

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2201

2007 SENATE NATURAL RESOURCES

SB 2201

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2201

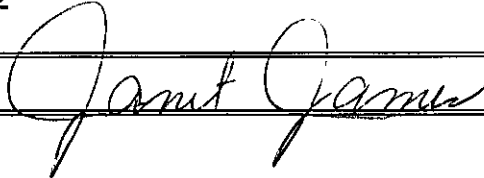
Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 25, 2007

Recorder Job Number: #1872

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2201, relating to establishing a North Dakota hunter educators association antelope license raffle.

All members of the committee were present.

Senator Joel Heitkamp of District 26 prime sponsor of SB 2201 introduced the bill stating the laurels of the North Dakota hunter educators association and how they would like to raise money by being able to raffle an antelope license tag. After conversations, he stated he is willing to amend the bill so the raffle tag stays within the state. He believes the association would also be willing to guarantee a North Dakotan would get the tag as the bill is not about a nonresident bidding up the tag but to raise some money for hunter education.

Senator Lyson agreed that an amendment is in order to remove "nonresident" from the bill.

Rodney O'Clair testified in support of SB 2201 (See attachment #1).

Leland Bratlie testified in support of SB 2201 (See attachment # 2).

Senator Lyson asked for testimony in opposition to SB 2201.

Shawn McKenna, Executive Director of the North Dakota Wildlife Federation testified in opposition to SB 2201 asking when the raffles will end. The federation understands raffles are

an excellent way to make money for organizations and they approve of the work that is being done by the hunter educators; however is a raffle the right way to make this additional funding. There should be other ways to make this money.

Senator Lyson asked for neutral testimony of SB 2201.

Senator Constance Triplett asked Roger Rostvet, Deputy Director of the North Dakota Game and Fish Department, how many raffles are already out there.

Roger Rostvet, Deputy Director of the North Dakota Game and Fish Department answered that there is an auction for big horn sheep, a mule deer, elk, moose and about three others. He further stated there are additional bills in the house for other raffles this session.

Senator Triplett asked if it was one license for each of these species.

Roger Rostvet responded it is usually one license for each except there is a bill in the house that would give a number of licenses for disabled people to hunting.

Senator Lyson asked if the number of raffles is hurting the game numbers.

Roger Rostvet responded all the organizations involved are fine organizations that put the money raised back into the resource. It may cause a little more work for the agency but it does help move their mission forward.

Senator Lyson closed the hearing on SB 2201

Senator Lyson asked a draft of an amendment to remove "nonresident" from the bill be drafted.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2201

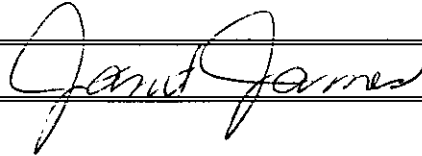
Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 25, 2007

Recorder Job Number: # 1874

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened discussion of SB 2201.

All member of the committee were present.

Senator Lyson reviewed the proposed amendment (See attachment #1).

Senator Constance Triplett commented the changes create an awkward sentence and does not flow well and should be rephrased.

Discussion was held how to amend the bill to flow better and extend the intent of the committee.

Senator Lyson directed the intern to work the language of the bill and present the proposed amendment to the committee at a later date.

Senator Lyson closed the discussion on SB 2201.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2201

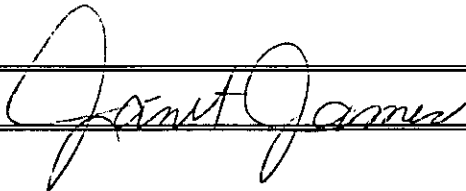
Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 26, 2007

Recorder Job Number: # 2018

Committee Clerk Signature



Minutes:

Senator Ben Tollefson, Vice Chairman of the Senate Natural Resources Committee opened discussion on SB 2201.

All members of the committee were present except **Senator Stanley Lyson** who had stepped out of the committee to testify at another hearing.

The intern had prepared an amendment as well as how the bill would appear as amended and distributed it to the committee for review.

Senator Joel Heitkamp made a motion to adopt the amendment as presented.

Senator Layton Freborg second the motion.

Roll call vote # 1 was taken indicating 6 Yeas, 0 Nays and 1 absent or not voting for adoption of the amendments as proposed.

Senator Constance Triplett made a motion for Do Pass as Amended of SB 2201.

Senator Jim Pomeroy second the motion.

