

2021 SENATE ENERGY AND NATURAL RESOURCES

SB 2211

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

SB 2211
1/21/2021

A BILL for an Act to amend and reenact section 20.1-01-08 of the North Dakota Century Code, relating to use of artificial light while hunting.

Chairman Kreun called the hearing to order at 2:27pm.
Senators J. Roers, Patten, Piepkorn, Schiabe, Bell, and Kreun were present.

Discussion Topics:

- Current laws regarding artificial light and hunting
- Effects of night hunting and implications of passage

Senator Patten, District 39, introduced the bill and testified in favor (2:27pm)

Stephanie Tucker, Game and Fish Department, testified in opposition #2029 (2:30pm)

John Bradley, ND Wildlife Federation, testified in opposition #2099 (2:37pm)

Brent Schwan, a citizen of Watford City, testified in favor #2115 and #2067 (2:40pm)

Additional Written Testimony:

Rick Tischafer, a citizen of Butte, testified in favor #2169

Chairman Kreun adjourned the hearing at 2:49pm.

Dave Owen, Committee Clerk



Senate Energy and Natural Resources Committee
Testimony in opposition of SB 2211

North Dakota Game and Fish Department
Stephanie Tucker, Game Management Section Leader and Furbearer Biologist
January 21, 2021

Chairman Kreun and members of the Senate Energy and Natural Resources Committee, my name is Stephanie Tucker and I am the Game Management Section Leader and Furbearer Biologist with the North Dakota Game and Fish Department.

We have several concerns with this bill, but first I wanted to give you some background information. Night hunting of raccoons has long been allowed in North Dakota because of the tradition of baying them in trees with specially trained dogs at night. And we have had a night hunting season for coyote and fox since 1991, which usually begins in late-November and runs through mid-March. More recently in 2011, the legislature expanded night hunting to include beavers due to conflicts with landowners.

By and large, the majority of night hunting activity in North Dakota is for coyotes. We have always limited the night hunting season for coyotes to the time of year when their fur is prime and there are no conflicts with other popular hunting activities, such as deer gun season.

Beginning in 2016, we began allowing the use of new technologies like night vision and thermal imaging equipment during the night hunting season for coyote and fox. Then, with the passing of HB 1412 during the last legislative session, opportunity was also expanded to allow the use of artificial lights, such as red or green spotlights.

But these changes have not come without controversy, as we have received public comments from many individuals who were opposed to expanding night hunting by allowing these new technologies because they believe it goes beyond fair chase. Other hunters are concerned that the addition of night hunting equipment increases pressure and further educates the animals, reducing overall hunting success.

Now please allow me to briefly discuss our concerns. First, this legislation allows night hunting of six additional furbearer species for which night hunting is currently not allowed. Some of these species, such as mountain lions and bobcats, simply do not have robust enough populations to warrant expanded hunting opportunities.

Next, shooting a coyote outside of the prime fur season is a waste of the fur resource that could otherwise be harvested during the time of year when they have some value. If a person wishes to

shoot a coyote at night because of depredation concerns to livestock or pets, the legislature has already given people that flexibility in NDCC 20.1-07-04.

Another concern of ours relates to when day hunting is appropriate versus night hunting. Currently, day hunting of coyote, fox, raccoon, and beaver is allowed year-round because of their traditionally abundant populations and high probability of conflict with livestock producers and homeowners. However, to avoid conflicts and enforcement challenges, we do not allow night hunting of coyote and fox until after deer gun season closes and most other big game hunters of elk, moose, and pronghorn, are no longer afield. If this bill passed, we would need to close even day hunting of coyote during these big game hunting seasons to continue avoiding conflicts and enforcement challenges with legal versus illegal night hunting activities.

