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Deanna D'Alvito
Operator's Signature

10/22/03
Date

2003 SENATE NATURAL RESOURCES

SB 2401

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10/22/03

Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2401

Senate Natural Resources Committee

Conference Committee

Hearing Date 2-14-03

Tape Number	Side A	Side B	Meter #
1		X	3.7 - 19.5
Committee Clerk Signature <i>Janet James</i>			

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2401, relating to the use of flashlights in taking raccoons.

All members of the committee were present except Senator John Traynor.

Rep. Gary Kreidt of District 33 cosponsor of SB 2401 stated this is a simple bill, that he not an expert in this area but those that are will testify. He proposed an Amendment (See attached).

Gary Judson (6.0) representing the North Dakota Fur Takers testified in support of SB 2401 with the proposed amendment. He stated his organization harvested by means traps, guns and dogs. The change that is being asked for is for safety, better game identification and hopefully to salvage the harvest of wounded animals and finally to increase the harvest itself.

Senator Joel Heitkamp asked to clarify if the only thing the bill really does is to allow a little more illumination.

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10/22/03

Date

Page 2
Senate Natural Resources Committee
Bill/Resolution Number SB 2401
Hearing Date 2-14-03

Senator Randel Christmann of District 33 testified in support of SB 2401 stating he did not have a lot of expertise in raccoon hunting but understands the North Dakota Game & Fish Department approves of the bill.

Marty Beard of Bismarck, North Dakota testified in support of SB 2401. He is a dog trainer and feels this bill should be passed for safety reasons. More illumination would also be better for animal identification so that nothing would be shot out of season. He is also at a disadvantage when he goes to other states for competition as there is no light restrictions for raccoon hunting. He further explained the amendment stating that when dealing with lead, alkali or ni-cad batteries, each has different volts per cell. So if a person used a six volt ni-cad battery, it would be illegal to use because it has six cells.

Senator Fischer asked why "light source" was ever put in place to begin with.

Gary Beard stated he thought at one time there was concern about deer poaching by flashlight.

Senator Ben Tollefson questioned in the amendment what other "power source" would there be.

Gary Beard stated Dwight Wrangham had the amendment made up for him and he needs to take out "cells" is what it should read and put in "power source". He stated he just noticed it just before he testified. It should take out "cell" not "power source".

Senator Tollefson asked what other power source there would be.

Gary Beard stated that the power source would be the battery and instead of 4 cell flashlight which would be alkali, this bill just simplifies things that if you had a ni-cad that was 6 volt you would be legal. Flashlights would not have to be taken apart to count the cells.

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Dennis Tollefson
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10/22/03
Date

Page 3

Senate Natural Resources Committee
Bill/Resolution Number SB 2401
Hearing Date 2-14-03

Sheldon Seeslack of the North Dakota Fur Takers testified in support of SB 2401 stating the importance of this being passed for safety reasons for those hunting, the dogs and other people who might be in the area.

Mike Donahue representing the United Sportsmen and the North Dakota Wildlife Federation testified in support SB 2401.

There was no testimony in opposition or in a neutral position to SB 2401.

Senator Joel Heitkamp made a motion to accept the amendment (30743.0101).

The committee decided the amendment does as Gary Beard wanted.

Senator Michael Every second the motion.

Roll call vote #1 was taken indicating 6 YEAS, 0 NAYS AND 1 ABSENT OR NOT VOTING.

Senator Heitkamp made a motion for a Do Pass as Amended of SB 2401.

Senator Every second the motion.

Roll call vote #2 was taken indicating 6 YEAS, 0 NAYS AND 1 ABSENT OR NOT VOTING.

Senator Fischer closed the hearing on SB 2401.

