

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1263

2001 HOUSE NATURAL RESOURCES

HB 1263


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1263

House Natural Resources Committee

☐ Conference Committee

Hearing Date January 25, 2001

Tape Number	Side A	Side B	Meter #
1		x	3051 to end
2	x		1 to 1738
3	x		3535 to 4925
Committee Clerk Signature 			

Minutes:

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

Chairman Rennerfeldt: I open the hearing on HB 1263.

Rep. Herbel - District 16: I recommend a Do Pass on HB 1263. (see written testimony).

Rep. Drovdal: When we originally passed the muzzleloader bill in a special session, the idea was the fact that this was the old way. They didn't have scopes in those days, are we losing our intent with this bill? If I remember right, a muzzle loader can only shoot from here to the wall, if you can't see that far without any glasses....

Herbel: I will defer that to a gentleman who will testify later.

Rep. Porter: By opening it up with an age limit, aren't we setting ourselves up for reverse discrimination to people under 55 who might have impaired vision? Where would it end? How would you defend this position? Why wouldn't it be someone thirty five and have bad vision?

Herbel: My rationale is this, there are many things applied to people who are considered senior citizens that don't apply to other people. I thought this would fit in with that particular group and we will all get to be 55 years of age and therefore can benefit from this as well.

Rep. Winrich: This bill before us has a change that explicitly permits the use of telescopic sights on muzzle loading rifles, but I don't see where they were prohibited before this. Is this really necessary. Are they prohibited in some other portion of the law?

Herbel: They are prohibited.

Rep. Galvin: I would have to ask the question, age 55 and sight impairment don't necessarily go hand in hand?

Herbel: That is true, and they don't have to put the scope on, but what this does is open up the opportunity for those who cannot see.

Rep. Galvin: It also doesn't prevent a person who has no impairment whatsoever of using a scope.

Herbel: That is correct.

Rep. Porter: One of the questions that came to mind, we have a separate season for muzzle loaders. If people were concerned about the heritage of that sport, wouldn't we be better to say that during the regular gun season that a person who chooses to use a muzzle loader could have a scope on it during that season, but those people who are doing it as a special separate season have to follow the traditional method?

Herbel: I guess that is a matter of preference. I don't have a position on that.

Chairman Rennerfeldt: Any questions of the committee?

Rep. Tom Brusegaard - District 19: I cosponsored the bills out of respect for my neighbors. I ask you give this bill and the next one your full consideration. I would like you to place an emphasis on the season for muzzle loading for the full enjoyment of all North Dakotans regardless of their ability to see.

Chairman Rennerfeldt: Does the committee have any questions? Anyone else here to speak in favor of HB 1263?

Philip Johnston: (See written testimony).

Rep. Porter: Why does it need to be telescopic. Why couldn't it be a tube sight with no magnification?

Johnston: The problem is that not only do our eyes lose the ability to focus, our eyes also tend to get a little bit dimmer. I think we need the magnification.

Rep. Porter: I am forty and I don't see very well at night, how are you going to address my concerns with discriminating reversely against me?

Johnston: May I suggest a friendly amendment?

Chairman Rennerfeldt: Any more questions of the committee? Anyone else here to testify in favor of HB 1263? Anyone here to oppose HB 1263?

Mark Roster - President of Muzzle Loaders Assn.: We oppose this bill. (see written testimony).

Rep. Porter: The position of your group is "leave our muzzle loaders season alone, if you want to use a scope, hunt the regular season."?

Roster: Yes.

Chairman Rennerfeldt: Any other committee questions?

Vice Chair Nelson: Are you able to apply for both the rifle season and the muzzleloaders season?

Roster: Yes.

Vice Chair Nelson: So in fact you have an advantage, what part of the year is muzzleloaders season?

Roster: Muzzle loading season starts the week after the regular season and runs for 9 and 1/2 days in December. This year we got blizzarded out in the eastern part of the state both weekends.

Vice Chair Nelson: So with the addition of that season, you have an advantage over the many large game hunters in the state, because you have an added season. These people are not only trying to enjoy the sport, but have a longer hunting season.