Roll call vote #2 was taken for a Do Pass as Amended of SB 2201 indicating 6 Yeas, 0 Nays and 1 absent. The vote was left open for Senator Lyson.

Senator Freborg will carry SB 2201.

Page 2

Senate Natural Resources Committee

Bill/Resolution No. SB 2201

Hearing Date: 1-26-07

Senator Lyson returned to the committee and voted yes to the motion for a Do Pass as

Amended of SB 2201.

Final vote was 7 Yeas, 0 Nays and 0 absent or not voting.

FISCAL NOTE
Requested by Legislative Council
01/16/2007

Bill/Resolution No.: SB 2201

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$0		\$0
Expenditures				\$0		\$0
Appropriations				\$0		\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill provides one antelope license per year for the hunter education association fund raising. This will have no fiscal impact for the ND Game and Fish Department.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Paul T. Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	01/16/2007

January 26, 2007

JF3
1-26-07

PROPOSED AMENDMENTS TO SENATE BILL NO. 2201

Page 1, line 11, replace "with" with ". Only" and replace "and" with "are"

Page 1, line 12, remove "nonresidents"

Renumber accordingly

Date: 1-26-07

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2201

Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt amendment

Motion Made By Heitkamp Seconded By Freborg

Senators	Yes	No	Senators	Yes	No
Sen. Stanley Lyson, Chairman			Sen. Joel Heitkamp		
Sen. Ben Tollefson, ViceChairman			Sen. Jim Pomeroy		
Sen. Layton Freborg			Sen. Constance Triplett		
Sen. Herbert Urlacher					

Total (Yes) 6 No 0

Absent 1

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE

SB 2201: Natural Resources Committee (Sen. Lyson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "with" with ". Only" and replace "and" with "are"

Page 1, line 12, remove "nonresidents"

Renumber accordingly

2007 HOUSE NATURAL RESOURCES

SB 2201

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2201

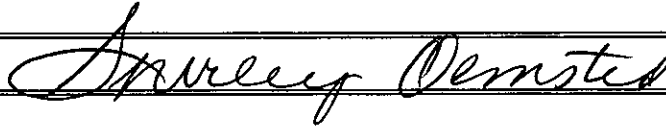
House Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: February 22, 2007

Recorder Job Number: 3691

Committee Clerk Signature



Minutes:

Chairman Porter opened the hearing on SB 2201 and asked the clerk to read the title.

Senator Joel Heitkamp came forward as a sponsor of SB 2201. He indicated that this was a very simple bill and that the hunter safety educators want to be able to have something to raffle off. They had approached them and they wanted to put a bill in to do just that with an antelope. The bill originally could have gone to anyone, in state or out of state. The engrossment that you are seeing was the Senate Natural Resources Committee narrowing of it so that the antelope permit goes to an in state resident and you will may be hearing from some later who may think that this is good or bad. It certainly was the wishes of the Senate Natural Resources Committee. There did not seem to be a lot of objection to that and a lot less controversy making sure that antelope permit stayed in state. I just wanted you to understand that the version coming over from the Senate makes sure that it stays with a resident. If you think about this from a raffle standpoint they want to take them to their federation events and raffle them off. This is about the hunter safety instructors who give more than they ever get having the opportunity to raise a couple of bucks to see their programs go. Some of the antelope hunters that he had talked to thought this was a good thing.

Representative Nottestad asked how he would see this taking place since antelope is by unit.

Would this be an area wide license or how do you see it?

Senator Heitkamp said that is why they left it up to the Game and Fish. If you read in the bill you will see the rules are set up through the Game and Fish. The intent is to leave this in the hands of the people who manage the game the best. There is that latitude in the bill.

Representative Nottestad said they could then exclude one unit if it was a poor area at that time.

Senator Heitkamp said that is how he would envision them administering this. If you have an area or zone that does not need any additional pressure then that would not be the area you would want.

Representative Hanson said the hunter safety educators were in the session a few years ago opposing their having to teach live ammunition shooting and according to this they are supposed to monitor an antelope hunt. That would probably have to have liability insurance. Do you have any idea what liability insurance would cost if these people want to do this?

Senator Heitkamp said this is their baby and not necessarily mine in terms of the verbiage. I don't know what that liability insurance would be. To me the risk would be minimal but I am sure the premium would be high.

Representative Hanson the reason they opposed shooting live ammunition was the liability part of it. If we get into them sponsoring a hunt they are going to have to have liability insurance and that is going run them five or six hundred dollars.