And finally, we are concerned expanded night hunting opportunities would lead to increased mortality of protected species for which we do not have any hunting seasons. As an example, about a year ago we received reports of a mountain lion in/near a small town in southeastern North Dakota. Some experienced night hunters met one of our department's wildlife professionals at the scene to look for the animal. The hunters were equipped with night vision and after identifying the alleged mountain lion with a night vision scope, the search party decided to shoot the mountain lion for public safety concerns, which they did. Upon approach, the hunters and wildlife professional realized that the animal was in fact a fox, not a mountain lion. Under normal daylight conditions, its unlikely a ten-pound fox would have been mistaken for a 100-pound mountain lion. Therefore, we are not confident that night hunters will be able to positively discern the difference between even more closely resembling species such as a bobcat, as opposed to a protected Canada lynx, or a mink, as opposed to a protected American marten, or even a skunk, as opposed to a protected fisher.

In summary, this bill proposes expanding night hunting from just the prime fur season of a few widely distributed furbearers, to any hunted furbearer during any time of the year. This legislation has the potential to create significant conflicts with other hunting season. Not to mention it would create a significant enforcement burden to our game wardens who would have to increase patrols to 24-7, 365 days a year.

For these reasons Chairman Kreun, the Department respectfully requests a DO NOT PASS on SB 2211.



NORTH DAKOTA WILDLIFE FEDERATION

TESTIMONY OF JOHN BRADLEY NORTH DAKOTA WILDLIFE FEDERATION SENATE BILL 2211 SENATE ENERGY AND NATURAL RESOURCE COMMITTEE JANUARY 21, 2021

Chairman Kreun, members of the Energy and Natural Resources Committee:

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation. I am here today representing our 1,500 members and 15 affiliated wildlife and sportsmen's club across North Dakota, including the North Dakota Fur Hunters and Trappers Association.

NDWF rises in opposition to SB 2211. We oppose SB 2211 for numerous reasons. The first of which is that the legislature expanded opportunities for night hunting with artificial light last session and there hasn't been adequate time to evaluate that decision. I think its important to remember that livestock producers already have the ability to shoot depredating furbearers at night, any time of the year under 20.1-07-04.

The science is not there to increase the method of take and expand the season. Coyote populations are trending downward and red fox are at all-time low. Coyotes are a highly valued wildlife resource and hunting outside prime fur season is a waste of this fur resource that could otherwise be used if harvested at another time.

Not all furbearer population are robust and warrant additional methods of take. The inclusion of furbearers in this bill includes mountain lion and bobcat. Furthermore, identification of protected species, such as marten, fisher, swift fox, and Canada lynx while hunting at night is challenging.

Lastly, this bill increases the burden on North Dakota's game wardens. They are already stretched thin and this will add to their workload. We urge a do no pass on SB 2211.

I will stand for any questions that the committee may have. Thank you.

Dear members of the Senate Natural Resources Committee, I have read Stephanie Tucker's written testimony and would like to provide additional comments on that testimony.

First, I will say that I know Stephanie Tucker and have a great amount of respect for her but I disagree strongly with many of her comments. The statement that night hunting goes beyond fair chase in one of those comments. Night hunting requires the very same skills it takes to be successful during the day. You still must attract an animal within ethical shooting range, identify that animal, and make a clean shot. The only increased opportunity night hunting gives the hunter is that most predators or more active at night so there may be a greater likelihood an animal will respond, but again, we are talking about predators that the Game and Fish Department also gets comments about in regard to their high numbers and the impact those predators have on other game animals. There have been calls for bounties on coyotes in the past and there is little doubt they impact deer and upland game populations which are the most highly sought after hunting opportunities in North Dakota.

With regards to mountain lions and bobcats. Mountain lions have a harvest cap. That cap has not been reached for several years so the harvest of an additional animal or two during a night hunt should have no effect on mountain lions as that harvest is capped. A few years ago Game and Fish started allowing hunting of mountain lions with dogs. That has a much more significant effect on hunter success than hunting at night would. Bobcats do not have a harvest limit. However, I expect the number of bobcats harvested at night will be low. They are still a very wary animal. The use of cable devices and foot hold traps has a much larger impact on harvest than night hunting would and these activities are currently allowed.