Roster: I don't know if it is really such an advantage, if you apply for a rifle license, you have an extremely good chance of getting a license. You have a good chance of pulling a second license in many of the units. However this year in ND we had 1750 licenses prior to gratis license taken out, we had approximately 5000 people apply for those licenses. We hunt 5 days after rifle season closes, the deer have had pressure for over 16 days there are approximately 70,000 deer that have been taken out of the field, so we are hunting the educated deer, less deer and usually in worse weather conditions. There is not really an advantage except we get to hunt that season without as many hunters and at a slower pace.

Vice Chair Nelson: I would agree that there are some disadvantages as well, I am going to make an assumption here that the muzzleloaders are probably more ethical in general than the average hunter. They have to be closer to the animal to get a clean shot and the nature of the sport would dictate that they are the best of the best. What other technologies could come along as you worry about losing the sport in general. What else is possible to come along and create a water downed muzzle loading season?

Roster: New in line rifles, they advertise accuracy at 225 yards without scopes. As of last month Savage Arms developed an in line rifle that now shoots non black powder, regular powder. You are going to see more of this, the only thing left would be the way the rifle is loaded. Now you have that aspect. If you do allow scopes, eventually the bills will come through the floor to open it up to everybody. Then you will have 3 by 9 scopes, not just tube scopes, etc., etc. You will take away from everything this season was initially set up for. There are ways to adjust the sight for aging eyes. I had a gun built with the back sight moved for my vision.

Rep. Keiser: Are you currently taking advantage of any technological advancements in the pursuit of your sport, today, for example the quality of the powder or any change in projectile or any other part of your weapon in opposition in the tradition you are here to support?

Roster: Yes, we are using purer forms of leads, I pour my own balls, the barrels are better. The rifling is machine cut instead of hand cut. Even those that are traditionalist, there is technology that is lost. But, we are still trying to hold true to the form of a person having to hunt in this manner. There is not one of us dressing up as Daniel Boone, we have to wear orange. We have to make some concessions, I do not think a scope is one of those concessions.

Chairman Rennerfeldt: Any further questions?

Nicholas Severt: I am here to speak against HB 1263. (see written testimony).

Chairman Rennerfeldt: Are there any questions?

Gary Anderson: I am opposed to this bill. (see written testimony).

Chairman Rennerfeldt: Any questions of the committee?

Rep. Keiser: Is one the major concerns of the muzzleloaders is will this bill create too great a pressure on the current license level, for those people who want to hunt like you do?

Anderson: I believe it will increase that somewhat, there is already an increase in the numbers and adding a scope to that rifle will increase that number again.

Chairman Rennerfeldt: Anyone else in opposition of HB 1263.

Mike Donahue - NDWF & USND: We support the muzzleloaders in opposition of the bill. We recommend a Do No Pass.

Chairman Rennerfeldt: Any questions of the committee? Anyone else here to speak in opposition of this bill?

John Horner - President Missouri River Muzzle Loaders Assn.: Our group opposes this bill and we stand as a group in opposition of this bill.

Chairman Rennerfeldt: Does the committee have any questions. Anyone else to speak in opposition to this bill?

Cindy Haakenson - Missouri River Muzzle Loaders Assn.: I am here to oppose this bill for the same reasons as the rest of the clubs are in opposition.

Chairman Rennerfeldt: Committee questions? Anyone else to speak in opposition to this bill? If not, I will close the hearing on HB 1263.

COMMITTEE WORK

Chairman Rennerfeldt: Let's do HB 1263.

Rep. Solberg: In order to get things rolling, I move a Do Not Pass on this one.

Rep. Galvin: I second.

Chairman Rennerfeldt: Any further discussion?

Rep. DeKrey: I really have mixed emotions about this bill, I can see where someone has hunted all their lives and their eyesight is failing that maybe they would like to continue, but maybe there is something we can do for visually impaired. Just the fact that your eyes are getting older

and you need bifocals that is not a good enough excuse. Are you really muzzle hunting if you have a scope on? I don't know.