Senator Heitkamp said that fiscally this is about getting the money into the hunter safety pocket a couple bucks for a certain program.

Representative Hunsakor asked if this has been tried in other states and if so do you have any idea what kind of money has been raised. What did you envision here?

Senator Heitkamp said he did not have that answer on other states and to be honest, he didn't think this was going to make a lot of money but that is my own personal side of this. I would buy a ticket if my local hunter safety instructor asked me to buy a ticket. I just wouldn't be jumping up and down to go shoot an antelope.

Representative Hunsakor said I am sure you know there are people who want to support this program who have money who wouldn't mind putting many thousands into this just to help the cause.

Senator Heitkamp said he is sure the hunter safety folks would take their money today if there were individuals like that. I see this as proactive. There is an awareness that comes with someone putting a ticket in front of you with you having the option to buy it. If you don't want it then don't buy it. When it says that you are buying this for the hunter safety folks there now becomes some ownership in it. There is something good about that.

Representative Hanson said that the hunter safety instructors are part of a state agency and this agency has a twenty five million dollar balance carried over from the previous biennium. Don't you think they can afford to run anything that the hunter safety instructors have without forcing these people to go out and sell raffle tickets?

Senator Heitkamp said that would be a question better directed to the Game and Fish. I am going to go back to the awareness issue. This is a group of local activists who are saying this is our program, this is our baby, and we are going to do things to support it and raise a few bucks for it. I think that is a good thing. You have to have some to sell. If you were raffling a half a hog, you can get this anywhere. To get an antelope permit for some people is a big deal.

Representative Keiser asked if there could be an unanticipated consequence with this bill. You have a group of amazing people who volunteer and give a tremendous amount of time

teaching these courses. Some of them will be gung-ho about this opportunity and some won't be. It might just turn them off about participating in this program.

Senator Heitkamp said we can all go back to that in our own lives. There are three kinds of people involved here. There is the kind that really goes out and sells the tickets and there are the kinds that just buy them themselves. There is also the kind that will throw them back. If your group wants this, then to me your problem doesn't lie in the legislature giving the empowerment, the problem lies in whether your group is active enough to make this happen. Going back to what Representative Hanson said about the Game and Fish having the twenty four million dollars in the bank and maybe they need to hit them up for support on this. It lies internally in the organization. My point is they need to deal with this within the organization.

Mr. Rodney O'Clair came forward as a representative of the North Dakota Hunter Education Association came forward in support of this bill. See written testimony marked as Item #1.

Representative Drovdal said on the 2nd page of your testimony you highlighted the portion about the first time hunter. If my grandson was going hunting for the first time, I would want to take him. Is it required to have a hunter safety educator take them on the hunt?

Mr. O'Clair said no. The raffle ticket is for anyone in the state and this would be a license for someone to hunt an antelope in North Dakota as directed by the North Dakota Game and Fish Department. What we are looking to do with the monies raised is to take first time hunters on a mentored hunt. This is where we would spend the money raised. This is not necessarily a youth. In our hunter educator classes we have people who have moved here from out of state, and especially women and mothers who for the first time are handling guns. They would like to do some hunting and don't know how to do it. We would go to a private landowner and seek permission to hunt their land. A hunter educator would mentor that hunter for whatever game

is legal at the time. It might even be prairie dogs. It doesn't have to be a game animal. We would show them how to ethically do the hunt.

Representative Drovdal asked about the expenses you would have on a mentored hunt.

Mr. O'Clair said there may be travel involved. We like to buy a gift for the landowner like perhaps a thermos that the student can present to them after the hunt. This would be something we can present to the landowner to say thank you. In some cases we may have hunters that do not have a firearm. We would have some firearms that they could borrow, but we would have to provide the ammunition. After the hunt, we like to cook the game and perhaps do some camping and this would cover some of those costs. We are also looking at putting up some billboards and buying some advertising to remind people about hunter safety and what we call the ten commandments of hunter safety. We would like to spend some money on getting that word out. We would like to also do some shooting range events where there is a considerable cost. We would like to put them on at several locations in the state. We want to try different things.

Representative Drovdal said when you provide the firearms this again brings up the liability issue. Have you looked into what liability would be for the group and what that cost would be?