Her comment that shooting coyote outside the prime fur season is a waste of a fur resource also lacks validity. The season on coyotes is currently open year-round, just not at night. One of the reasons I would like to see this season expanded is for the allowance to take coyotes during the mid-October to end of November time frame. Coyote fur is prime during this time period and furs are in the very best shape they will be in all year. The coyotes harvest during that time period typically bring the best prices and there should be an opportunity to harvest them during that time frame.

As I stated in my previously submitted testimony, I was a Game Warden for 19 years. I don't believe there will be a substantial increase in illegal activity associated with an expanded night season. Raccoon and beaver night hunting is currently allowed during all of the seasons of concern pointed out by Ms. Tucker and I would challenge Game and Fish to show any cases where that has led to enforcement conflicts or hunter conflict during those seasons. My additional reasons for that belief are included in my first written comments.

Finally, to address the issue of increased mortality of protected species. I would question how experienced the night hunters were that were used to find that mountain lion in SE North Dakota. There may be some difficulty in making the distinction between a fox and a coyote but I will guarantee you if a mountain lion came in while I was calling coyotes there would be no difficulty in telling the difference between that and a coyote or fox. I can provide the Committee with video footage that would allow you to see what I see if the Committee would like. There would be difficulty in telling a lynx from a bobcat but when was the last time a lynx has even been documented in North Dakota and would a hunter hunting during daylight hours even know the difference?

This bill would not allow the taking of any furbearer at any time of the year. It would only allow night hunting for furbearers and non-game animals for which there is an open firearms season and only during that season. What it would do is prevent Game and Fish from doing an end around like what happened after 20.1-01-08 was amended during the last session. Night hunting equipment was made legal during the open season for coyotes, fox, raccoon, and beaver. There was only one season for hunting these species and it was year-round. Game and Fish didn't like the legislation so instead of complying with new provisions they declared a separate night hunting season for coyote and fox to restrict that activity. However, that was not done until the second year after the law was changed and was only done after I informed Jeb Williams that what they were doing was in conflict with state law.

Whenever we change something to allow a new activity there is always an increased paranoia with what other doors this will open up. I would encourage Game and Fish and this Committee to look at opportunities to encourage individuals to get outdoors and enjoy our natural resources as opposed to coming up with a bunch of "what ifs", so I will again urge you to vote DO Pass on this piece of legislation.

Thank You

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

January 21, 2021

Senator Merrill Piepkorn
Senate Energy and Natural Resources Committee

Senator Piepkorn,

I am writing and asking for your help with legislation to amend the Century Code in this legislative session. Senate Bill 2211 will be heard by your committee this afternoon (2:15 PM, January 21, 2021).

We spent a great deal of time with this portion of the Century Code in the last legislative session, and with your help, allowing the use of artificial light to safely hunt at night. During the testimony and discussions at that time, North Dakota Game and Fish Department staff provided information that night hunting would be unacceptable to them if allowed during the regular deer gun season, hence the current opening after the close of the regular deer gun season.

An amended version of the proposed legislation in Senate Bill 2211 that included (Line 19) "... the animal, excluding the regular deer gun season." may be more appropriate and amenable to the Department. If this legislation is passed without that exclusion, I foresee the Department returning to an era when all furbearers had more restrictive season dates and methods of take by Governor's Proclamation. I believe having the 17-day break for the regular deer gun season is the better option.

I am aware of a companion bill in the House of Representatives (HB 1411) that seeks a similar amendment to the Century Code. I trust your committee and the House Energy and Natural Resources Committee will resolve the competing bills and choose the right path. Please contact me if you have any questions or need my help.

Thank you for your service to the great State of North Dakota!