Rep. Nottestad: You know, I know where this one is going. I am in support of the theory of this bill. I cannot see when I shoot. I don't muzzle load for that reason, whether I would do it or not with this, I don't know. I think it would give an opportunity for those 55 and older. Maybe there should be something more stuck into it with restrictions or whatever the case may be. I think the theory is good. It does help people out. The sport is no longer pure, things have changed so much since it started that there has been a progression all along. This is no more out of line than the inline rifles.

Vice Chair Nelson: I am going to resist the Do Not Pass as well for different reasons. One thing we talked about so much is access, access to land or hunt, this is a situation that is an access issue that is pertinent. These people have more time on their hands than they have had their entire working life and they reach an age where they can begin to hunt again, obviously they can still go hunting during the regular season but muzzle loading does offer some different experiences for these people. Why would we limit these people because of some natural impairments that come with age. With passage of this we allow some more hunters in this state to experience this sport, to experience our natural resources. Hopefully we will shoot some more deer, we have too many in this state. The main point is that we want to encourage people to use the resources we have and in a responsible manner. I think muzzle loaders are responsible in nature and those traditionalists that were here today, this does not affect them at all to allow someone else to experience the same sport. I think this has some reasonable applications and I am going to resist the Do Not Pass.

Rep. Porter: I support the Do Not Pass. I support it for a couple of different reasons. No. 1 is that these individuals that are 55 years of age and older that need the use of a telescopic sight have a 16 day season that they can hunt deer anytime they want and get 2-4 permits during that season and just shoot them up. There are no restrictions. The only restrictions on the muzzle loaders is a special 9 day season after the regular season. There are also devices available and ways to allow a person with diminished vision to use a muzzle loading weapon very accurately, all the way down to a tube sight. No magnification. What we are talking about here has nothing to do with wearing bifocals, it has to do with magnification. Magnification is not required to see a deer at 100 yards. I will totally support a Do No Pass on this.

Rep. Calvin: I have the same reservations that Rep. DeKrey had, to me tying this scope to age 55 makes no sense to me at all. I mean, in the first place it is discriminatory. You could have a man 55 with perfect vision using a scope and a man 54 that's half blind that couldn't use a scope. This business that something happens to you when you are 55 years old is That has nothing to do with impairment. If they tied it to the degree of your impairment it would make sense. This doesn't make any sense at all.

Rep. Solberg: These folks are the die hard black powder hunters and they have a neat organization and they are proud of what they are doing and sure they are traditionalists, and there is nothing wrong with that. So we're telling them as legislators that we are going to wreak your tradition and we are just going to open this deal up and from there on it will be another deal. So I don't think we as legislators should say, we don't believe in your tradition. So I think we should kill this bill.

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

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House Natural Resources Committee
Bill/Resolution Number HB 1263
Hearing Date January 25, 2001

MOTION FOR A DO NOT PASS

YES, 7 NO, 8

Motion falls

Vice Chair Nelson: I move a Do Pass.

Rep. Kelsh: Second.

MOTION FOR A DO PASS

YES, 8 NO, 7

Motion carries

CARRIED BY NELSON

Date: 12-25-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1263

House Natural Resources Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO NOT PASS

Motion Made By _____ Seconded
By _____

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	✓				

Total (Yes) 7 No 8

Absent _____

Floor Assignment _____

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

Date: 1-25-01
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1263

House Natural Resources Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Nelson Seconded By Kelsh

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		✓			

Total (Yes) 8 No 7

Absent _____

Floor Assignment Rep. Nelson

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

REPORT OF STANDING COMMITTEE (410)
January 25, 2001 4:13 p.m.

Module No: HR-13-1669
Carrier: Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1263: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends DO PASS (8 YEAS, 7 NAYS, ABSENT AND NOT VOTING). HB 1263 was placed on the Eleventh order on the calendar.