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10/22/03
Date

30743.0101
Title.0200

Prepared by the Legislative Council staff for
Representative Wrangham
February 11, 2003

FE3
2-14-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2401

Page 1, line 14, after "light" insert "with a power source", remove "four", and overstrike "cells in the aggregate of"

Page 1, line 22, after "flashlight" insert "with a power source", remove "four", and overstrike "cells in the aggregate of"

Page 2, line 8, after "flashlight" insert "with a power source"

Page 2, line 9, remove "four" and overstrike "cells in the aggregate of"

Renumber accordingly

Page No. 1

30743.0101

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10/22/03
Date

Date: 2-14
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2401

Senate Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass w/ Amendment

Motion Made By Heitkamp Seconded By Every

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every	✓	
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp	✓	
Senator Layton Freborg	✓				
Senator Stanley W. Lyson	✓				
Senator John T. Traynor					

Total (Yes) 6 No 0

Absent 1

Floor Assignment Every

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

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Dennis Wallenda Operator's Signature 10/22/03 Date

REPORT OF STANDING COMMITTEE (410)
February 14, 2003 2:42 p.m.

Module No: SR-29-2822
Carrier: Every
Insert LC: 30743.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2401: Natural Resources Committee (Sen. Fischer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2401 was placed on the Sixth order on the calendar.

Page 1, line 14, after "light" insert "with a power source", remove "four", and overstrike "cells in the aggregate of"

Page 1, line 22, after "flashlight" insert "with a power source", remove "four", and overstrike "cells in the aggregate of"

Page 2, line 8, after "flashlight" insert "with a power source"

Page 2, line 9, remove "four" and overstrike "cells in the aggregate of"

Renumber accordingly

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Deanna Hall
Operator's Signature

10/22/03
Date

2003 HOUSE NATURAL RESOURCES

SB 2401

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Deanna Halliwell
Operator's Signature

10/22/03

Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2401

House Natural Resources Committee

Conference Committee

Hearing Date March 13, 2003

Tape Number	Side A	Side B	Meter #
1	XX		1710-2462
Committee Clerk Signature <i>Elli M...</i>			

Minutes:

Chair Nelson called the hearing related to the use of flashlights in taking racoons to order.

Sen. Christmann: Introduced SB. Stated that the technology of flashlights has changed since the laws on this issue were written. The mag-lights for example utilize much larger batteries.

Rep. Hanson: Expressed concern about endanger species language in the bill.

Paul Shadewald: Explained that the equipment has changed. The conflict with the Federal law does not need to be changed because the endangered species act will fix it.

Chair Nelson: What about high intensity spotlights?

Paul Shadewald: There are shine concerns and requirements for filter.

Chair Nelson closes hearing.

Rep. DeKrey moves a Do Pass seconded by **Rep. Klein**. Motion carries by a vote of 12-0-2.

Rep. Klein will carry.

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Deanna Stalder
Operator's Signature

10/22/03
Date

Date: 3/13/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2401

House House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Pass

Motion Made By DeKrey Seconded By Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	✓				
Vice-Chairman Todd Porter					
Rep. Byron Clark	✓				
Rep. Duane DeKrey	✓				
Rep. David Drovdal	✓				
Rep. Lyle Hanson	✓				
Rep. Bob Hunsakor	✓				
Rep. Dennis Johnson	✓				
Rep. George Keiser	✓				
Rep. Scott Kelsh	✓				
Rep. Frank Klein	✓				
Rep. Mike Norland	✓				
Rep. Darrell Nottestad	✓				
Rep. Dorvan Solberg					

Total (Yes) 12 No 0

Absent 2

Floor Assignment Klein

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

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Dennis Johnson
Operator's Signature

10/22/03
Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 3:51 p.m.

Module No: HR-45-4752
Carrier: F. Klein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2401, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman)
recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2401 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-45-4752

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2003 TESTIMONY

SB 2401

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TESTIMONY REFERENCING SB 2401 ENGROSSED
By Mike Donahue, Lobbyist #215
March 13, 2003

House Natural Resources Committee

The United Sportsmen of North Dakota and the N.D. Wildlife Federation
urge a Do Pass on SB 2401.

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