



# TERRY KATSMMA

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**Date:** February 3, 2016  
**To:** Assembly Committee on Natural Resources and Sporting Heritage  
**From:** Representative Terry Katsma  
**Re:** Assembly Bill 719: legal use of flashlights while hunting

Dear Chairman Ott and Committee Members,

Thank you for convening a public hearing on Assembly Bill (AB) 719, a bill to codify game wardens' current interpretation of the statute pertaining to the use of flashlights while hunting.

Under current law, it is typically illegal to use a light to "shine" (search for or locate) wild animals in the dark while hunting or while in possession of a firearm, bow or crossbow. It is also illegal—regardless of whether a person possesses a weapon—to shine wild animals during certain nighttime hours from September 15<sup>th</sup> until December 31<sup>st</sup> of any given calendar year. There is, however, one exception in which using a light is permissible. With a valid small game hunting license, it is legal to hunt certain nocturnal species—coyote, raccoon, fox—and unprotected species at night. During these night hunts, hunters are allowed to use a battery-operated flashlight at the point of kill (to fire a safe, precise shot—NOT to search for an animal).

AB 719 would clarify that a hunter may use any battery-operated light at the point of kill during a small game night hunt—whether handheld, worn on the body/attached to clothing or attached to a firearm. The bill does NOT expand the legal purposes for which a light may be used. In other words, under AB 719, it would continue to be illegal to use any light to search for or locate a game animal while hunting. And as under current law, the use of laser sights that project a laser beam onto a target would continue to be prohibited while hunting.

The need for AB 719 was brought to my attention by a constituent who explained that, until recently, existing statute was being applied inconsistently in the field. Some game wardens have interpreted statute to mean that only a handheld light is legal; others have relied on their discretion to allow the use of other lights. Although recent policy guidance from Department of Natural Resources leadership to its wardens has proved helpful, AB 719 removes any future uncertainty as to the law's intent.

This bill also makes a technical correction to the statutes. The 2013-15 state budget law prohibited night hunting of wolves in any possible future wolf hunting seasons. But statute still (erroneously) includes wolves in the list of species that may be hunted with the aid of a flashlight. AB 719 makes absolutely certain that there can be no confusion: hunting wolves at night is prohibited unless the legislature takes specific action to permit the practice.

I urge you to support AB 719 and thereby clear up two points of confusion for hunters.



# TOM TIFFANY

STATE SENATOR • 12TH SENATE DISTRICT

## Testimony on Assembly Bill 719

### Committee on Natural Resources and Sporting Heritage

I would like to thank Chairman Al Ott and members of this committee for hearing Assembly Bill 719 (AB 719) today.

Current law states that it is illegal to shine wild animals in the dark while hunting or while in possession of a firearm, bow or crossbow. It is, however, permissible to use a battery operated handheld flashlight at the point of kill during a small game night hunt of coyote, raccoon, fox, or unprotected species.

This bill would clarify that in addition to hand held battery operated flashlights, hunters could also use any other battery-operated light such as one worn on the body, attached to clothing, or a light attached to a firearm. It should be noted that the use of laser sights that project a laser beam onto a target while hunting would continue to be prohibited.

This bill is a simple addition to statute to give hunters more options regarding their choice of flashlight. I would like to thank Representative Katsma for his work on this bill. I also would again like to thank the Chairman and members of this committee for hearing Assembly Bill 719 today, and I ask for your support of this bill. Sincerely