Mr. O'Clair said they know they are going to have to look into liability insurance. They have put off that investigation until they know if the bill has passed. We do have some people that we can contact to find that out. We also need to review with the Game and Fish. Because of our liaison with them, our liabilities may be covered under that. We know that when we do live fire as hunter educators we are covered by the Game and Fish Department as part of the class.

Representative Hunskor asked him to talk about the Hunter Education Association. He was wondering if there was a local association by county and how many of them are there.

Mr. O'Clair said there are between six and seven hundred education instructors in the state. There are about 130 that actually belong to the Hunter Education Association. It is from that group that we would try to draw those instructors to mentor the hunts. Hunter educators are located throughout the state and I could not tell you how many of our members come from a particular location.

Representative Hanson asked if they had checked with the Game and Fish Department to see if they could get money from them to fund these programs.

Mr. O'Clair said that if HB 1200 would pass there is a chance that they could get grants from them. Right now the hunter educator association has tried to put a little separation between ourselves and the Game and Fish Department so that they can do things that are not influenced politically. That is why we have that separation. All of our members come from various walks of life. Not every hunter educator believes that we should lower the hunting age for deer to 12. Not every hunter educator believes that we should have the antelope tag. That is a way of life and not everyone agrees in the state of ND. The consensus of the group is that we need to do something to recruit hunters and this includes youth or first time hunters. We have not approached Game and Fish for grant funds. They do make some grants for the education program for some of the shoots. We are probably looking at more money than they have to grant.

Representative Hanson asked him if he remembered Jerry Meyer from Jamestown. His wife worked for the U.S. Fish and Wildlife Service and she was in charge of the rifle ranges. She was working out of Denver and worked on getting grants. Has your organization ever applied for any of those federal grants?

Mr. O'Clair said he did not know about those and have not applied to any federal organization for grants. We are hoping not so much for grants but to increase our own activity. We feel

that we can get more advertisement for our group and more support for hunter education if we can hand out pieces of paper, even if it is a raffle ticket, and kind of advertise our group as well.

Representative Hanson said this is the second bill going through requesting an antelope tag and people are getting concerned. The number of youth that are taking the hunter safety course is going up which was brought out in the testimony on HB 1200. We aren't losing youth. We are gaining youth but we are losing total license sales in the state of North Dakota.

Mr. O'Clair said he could explain that. He attributes this to the fact that in our grade schools we are losing students. Classes are dropping all the time and Jamestown is looking at closing another grade school because of enrollment and birthrates in North Dakota. The mean age is raising in our hunter education classes. We are seeing more people who want to take our course so they can go to other states and hunt as well. We just completed a class this week and that particular class was limited to those students 16 and over. We had people at a Jamestown class where there were people from Fargo who came because of the timeliness of the class. They wanted to take it this early in the year was because they were applying out of state for other tags. That is part of the reason we are getting some of the older participants. It might explain why our class numbers are up but our license sales, at least for the small game licenses are down.

Representative Keiser asked how much they hoped to raise in this auction.

Mr. O'Clair said because they are limited to sales to residents, we are hoping that a five dollar raffle ticket will raise maybe ten thousand dollars. This will give us a good start and this may also attract other dollars with the advertising and getting the word out. We want to be active in this and we are not asking for grants or something that would cost the state money. We are

looking at one tag. We do know that several groups did come forward in the senate hearings asking where this would end. This is just a branch off the normal lottery system for an antelope tag. The mentored hunt would be the biggest part of our program. We want to do more advertising during the hunting season and see the hunter accident rate to continue to fall. That is our goal.

Chairman Porter said HB 1200 was before them earlier in the session and it had two million dollars in appropriations from Game & Fish reserve funds that included everything that you wish to do here. Short of taking someone antelope hunting, everything you are asking for is in HB 1200. I don't remember seeing the hunter education instructors in testifying in favor of that bill.

Mr. O'Clair said they did not testify on HB 1200 because they had already approached Senator Heitkamp to introduce this bill for them and they didn't want to be in competition with them. We realize that we could have dropped this bill but because of some of the politics of the Game and Fish there is never the assurance that you will get that grant. That is the base level of where things go. We want to have a little bit more control on what we are teaching and doing as an association rather than being at the whims of the political person that you appoint that actually has to answer to the governor as a director.

Chairman Porter said you talked about the decrease in license sales. We were told by the Game and Fish Department that it is not as bad as we are hearing. There is no problem with youth recruitment and there is no problem with youth rates of license purchases and that is why they were testifying in opposition to HB 1200. Now we are seeing your testimony where you say there is a problem.