Respectfully,

Rick Tischaefter
2951 5th Avenue NW
Butte, North Dakota 58723
701-626-7150
tischrc@srt.com

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

SB 2211
2/4/2021

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| A BILL for an Act to amend and reenact section 20.1-01-08 of the North Dakota Century Code, relating to use of artificial light while hunting. |
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Chairman Kreun called the committee work to order at 4:06pm
Senators Bell, J. Roers, Schaible, Patten, Piepkorn and Kreun all present

Discussion Topics:

- Restriction of light hunting only to during open seasons
- Exclusion of deer season from bill

Senator Bell, moved to adopt amendment #21.0619.01001 (4:07pm)

Senator Roers, seconded to adopt amendment #21.0619.01001 (4:08pm)

| Adopt Amendment #21.0619.01001 | Vote |
|-----------------------------------|------|
| Senator Curt Kreun | Y |
| Senator Jim P. Roers | Y |
| Senator Dale Patten | Y |
| Senator Merrill Piepkorn | Y |
| Senator Donald Schaible | Y |
| Senator Jessica Unruh Bell | Y |

Motion Carried 6-0-0

Senator Bell, moved DO PASS AS AMENDED (4:09pm)

Senator Roers, seconded DO PASS AS AMENDED (4:09pm)

| DO PASS AS AMENDED | Vote |
|----------------------------|------|
| Senator Curt Kreun | Y |
| Senator Jim P. Roers | Y |
| Senator Dale Patten | Y |
| Senator Merrill Piepkorn | Y |
| Senator Donald Schaible | Y |
| Senator Jessica Unruh Bell | Y |

Motion Passed 6-0-0

Senator Bell will carry

Chairman Kreun called committee work to a close at 4:12pm

Dave Owen, Committee Clerk

February 4, 2021

8/8
3/4

PROPOSED AMENDMENTS TO SENATE BILL NO. 2211

Page 1, line 15, overstrike "An" and insert immediately thereafter "Other than during the regular deer gun season, an"

Page 1, line 19, replace the first "a" with "any"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2211: Energy and Natural Resources Committee (Sen. Kreun, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2211 was placed
on the Sixth order on the calendar.

Page 1, line 15, overstrike "An" and insert immediately thereafter "Other than during the
regular deer gun season, an"

Page 1, line 19, replace the first "a" with "any"

Renumber accordingly

2021 HOUSE ENERGY AND NATURAL RESOURCES

SB 2211

2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

SB 2211

3/5/2021

9:41 AM

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| Relating to use of artificial light while hunting |
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9:41 AM

Chairman Porter opened the hearing. Roll call was taken. Present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, Ruby, Zubke, Guggisberg, and Ista.

Discussion Topics:

- Night hunting
- Summer open season
- Harvesting furs in summer
- Night hunting equipment
- Prime fur months
- Harvest limits
- "Know your target" rule
- Potential increase in game warden hours
- Hunter skill and stamina

Testimony:

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| Oral | Sen Patton, District 39 |
| Oral | Brent Schwan, Watford City, ND- past district game warden |
| #7505 | Stephanie Tucker, Game Mgmt Leader and Furbearer Biologist, ND G&F |
| Oral | Sen Oley Larson, District 3 |
| #7530 | Bruce Willyard, Carrington ND, ND Furtakers |
| Oral | Gary Masching, Mandan |
| Oral | Curt Decker, concerned sportsman |
| #7502 | John Bradley, regional director, NW Wildlife Federation |

Additional written testimony:

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| #7056 | Jim Pojorlie, Grassy Butte |
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10:23 AM

Kathleen Davis, Committee Clerk



Game and Fish



House Energy and Natural Resources Committee
Testimony in opposition of SB 2211

North Dakota Game and Fish Department
Stephanie Tucker, Game Management Section Leader and Furbearer Biologist
March 5, 2021

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Stephanie Tucker and I am the Game Management Section Leader and Furbearer Biologist with the North Dakota Game and Fish Department.

