal hunting seasons. For the hunter who is required to use the crossbow, the use of battery-powered or electronically lighted sight pins or use of a scope is very critical during the hunt, as the user of a crossbow generally will never get a second chance at taking another shot at any game because of the length of time required to re-draw and cock the crossbow, place the bolt (arrow), and the noise caused and associated with such activity. The use of a scope that is designed for use on a crossbow is not the same scope that is used on a rifle. It is shorter in length and diameter, and is designed specifically for a crossbow, as a crossbow is held and shot similar to a rifle or shotgun.

Mr. Chairman, Committee Members, Engrossed House Bill 1220 does not provide disabled or handicapped hunters an unfair advantage in the pursuit of wild game, but does aid in the prevention of wounding, suffering, and loss of an animal that has been shot by arrow in the course of hunting game. However, it would apply to all wild game, during the respective legal hunting seasons of big game, small game, game birds, and waterfowl. The use of lit sight pins and scope as written in Engrossed House Bill 1220 is beneficial to those unfortunate hunters in North Dakota who are restricted by disability or handicap, and we respectfully request that you give Engrossed House Bill 1220 a "DO PASS" recommendation. If you have any questions, I will gladly attempt to answer them for you.

Thank you for the opportunity to testify in support of Engrossed House Bill 1220 and for your consideration of this matter.