Mr. O'Clair said he did not bring the statistics with but he said he quoted two numbers that were in the North Dakota Game and Fish publication that shows small game license sales

were down. Overall license sales are up and this does not necessarily contribute that to youth. North Dakota is tracking as many out of state hunters as in state hunters because we have had some mild winters and there are huge pheasant populations. We are still concerned about the recruitment into the hunting sports because the number of youth in North Dakota is decreasing. The school records are proving that. The demographics show that birthrates are down in North Dakota. We also want to do this as a mentor to first time hunters and not necessarily the youth.

Chairman Porter said one of the other things that came out during testimony of HB 1200 is that Game and Fish are already doing numerous granting opportunities out to youth and schools and is already doing what they feel is an adequate job of recruitment. Your testimony says they aren't and your group wants to do more.

Mr. O'Clair said that is true. They think the demographics of the students say different. Currently the money for the grant programs comes from Pittman Robertson funds and this also gets used for game management areas. I think that is probably a better use of the grant money so that is why we want to go to the public and raise some dollars. We want more involvement in what we do. We are not begging for money or grants. We are begging for the opportunity to share our skills and to have an active role in what we are doing. We can go to them and ask for money but politically there is no assurance that we will get the funds. If our governor is not a hunter, a non hunter could be put in that director position and there would be no grants encouraging hunting in the state.

Representative Clark asked if they had ever considered raffling a truck.

Mr. O'Clair said no.

Representative Hofstad wanted clarification that the proceeds of this raffle would not just be for mentoring this hunt.

Mr. O'Clair said that was correct. This would be for anyone who wanted to hunt legal game with a willing landowner who in most cases may have their land posted but we think by doing this they may open the gates for us especially knowing this first time hunter is with an educator. We do not intend to guide the antelope hunt. It is only to provide someone an opportunity to get the antelope tag.

Representative Hunskor asked if there wouldn't be an advantage to have someone there locally teaching them hunting and safety versus other grants Game and Fish may have and those kids taking the same materials possibly through people they would not know. Is there an advantage to having someone in that community working with the kids versus other scenarios of educating them in hunter safety?

Mr. O'Clair said there is an advantage to use local people especially if those local people are hunter educators. We would like to have those local people involved with our organization. Our dues are only \$10.00 per year and this money is used to make grants. We would enlist the help of a lot of local wildlife clubs. We would need some of the local people to help recommend first time hunters and landowners and access.

Representative Hunskor said that he had indicated that there are already many towns that have hunter educators. Many of them are in your association and are already there.

Mr. Ernie Trudow came forward in support of HB 2201. He is also a hunter educator and has been for 30 years. He wanted to address how hunter education is done in North Dakota. He wanted to associate this with a car license. If you go out to get a license for a car you have to attend some classes, read some literature and take the test and then you actually have someone go out and they give you a driving exam. You get in the vehicle with them and they make sure that you know what you are doing before you are issued a license. The way hunter education works in this state is there is no absolute requirement to go out and really prove

yourself with a firearm. We do a lot of gun handling and show film and we teach them how to be safe with this. What we don't have is a good vehicle to provide an opportunity to actually fire a firearm and in a real situation spend time in the field and hunt. This tag will help provide funds to do that. It is an idea that we have kicked around for a long time and while Game and Fish supports the idea that it would be great if all hunter education classes could have a live fire sequence because it is much more instructional but the way to do that is not there. When we started teaching this program in the state, we are all volunteer and there is no pay in this. We have provided our own equipment and brought firearms in and the Game and Fish provided educational aids like films, booklets, and those things that are required. As time went on they have provided us with some firearms and some other educational aides, but most of it was left up to us as volunteers to provide these things for the students. We hope that the funds generated by this tag will give us the opportunity to get out and actually have some hands on with some of these students. We work with a lot of single parent families. Many times they don't have a mentor but this would provide the opportunity. There is no cost for this class.

Chairman Porter said when he took the hunter safety class there was no discussion about shooting targets. In the scheme of things, Capital City Gun Club has always had an offer on the table to the hunter education safety classes and instructors to come out and use that facility. No one ever does. Should we be making live fire a mandatory part of the hunter safety program?