2001 TESTIMONY

HB 1263

BILL TO MAKE SCOPES LEGAL ON
MUZZLELOADERS
DURING HUNTING SEASONS
HB 1263

By
Phillip W. Johnston

- I. Thank you Mr. Chairman. It's an honor and privilege to be with you and the Committee today.
- II. HB 1263 is designed only to make hunting seasons better for our seasoned hunters-men and women who have hunted for most of their lives, in many cases. The basic preamble of marksmanship when using open or metallic sights calls for all of one's concentration to be on the front sight while the trigger is squeezed to accurately deliver a shot on the range or in the field. In fact the entire thought process of delivering an accurate shot with open sights goes simply like this; FRONT SIGHT, SQUEEZE (THE TRIGGER). FRONT SIGHT, SQUEEZE. Unfortunately advancing age or other medical problems often makes focusing our dominant eye on a front sight impossible. The only alternative consists of substituting some other sight system in place of metallic sights.
 - II. A. Scopes
 1. Telescopic sights are as "traditional" in nature as is the general use of rifled barrels, and have been used successfully on muzzleloaders since Mr. Morgan James of Utica, NY invented such a sight system in 1848. Many such systems were used in the Civil War. On May 9, 1864, Sargent Grace of the 4th Georgia Infantry took aim and fired one lethal shot at Union Major General John Sedgwick during the battle of Spotsylvania. The range of the shot was 800 yards!
 - a. [REDACTED] effectively [REDACTED] any and all arguments that scopes are not [REDACTED] equipment, first, and second that accuracy didn't only come into place a few years back when the inline muzzleloader first appeared-as some of the die hard traditionalists would have us believe.
 - b. [REDACTED] was a cumbersome but effective 4-power optical sight system that made muzzleloaders effective to 1,800 yards or so, prior to the Civil War.
- III. This bill was carefully crafted to eliminate many of the objections put forth by several dominant, vocal clubs and associations in our Great State.
 - A. This bill would not impact the general population that is less than 55 years of age and will not greatly impact the outcome of the lottery drawing each year.
 - B. This bill would not result in hunters taking unethical shots in the field simply because their firearm is equipped with a scope because only seasoned, experienced hunters would carry such equipment. An experienced hunter knows how far his or her arm is effective, regardless of the sights being used.
 - C. [REDACTED] that anyone [REDACTED] hunt with a scope or any other personally unacceptable gear. It simply offers an alternative sight system that

might allow a hunter to spend the sunset of his or her life doing what they love most-hunting.

D. This bill would not alter the legal hunting hours. It would simply allow our mature hunters to accurately place their projectiles during the best 20 minutes of each day-the time when animals are moving in the shadows before sunrise or sunset. The time when it is most difficult to see the front sight or the sight pin on archery tackle.

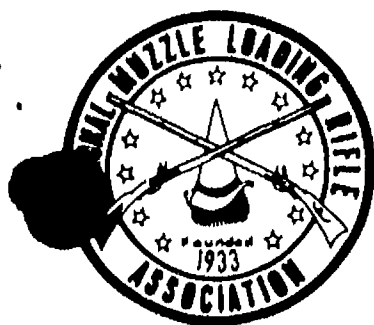
E. This bill, if passed, will allow hunters who choose a scope system to make ethical shots in the field-shots that take game cleanly because the shot was put exactly where it needed to go. It will reduce poor shots in the field resulting from an inability to see the sight system. No one argues that a scope system isn't more accurate than open sights.

IV. Not long ago I was chatting with a veteran hunter, one who takes a great deal of pride in a collection of photos on the wall that support a lifetime of hunting with archery gear and shotgun. There are photos of dogs that are and great dogs that long ago passed away. This hunter said that for the first time in his life it was impossible to see the sights on his bow and that he'd missed three shots at a great buck simply because he couldn't see the sights, this past season. When we began talking about muzzleloading he said that he couldn't hunt with a muzzleloader, although he would like to, again because he couldn't work with open or metallic sights.

V. This is a bill simply designed to allow our hunters a full season, if you will. An effort to help those of us who love hunting so very much that we might continue hunting even through our golden years when the pulse still beats just a bit faster with each approaching hunting season even though the rest of the body might protest just a bit. This is an effort to provide even our senior hunters with the accuracy necessary to place a quick, lethal, and humane shot in the field, an ethic that we've been committed to for so long. Something that is simply impossible when we can no longer see the sights on our hunting equipment.