We oppose SB 2211 for many of the same reasons we were initially concerned about HB 1411 prior to the House's bill being amended. Namely, the waste of valuable fur resources when they are unprime, the expansion of night hunting which is already a controversial method of take among fur harvesters, and the potential risks to livestock or recreationalists.

In addition, SB 2211 goes even further by mandating that we allow night hunting for 6 additional species of furbearers (badgers, bobcats, mountain lions, mink, muskrats, and weasels) for which we do not currently allow night hunting. As such, this brings up additional concerns for us because we are not confident night hunters will be able to positively discern the difference between closely resembling species such as a mink and a protected marten or a skunk and a protected fisher. In addition, our existing mountain lion regulations prohibit the harvest of a lion with visible spots or females accompanied by kittens. It would be extremely challenging or impossible to determine either of those while night hunting.

And while we are pleased that the original bill was amended to exclude the overlap of night hunting and our deer gun season, it did nothing to prevent the overlap of other popular big game seasons, such as pronghorn, elk, and moose.

For these reasons Chairman Porter, the Department respectfully requests a DO NOT PASS on SB 2211.

House Energy and Natural Resources Committee
Testimony in opposition of S.B. 2211
Bruce Willyard, Treasurer, North Dakota Fur Takers Association
March 4, 2021

Chairman Porter and members of the Committee

When I was a Hunter Safety Instructor, the class is designed to teach first time hunters safe gun handling, hunter ethics and shooting. This concept of night hunting, goes totally against what is being taught in Hunter Safety!

Rule number 1. KNOW YOUR TARGET

During the act of shooting, know your target, once that trigger is pulled, the projectile, whether shot or bullet, can not be brought back.

In the Winter issue of 2020, the Fair Chase magazine, the official publication of the Boone and Crockett Club, Craig Boddinton, Professional member, wrote an article, "Tricks of Light" (or with night hunting the lack thereof). To quote the article, "Light and angles do funny things. Visual acuity and quality optics help, but while the eye, whether aided by optics or not, sees what it sees, the brain has a tendency to interpret what it wants to see, not always what is really there."

On the night of January 30th, 2021, Dale Arlen Merbach, age 60, Rugby, North Dakota, was shot and killed in a night time hunting accident. Dale and a hunting buddy were hunting night hunting coyotes in a gravel pit, near Velva, North Dakota. In the process the hunting buddy saw what he thought appeared to be a coyote, shot and killed Dale. A sad case of the brain telling the eye what it wanted to see. Source of information local law enforcement, Rugby radio station, and Anderson Funeral Home, Rugby and Towner.

Rule number 2. Know What Lies Beyond your intended target

It's night, who knows what is parked out in the fields. Anything from Tractors, Combines, Water Trucks, Sprayers, Anhydrous tanks, the list goes on and on and on, not to mention guys out baling alfalfa half the night, to keep the leaves on, just over the hill. Also numerous old farmsteads, that Nonresident waterfowl hunters own, and there usually not a yard light on year round, so indication that anything is over there.

If this bill, S.B.2211 passes, it will get to more popular than anyone thinks. The Game and Fish will need to come to the Legislature, again, to request more money for a new string of night Game Wardens. You can't expect your current Wardens to work 24 hours a day without repercussions from somewhere or somebody.

Talking with Wildlife Services people, even with the current night hunting, it makes their job so much more difficult. The nonprofessionals educate more than they kill, especially with coyotes, they learn fast, retain that knowledge, and I have personally witnessed passing along that knowledge.

We in the North Dakota Fur Takers Association whole heartedly agree that landowners have the right to protect their property and possessions, which they currently do. The NDFTA is absolutely against legislation mandating the North Dakota Game and Fish to have night hunting on anything and everything that has a season. It is the Wild West, Katie-bar-the-door scenario, that the North Dakota Fur Takers oppose.

