

1999 SENATE NATURAL RESOURCES
SB 2373

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2373

Senate Natural Resources Committee

Conference Committee

Hearing Date January 29, 1999

Tape Number	Side A	Side B	Meter #
1	x		5942-6218
1		x	0-2240
Committee Clerk Signature <i>Jyla A. Zagen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on SB2373: A BILL FOR AN ACT TO AMEND AND REENACT SECTION 20.1-05-03 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO THE OPENING TIME FOR BIG GAME HUNTING SEASONS.

SENATOR BOWMAN introduced SB2373 on behalf of Lonnie Liebel. If the committee can come to the conclusion that Lonnie Liebel would like, I will accept whatever your decisions are.

REP. MEYER stated she introduced this bill at the request of one of Senator Bowman's constituents.

SENATOR TRAYNOR asked why the hunting season always open at noon.

REP. MEYER replied on opening day when it started at noon, the logic was that everybody was up and around. There was concern if the season opened at dawn, there could be more chances of people getting shot.

LONNIE LIEBEL testified in opposition to SB2373. The best opportunity to harvest a big game animal is at dawn when the animals are on the move. When a hunter spots an animal at dawn and season opens at noon, the opportunity to shoot your once-in-a-lifetime animal is gone. Your average hunter does not have the ability, strength or youth to go after a big game animal that may be spotted later the same day in a draw that is difficult to reach. The purpose of hunting is to harvest the animal.

SENATOR TRAYNOR asked if there is a difference between dawn and sunrise.

LONNIE LIEBEL replied that according to the law, the season opens ½ hour before sunrise, and closes ½ after sunrise. The key times animals move are morning and evening. At high noon the big game animals are bedded down and is the worst time to hunt them because if they are jumped out of their bed, it is more likely they will be crippled when they are shot, and they will leave the area. In the morning the animals are accessible and have not been jumped out of their bed. If you receive permission to hunt on someone's land, after the first shot, you may no longer to have permission to hunt on the land where the big game animals escape to.

SENATOR TRAYNOR asked if dawn could be the time you would be able to see the animals and is not necessarily tied to sunrise.

LONNIE LIEBEL replied at dawn, most definitely, and is not necessarily tied to sunrise.

SENATOR HEITKAMP asked if the language in the bill being asked for isn't any different than the language that would be the next day after, opening day of hunting season.

LONNIE LIEBEL replied that is true. The first day needs to be made the best day. Don't move these animals away from a once-in-a-lifetime hunter, because once that opportunity slips away,

the hunter's percentages fall dramatically. If the hunter does not have private land tied up, or a guide, his chances are going to be real slim.

SENATOR FREBORG asked if dawn is hard to enforce. Isn't it marginal where people believe dawn to be at a different time than another person.

LONNIE LIEBEL replied the word dawn is ½ hour before sunrise and is the way all seasons should open, and that is the way I would like to see it.

SENATOR BOWMAN stated this law would make everyone in compliance with the law, because of time differences in the state. If hunting were started in the morning, everyone would know that when you go out you could start to shoot.

SENATOR TRAYNOR asked if there would be any objection to changing dawn to ½ hour before sunrise.

SENATOR BOWMAN replied that would be fine.

NANCY DIETZ, Cass County Wildlife Club, testified in opposition to SB2373 primarily because the club believes the noon opening is essentially tradition and they enjoy getting together in the morning with their party and make their plans for the hunt in the afternoon. Their views are primarily in respect to deer hunting season.

MIKE DONAHUE, ND Wildlife Ass'n. testified as neutral. Relative to the current tradition of starting the season at noon on Friday, the varying distances that hunters travel to start their season, and taking time off from school or work, this affects their leave time to reach their destinations. Friday morning allows hunters to arrive and organize their hunt before the season opens at noon.

DEAN HILDEBRAND, ND Game and Fish Dept., testified as neutral.

SENATOR CHRISTMANN asked about special hunting seasons, elk, bighorn sheep, etc., what are the percentages of success for these once-in-a-lifetime drawings.

DEAN HILDEBRAND replied relatively high. Opening earlier in the morning is more of a safety issue, but your chances of harvesting the animal are better.

SENATOR HEITKAMP asked if the bill is going to read right, it should read "one-half hour before sunrise".