Mr. Trudow said it would be the best case scenario but this would not always be available all over the state. I also think this would be a scheduling issue and would take more volunteer hours. By law we put in 14 hours of instruction now and it would take another 6 to 8 hours to do the live fire. Our average class is 35 students and it would add a substantial amount of

volunteer time to make this happen. In this case that we are suggesting, it is not mandatory that they come to our live shoots and participate it is just giving them the opportunity to do so. If the live fire were to become mandatory, I am sure the number of volunteers would drop off. After you teach three or four classes you have already put in a lot of volunteer time. Some of the classes that we put on in Fargo have 150 students in them. We want to offer the opportunity without making it a mandatory requirement.

Chairman Porter asked about HB 1200. He wanted to know where their organization was when they were having the hearing on HB 1200.

Mr. Trudow said he was not aware of what was going on in that bill. He was more concerned with this bill that they were proposing as a separate organization and separate from the Game and Fish.

Chairman Porter said he understands that but his point is that they may make \$10,000 by having these volunteers go out and peddle raffle tickets when we have the capability of just issuing grants inside of HB 1200 and there is no additional workload on these volunteers.

Mr. Trudow said he was not sure what was in HB 1200 he was not sure if they were going to ask the volunteer instructors to do this. Who are the people that are actually going to do it? I am guessing that the hunter safety instructors would be asked to do it as volunteers.

Mr. Clarence Bina of the North Dakota Wildlife Federation came forward in support of HB 2201. Generically they support any kind of activity that promotes hunting or fishing, trapping or the conservation of wildlife habitat. We are aware of the granting funds available through Game and Fish. We get five to ten thousand dollars per year for their youth summer camp at Lake Sakakawea. He cannot speak to HB 1200. He said that Mr. Mike Donahue, their lobbyist could possibly do that.

Chairman Porter said there were a number of bills in the first half of the session that dealt with youth and youth recruitment and youth enhancement and your organization testified against them all. Now you are here testifying in favor of this particular bill that puts a huge burden on our volunteers to go out and raise money when there are other vehicles out there that will do a much better job of getting them the money and getting them the opportunity to take youth hunting. I am confused.

Mr. Bina said he could not speak to that as he was not testifying at that time. He wanted to defer that question to Mr. Mike Donahue.

Chairman Porter said they would love to hear from him but he didn't think he was going to throw him much of a life preserver. We would love to hear his explanation of the flip flopping!

Mr. Mike Donahue came forward in support of SB 2201. He said that they supported some bills in the first half and were monitoring some of the others. They also opposed some of the bills.

Chairman Porter reminded him that they were against the lowering of the age for youth hunting. You were against HB 1200 for the granting. I absolutely cannot think of a single youth initiative that started in the house that your organization supported. Now we see this come over from the Senate that puts this burden on our volunteer hunter education instructors to go out and sell raffle tickets and raise ten thousand dollars when we have 2.2 million in HB 1200 to do the very same thing.

Mr. Donahue said they did support HB 1311 and I would have to look at my list. I have been tracking 52 bills this session.

Chairman Porter said he certain it would be difficult to forget HB 1200.

Mr. Donahue said they did oppose HB 1200 and they will continue to oppose HB 1200 because they think there are better ways to manage the money.

Chairman Porter asked if that was by raffles.

Mr. Donahue said no.

Vice Chairman Damschen asked for further testimony in favor of HB 2201. Hearing none, he asked for opposition to HB 2201. There was none.

Representative Hanson asked if Paul Schadewald could come forward to answer some questions. He approached the podium. Representative Hanson asked if the hunter safety program is all funded by the Pittman Robinson fund or is there state money involved.

Mr. Schadewald said it is almost entirely federal funds. There is some state money that goes into it but they are able to use the volunteer instructors time as a match. There is a mixture of funds for this.

Representative Hanson asked who pays for the state director's salary.

Mr. Schadewald said it was part of the Pittman Robinson fund.

Representative Nottestad said that they had heard the testimony about being able to take a number of people out for a mentored hunt. Some people taking the hunter safety training would have additional training so to speak and others would not. Can you see an attorney saying that if his client had the same training as the others this wouldn't have happened in a law suit.

Mr. Schadewald said he was not an attorney. He was a biologist. He knows that this becomes very complex when a private organization becomes involved in something like that. When these volunteers are working on our program, they come under our umbrella and we pay the insurance on that. In a joint project like this, we could probably as often as possible try to bring them in under our umbrella. We would be cosponsors with them and that way at times we can give them some insurance coverage. Of course, you have to have good training so

that the people don't have a high risk of having an accident. It can be dangerous if it is not done properly.