VI. Passing this bill is the right thing to do. It's right for North Dakota. It's its right for our hunters and it's right for the game we hunt.

VII. Thank you.



National Muzzle Loading Rifle Association

P.O. BOX 67, FRIENDSHIP, INDIANA 47021

TEL. (812) 667-5131

January 17, 2001

Phil W. Johnston
5519 147th Avenue, NE
Forest River, ND 58233-9604

Dear Phil:

It was good to meet you at the Shot Show. Your question about the use of telescopic sights on muzzleloading firearms has been addressed by a number of states. Many states currently allow such sights with different restrictions. A summary of the regulations would have to be obtained from each of the states.

As far as the National Muzzle Loading Rifle Association is concerned, we do allow telescopic sights in a number of our national matches.

First, in our National Muzzleloading Manufacturers' Championship, which consists of six matches, shot at ranges from 25 to 150 yards, scopes up to and including 10 power are permitted.

Second, our Unlimited Longhunter Championship, which consists of 4 matches, shot at ranges from 25 to 100 yards permits scopes with no limitation on magnification.

In addition, in recognition of the problems many of us experience with failing eyesight, we have one pistol match for competitors over 55 that allows any sight, including scopes.

I hope this provides the information you need.

Sincerely,

John A. Miller
Executive Vice President

*"A well regulated Militia being necessary to the security of a free State,
the right of the people to keep and bear Arms, shall not be infringed."
Second Amendment to the Constitution*

January 25, 2001

HB 1263

My name is [REDACTED] from Center, ND. I am a member of the North Dakota Muzzleloader Rifle Association and the Missouri River Muzzleloader Club and various other muzzleloading clubs both local and nationally.

The special muzzleloading season passed by the North Dakota Legislature was originally passed with the intent for those of us who want to challenge ourselves either by stalking or waiting on a stand for the best possible shot to make sure of a humane kill. Regardless of whether I shoot a deer or not during the muzzleloader season, I just enjoy the challenge of the hunt.

Adding a scope to some of the muzzleloading guns sold on the market today takes away from the whole intent of the muzzleloading season and leads me to believe that some people are merely looking for an easy way to just bag another deer.

My eyesight is not as good as it used to be but I would never consider using a scope on a primitive firearm to hunt deer. Most of the deer I have taken has been at 50 yards or less whether hunting in regular season or the muzzleloading season.

Nearly everyone in the Muzzleloader community that I have personally spoken to have no objection with folks using scoped muzzleloaders during the regular gun season.

We have already allowed the modern inline muzzleloaders into the primitive season.

Those of us who hunt with the primitive outside hammer ignition and open sites are finding it increasingly more difficult to obtain a license because there are now so many more people who are applying for the limited number of licenses. By adding scopes to the muzzleloader rifles, that number of people applying for licenses will increase again.

Adding scopes to the muzzleloader rifles will also increase the possibility of people trying to take a deer at far greater distances and will increase the number of wounded animals.

I would urge the committee to vote against this bill. Thank you for your time.

Gary A. Anderson

Mr. Chairman,
Honorable Representatives

My name is Mark Roster, from Davenport, ND.

I am currently President of the North Dakota State Muzzleloaders Association, and a active member of the Fargo BlackPowder Club.

While the thoughts of those who introduced HB1263 may be honorable - they do not serve the purpose of this special season.

This season was finally implemented in 1987 after nearly 16 years of legislative defeat. Prior to that time, muzzleloaders hunted during the regular rifle season and could use scopes - this option has not changed.

However, this special seasons initial wording stated: "flintlock or percussion, outside ignition, patched round ball, blackpowder or pyrodex propellant, 45 caliber or larger AND OPEN SIGHTS ONLY"

Since its inception, traditional muzzleloaders have compromised to allow in line muzzleloaders and sabot bullets. Now we are being asked to compromise once again to allow scopes - under the guise of helping our aging hunter.

We all know that if this is allowed - the changes will not stop there. In 2 years, 4 years or whenever, there WILL be another bill on the floor to open it up to anyone using scopes. Next time it will probably be based on discrimination.