DEAN HILDEBRAND replied yes.

MONICA LIEBEL testified that if people want to spend the morning driving and preparing to hunt, they don't have to be at their destination at sunrise, and that is their choice.

SENATOR TRAYNOR closed the hearing on SB2373 and asked if anyone desired to take any action. Do we want to amend this bill.

SENATOR FREBORG moved to amend the bill to read "one-half hour before sunrise", and

SENATOR HEITKAMP seconded the motion. Roll call vote indicated 5 YEAS, 1 NAY, 0

ABSENT AND NOT VOTING.

SENATOR FREBORG moved for a DO PASS AS AMENDED, SENATOR HEITKAMP

seconded the motion. Roll call vote indicated 5 YEAS, 1 NAY, 0 ABSENT AND NOT

VOTING. SENATOR FREBORG volunteered to carry the bill.

Roll Call Vote #: / Date: 1-29-99

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number SB 2373

Action Taken MOTION TO AMEND

Motion Made By Freborg Seconded By Heitkamp

Senators	Yes	No	Senators	Yes	No
Senator John T. Traynor, Chr	✓				
Senator Tom Fischer, Vice Chr	✓				
Senator Randel Christmann		✓			
Senator Layton Freborg	✓				
Senator Joel C. Heitkamp	✓				
Senator Rolland W. Redlin	✓				

Total (Yes) 5 No (one) 1

Absent 0

Floor Assignment Sen. Freborg

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

Roll Call Vote #: 2 Date: 1-29-99

**1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.**

Senate Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number SB2373

Action Taken DO PASS AS AMENDED

Motion Made By Freborg Seconded By Heitkamp

Senators	Yes	No	Senators	Yes	No
Senator John T. Traynor, Chr	✓				
Senator Tom Fischer, Vice Chr	✓				
Senator Randel Christmann		✓			
Senator Layton Freborg	✓				
Senator Joel C. Heitkamp	✓				
Senator Rolland W. Redlin	✓				

Total (Yes) 5 No (one) 1

Absent 0

Floor Assignment Sen. Freborg

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

REPORT OF STANDING COMMITTEE

SB 2373: Natural Resources Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "dawn" with "one-half hour before sunrise"

Renumber accordingly

1999 HOUSE NATURAL RESOURCES

SB 2373

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2373

House Natural Resources Committee

Conference Committee

Hearing Date 2/26/99

Tape Number	Side A	Side B	Meter #
1	x		45.8-end
		x	0.0-49.5
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes: SEN. BOWMAN introduces the bill. BOWMAN goes on to tell the committee that the hours of opening big game season should start at dawn not at noon. This would intale a chance to get the big ones at the early hours at which they are more visible. To which they would not be scared away from all of the driving and foot work of rousting them up by the hunters that are waiting for the noon hour to strike 12:00.

REP. SOLBERG asks about the earliness and the mistaking cattle for big game. BOWMAN replies that it usually depends on what the hunter does the night before that determines whether if they can distinguish a deer or a horse.

REP. MEYER is also in support of the bill. She is also a sponsor of it, along with SEN.

BOWMAN. MEYER goes on to tell the committee that an elk tag in North Dakota is a chance in a lifetime. MEYER states that the mountain time zone and the central time zone has always been an issue with hunters. MEYER would like to see the level of the playing field leveled out for everyone.

REP. GROSZ talks about the harvesting of animals and would like to know what kind of combine MEYER uses to harvest these animals.

REP. HANSON lets MEYER know that mountain time and standard time are the same every where on the opening day of deer season.

REP. CLARK asks if MEYER would be opposed to an amendment. MEYER replies that she would appreciate it if it would be left for the elk, moose and sheep.

REP. NELSON asks about the extra half day, and to understand about the mountain time zone. MEYER replies that they are always there two days ahead of time.

REP. NOTTESTAD comments that it has been a tradition in many little towns. To meet in the morning of opening deer season. Have breakfast at the local churches and such.

SUPPORT

LONNIE LEBAL, WATFORD CITY, ND, he states that the west gets the pressure of all the hunters because of the public lands. LEBAL talks about the die off of some of the deer and disease. He also talks about the youth hunting.

REP. GROSZ talks about a true sportsmen doesn't take his deer on the first weekend anyway.