For these reasons Chairman Porter, we would respectfully request a DO NOT PASS on S.B 2211



NORTH DAKOTA WILDLIFE FEDERATION

TESTIMONY OF JOHN BRADLEY NORTH DAKOTA WILDLIFE FEDERATION SENATE BILL 2211 HOUSE ENERGY AND NATURAL RESOURCE COMMITTEE MARCH 5, 2021

Chairman Porter, members of the Energy and Natural Resources Committee:

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation. I am here today representing our 1,500 members and 15 affiliated wildlife and sportsmen's club across North Dakota.

NDWF rises in opposition to SB 2211. We oppose SB 2211 for numerous reasons. The first of which is that the legislature expanded opportunities for night hunting with artificial light last session and there hasn't been adequate time to evaluate that decision. I think it's important to remember that livestock producers already have the ability to shoot depredating furbearers at night, any time of the year under 20.1-07-04. This language was further clarified by this committee in HB 1411 earlier this session.

Coyotes are a highly valued wildlife resource and hunting outside prime fur season is a waste of this fur resource that could otherwise be used if harvested at another time.

Not all furbearer population are robust and warrant additional methods of take. The inclusion of furbearers in this bill includes mountain lion and bobcat. Furthermore, identification of protected species, such as marten, fisher, swift fox, and Canada lynx while hunting at night is challenging even for experienced hunters.

Lastly, this bill increases the burden on North Dakota's game wardens. They are already stretched thin across the state and this will only add to their workload. We feel that expanding night hunting opportunities will lead to more poaching cases across the state.

We urge a do no pass on SB 2211.

I will stand for any questions that the committee may have. Thank you.

Chairman Kruen,

My name is Jim Pojorlie from Grassy Butte and I would like to express my opposition to HB2211. Although I am a hunter myself, I question the public safety because there are hunters shooting high power rifles at night. The fundamentals of gun safety is identifying your target and knowing what is beyond your target and in the line of fire like machinery, buildings, pets, livestock and people. A dog will come to a coyote call out of curiosity. Like Stephanie Tucker testified that a fox was mistaken for a mountain lion. Can a night hunter using thermal imaging distinguish a border collie from a coyote? I am opposed to adding more animals to the list of furbearers for night hunting especially since there are no restrictions on the size of gun or lumens of artificial light. I hunted raccoons at night for many years and at the time was restricted to a 22 caliber rifle a 2 cell flashlight. I am also opposed to a longer season for night hunting coyotes. There is a hunter from our area that claims he has shot 400 coyotes this season alone. Can you imagine sitting around a bonfire on a summer night and a night hunter opens up on a coyote with an AR15 ½ mile away? Even though I am a hunter, I personally feel night hunting coyotes is unfair chase.

I would like to encourage all legislators to vote no on this bill to control night hunting before it gets out of control.

Thank you for your time,

Jim Pojorlie

2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

SB 2211

3/5/2021 10:41 AM

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| Relating to use of artificial light while hunting |
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10:41 AM

Chairman Porter opened the hearing. Present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, Ruby, Zubke, Guggisberg, and Ista.

Discussion topics:

Committee work

Rep Zubke moved a Do Not Pass, seconded by Rep Roers Jones.

| Representatives | Vote |
|------------------------------------|------|
| Representative Todd Porter | Y |
| Representative Chuck Damschen | Y |
| Representative Dick Anderson | Y |
| Representative Glenn Bosch | Y |
| Representative Bill Devlin | Y |
| Representative Ron Guggisberg | Y |
| Representative Pat D. Heinert | Y |
| Representative Zachary Ista | Y |
| Representative George Keiser | Y |
| Representative Mike Lefor | Y |
| Representative Andrew Marschall | Y |
| Representative Shannon Roers Jones | Y |
| Representative Matthew Ruby | Y |
| Representative Denton Zubke | Y |

Motion carried. 14 – 0 – 0 Rep Lefor is carrier.

10:42 AM hearing closed

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Fourteenth order on the calendar.