These compromises have to stop.

Not only do they jeopardize the intent of this season, it could add difficulty to our Game and Fish Departments law enforcement. With an added scope during the muzzleloading season, Game and Fish personel will have a more difficult time telling at a glance if it is a muzzleloader or a high powered rifle being carried, especially if they are watching through binoculars.

I have nothing against our aging hunters, these bifocals tell you I'm nearing that myself! But there are time honored methods our forefathers used to deal with falling eyes, and I have offered this information to the advocates of this bill.

But rather than accept these methods, it is easier to add a scope.

This season was designed for those willing to challenge themselves, with old style hunting methods, without the competition of a sea of orange. Those people know there is a much lower success rate. However, we, as I am a part of "those" people, do not ask for technological advances to increase our success. That depends on the skill of the hunter.

We do ask that this season remain as it is currently written. As current law dictates, keep it as challenging as possible for those who wish to accept those challenges with full knowledge of the restrictions set forth.

I have been asked to forward these 2 letter from 2 of North Dakotas largest Black Powder clubs. Each well over 100 members strong. They both have unanimously voted NOT TO SUPPORT HB 1263.

I also verbally pass on the unanimous vote of the North Dakota Muzzleloaders Associations Board of Directors, the Valley City Renegades Black Powder Club and the Kindred's Wildlife Clubs vote of NO SUPPORT for HB1263.

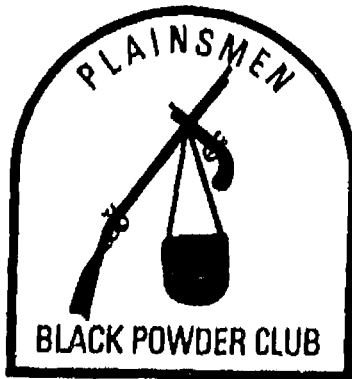
If we keep compromising this season through advanced technology, where will it stop?

Soon we will have a season that offers no difference other than the way the arm is loaded.

Mr. Chairman, Honorable Representatives, I urge you to forward on a DO NOT PASS to your constituents,

Thank you for your time and consideration.

Faithfully Submitted,
Mark Roster
PO Box 248
475 1st Ave
Davenport, ND
58021
701-428-9985



Box 1835, Fargo, ND 58107

Dear Honorable Representatives of North Dakota,

Recently our black powder club was informed of a proposed change to allow optics on muzzleloaders during the North Dakota Muzzleloader deer season.

The Plainsmen club was incorporated in 1972. We are the largest regional muzzle-loading club in North Dakota with over 130 adult members.

At our January 8th meeting this proposed change was discussed and voted on. The result was a unanimous vote against allowing optics/telescopic sights on muzzleloaders during the special season. Our club members range from age 18 - 71, male and female, self-employed and professional. As a cross section of the population, we stand united on this issue. Please do not give in to the special interests that are pushing for this change.

Sincerely,
Suzanne Kersting

President of the Plainsmen Black Powder Club
161 5th Ave N Kindred, ND
(701)428-0104



COON 'N CROCKETT MUZZLE LOADERS

P.O. Box 13904 • Grand Forks, ND 58208-3904

Info@Coon-n-Crockett.org • www.Coon-n-Crockett.org

January 22, 2001

North Dakota House of Representatives

Re: HB1263, Telescopic sights in muzzleloader deer season

Honorable Representatives of the State of North Dakota:

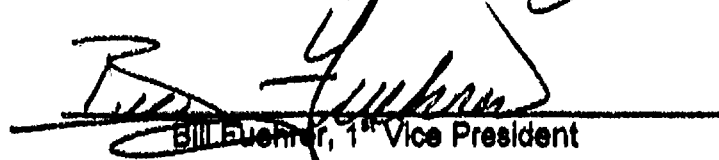
The Coon 'n Crockett Muzzleloaders of Grand Forks, ND have unanimously voted to officially oppose HB1263 which would allow the use of modern telescopic sights during muzzleloader deer season. The membership feels that the use of telescopic sights would degrade the traditionally primitive season and the inherent challenges of such a season. Telescopic sights would encourage hunters to take shots well in excess of the limitations of a muzzleloader and would result in the wounding of more animals.