REP. PORTER comments about the message that is being brought to the committee of if you can't afford it, because it's a luxury. LEBAL replies that's another can of worms, and a little bit more homework should be done and a little less hunting.

OPPOSE

ROGER RUSTVET, ND GAME AND FISH, he states that the bill would require that all the seasons of game would have to open at dawn. Old traditions do die hard.

REP. NELSON asks is there no ability to set a season for just one. RUSTVET replies that all big game opens at one time.

REP. DROVDAL asks when is the most deer harvested during hunting season? RUSTVET replies that it is the Saturday of opening weekend.

OPPOSE

PAUL CRARY, CASS COUNTY WILDLIFE CLUB. He addresses the moose issue.

REP. NELSON talks about guides spending the length of time with the hunters.

OPPOSE

MIKE DONAHUE, ND WILDLIFE FEDERATION. DONAHUE states that the original objective was with the elk. If it's not broke don't fix it.

OPPOSE

MARK BIEL, HUNTER'S ED. INSTRUCTOR. Leave deer out of it. He states all that is on the minds now is hunt, hunt, kill, kill, fee, fee.

Being there were no further questions the hearing was closed.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2373-A

House Natural Resources Committee

Conference Committee

Hearing Date 3/4/99

Tape Number	Side A	Side B	Meter #
2	x		38.6-48.5
Committee Clerk Signature <i>Robin G. Small</i>			

Minutes: The committee decided to do action on this bill and get it on the floor. The hearing on this bill was on 2/26/99. REP. CLARK moves to accept the amendment, seconded by REP.

MARTINSON. The roll call vote was taken with 9 YES, NO, 1 ABSENT. The motion carries.

REP. HANSON moves for a DO NOT PASS AS AMENDED, seconded by REP. DEKREY.

The roll call vote was taken with 8 YES, 6 NO. 1 ABSENT. The motion carries. The CARRIER of the bill is REP. PORTER.

3.4.99
Date: ~~3.22.99~~

Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House House Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken 2373 do **NOT** pass as amend

Motion Made By Hanson Seconded By DeKrey

Representatives	Yes	No	Representatives	Yes	No
Chairman Mick Grosz	✓				
Vice-Chairman Dale Henegar	✓				
Representative David Drovdal		✓			
Representative Pat Galvin	✓				
Representative Duane DeKrey	✓				
Rep. Darrell D. Nottestad					
Representative Jon O. Nelson		✓			
Representative Byron Clark		✓			
Representative Todd Porter	✓				
Representative Jon Martinson		✓			
Representative Lyle Hanson	✓				
Representative Scot Kelsh		✓			
Representative Deb Lundgren	✓				
Representative Sally M. Sandvig	✓				
Representative Dorvan Solberg		✓			

Total (Yes) 8 No 6

Absent 1

Floor Assignment Porter

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

3.4.99

Date: ~~3.4.99~~

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO.

House House Natural Resources Committee

- Subcommittee on _____
- or
- Conference Committee

Legislative Council Amendment Number _____

Action Taken 2373 accept the amendment

Motion Made By Clark Seconded By Martinson

Representatives	Yes	No	Representatives	Yes	No
Chairman Mick Grosz		✓			
Vice-Chairman Dale Henegar	✓				
Representative David Drovdal		✓			
Representative Pat Galvin	✓				
Representative Duane DeKrey	✓				
Rep. Darrell D. Nottestad					
Representative Jon O. Nelson	✓				
Representative Byron Clark	✓				
Representative Todd Porter		✓			
Representative Jon Martinson	✓				
Reperesentative Lyle Hanson		✓			
Representative Scot Kelsh	✓				
Representative Deb Lundgren	✓				
Representative Sally M. Sandvig		✓			
Representative Dorvan Solberg	✓				

Total (Yes) 9 No 5

Absent 1

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

REPORT OF STANDING COMMITTEE (410)
March 5, 1999 12:06 p.m.

Module No: HR-40-4116
Carrier: Porter
Insert LC: 90797.0202 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2373, as engrossed: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2373 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "big game animals" and insert immediately thereafter "deer and antelope" and remove the overstrike over "~~twelve noon central standard time~~" and insert immediately thereafter "and on elk, moose, and bighorn sheep begins"

Renumber accordingly