This letter is being carried to the ND House of Representatives by long time muzzleloader Mark Roster who will act as the proxy representative of our over 120 members. We implore you to **VOTE NO** on **HB1263** and help preserve a small piece of history for future generations of North Dakotans.

Signed:


Steve Peavey, President

01/22/2001


Bill Bucher, 1st Vice President

01/22/2001


Brad Gerszewski, Secretary/Treasurer

01/22/2001

January 2001
HB 1263
Testimony of Nicholas Severt
506 Columbia Dr.
Bismarck, ND 58504

Good morning Chairman Rennerfeldt and members of the Committee. For the record my name is Nick Severt. I live in Bismarck.

I am here to speak against HB ¹²⁴³2063. I am a member of the Missouri River Muzzleloaders, the Coalition of Historical Trekkers and a board member of the ND Muzzleloading Assoc. All of these organizations are dedicated to the preservation of the sport of black powder shooting.

Members of these organizations worked hard toward the creation of a muzzleloading deer season in ND. The goal was to allow hunters to use muzzleloading firearms and experience deer hunting the way our forefathers did. By allowing technology to be used during this season it will destroy the experience and the need to develop skills to hunt with primitive firearms.

If a person has a true desire to hunt with an optically equipped muzzleloading rifle, [REDACTED] All they would need to do is apply for a deer tag during the regular deer rifle season in which it is legal to use a muzzleloading rifle equipped with a scope. [REDACTED] They want to do this the easiest way possible, shooting a scoped gun and not needing to develop the skills in stalking game.

I urge the members of this Committee to not let technology replace tradition and not recommend this bill.

Thank you for your time. If anyone has any questions I'll try to answer them.

TESTIMONIAL
HOUSE BILL 1263
1/25/01
REPRESENTATIVE GIL HERBEL

CHAIRMAN RENNERFELDT AND DISTINGUISHED MEMBER OF THE NATURAL RESOURCES COMMITTEE, MY NAME IS GIL HERBEL, REPRESENTATIVE FROM DISTRICT 16 WHICH IS PARTS OF WALSH AND PEMBINA COUNTY. MY INTENTION WITH THE LARGER PRINT OF MY TESTIMONY IS TO MAKE IT MORE CONVENIENT FOR YOU TO FOLLOW, ESPECIALLY THOSE OF US WHO ARE 55 YEARS OF AGE AND OLDER.

COMMITTEE MEMBERS, HOUSE BILL 1263 WILL ALLOW PEOPLE OF AGE 55 AND OLDER TO USE A SCOPE ON THE MUZZLE-LOADING FIREARMS WHILE HUNTING DEER. IT BECOMES INCREASINGLY MORE DIFFICULT WITH AGE, AS OUR VISION CHANGES, TO BE ABLE TO FOCUS ON OPEN SIGHTS. USE OF A SCOPE WOULD HELP ELIMINATE THIS PROBLEM. I AM NOT A MUZZLE-LOADING HUNTER, BUT I DO USE A SCOPE DURING THE REGULAR SEASON BECAUSE OF THE DIFFICULTY OF BEING ABLE TO SEE TWO TINY SIGHTS WITH MY BIFOCALS.

THIS BILL IS NOT ABOUT KILLING MORE DEER AS SOME MAY TESTIFY IN OPPOSITION, BUT IT IS ABOUT ALLOWING SILVER-HAIRED PEOPLE WITH BIFOCALS TO KILL DEER RATHER THAN WOUNDING THEM. KEEP IN MIND THAT WE ARE NOT REQUIRING MUZZLELOADERS TO USE A SCOPE, ONLY ASKING THAT THOSE 55 YEARS OF AGE AND OLDER HAVE THE OPPORTUNITY TO USE A SCOPE IF THEY CHOOSE TO.

CHAIRMAN RENNERFELDT AND COMMITTEE MEMBERS, I URGE A "DO PASS" FOR HOUSE BILL 1263.