Representative Keiser said in this particular situation if it were to go to court, it would clearly be argued that this is an extension of the Game and Fish because you do fund it and you do support it and directly or indirectly participate. I am not saying they would be covered in any activity they would do, but certainly a trial attorney is going to list the state and Game and Fish specifically as a party in any claim that came forward.

Mr. Schadewald said that he was correct on that. The attorney general's office might argue that since this is a privately established organization with their own officers and their base money is based on their own membership, they are independent. There are arguments both ways.

Vice Chairman Damschen closed the hearing on SB 2201.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2201

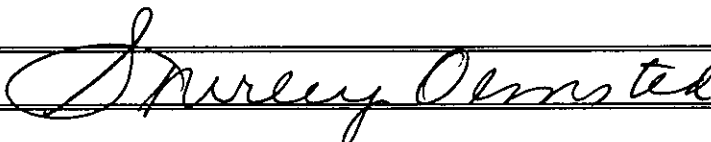
House Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: February 22, 2007

Recorder Job Number: 3697

Committee Clerk Signature



Minutes:

Chairman Porter asked the committee to consider SB 2201. He said he had a couple of problems with SB 2201 that he would like to address. He said when they passed HB 1200 as a committee and a body it took care of all the issues that these ten thousand dollars would address. I think we are putting an additional burden on our volunteer instructors to go out and fundraise when we already have the funds for this and this is not a wise business decision as a state. I think we have the money available for grants in HB 1200 and to put that additional burden on our instructors is the wrong thing to do. If they want to do this as a 503C corporation they are certainly welcome to do that already.

Representative Meyer said she thought they made their point really well. One of the things a raffle does do is gets their name and purpose out there, depending on the raffle ticket. In 2001 when the legislator approved auctioning livestock, the Cowboy Hall of Fame auctioned five dollar tickets on a donated horse. Because of the interest in that we raised \$24,800.00. At the same time it got the name out there and it drew a lot of attention to it. If they are willing to do this as an organization, it is only one antelope. I see it getting their name out there and the possibility of being able to use that as a vehicle. Maybe they would be able to start doing some live fire.

Chairman Porter said they have a captured audience already. Everyone in the state of ND from 1961 is captured by this organization. We are sitting with twenty four million dollars in funds and part of that is our responsibility is to help run this mandated educational requirement to keep people safe. I just have a hard time telling this same group of dedicated volunteers that now on top of that you have to go out and raise ten thousand dollars on something that we are mandating and we have the money to take care of it.

Representative Hanson said he would like to hold this bill until HB 1200 runs its course. If 1200 gets killed, we should probably have this. If 1200 passes we might not need this bill.

Chairman Porter asked if he would like to have this amended to look like 1200.

Representative Hanson said no. He just wants to hold this until HB 1200 runs its course.

Representative Hunsakor said it seems like this is a volunteer thing. They are asking to do this and it seems to me that in doing this it is going to be a good thing for their organization. It gets them enthused in doing something as a group. It might be good for that group of people that are doing these good things for our kids.

Chairman Porter said having gone through the class not that long ago there isn't any interest by any of the participants to go out and shoot. There isn't any interest in doing the extra hours to do the live fire training. The gun club that he is involved with five miles north of here has tickets that they hand out through the hunter education instructors and no one ever uses them.

Representative Drovdal said he has taken the course himself and he would like to support the hunter safety organization but he just has a feeling that perception is by far greater than the reality here when you talk about raising ten thousand dollars. Most of the money they would have made on this would have been done by nonresidents. The Senator has told us they are not going to allow a nonresident to participate in this. That part is gone. Why would we make them raise the money themselves? They need money to do these things and it is

great that they want to do these things. If we do happen to pass this, I would like to see a sunset clause put on this so we could go back in two years and review it. We are opening a door here by giving away hunting licenses. I think we are going down a slippery slide here.

Representative Hunskor said we talk about trap shooting and live fire with training for the kids. I think that takes away from Mom and Dad. I think that is Dad's job and that is the purpose of this. The purpose of this is to put Dad and son or daughter out in the field together. That is where they get the relationship.

Chairman Porter said on line 15 it says establishing a statewide network of shooting locations for youth to become familiar with archery equipment and firearms under the supervision of a certified volunteer hunter education instructor. Mom and Dad are not in here. He said they could certainly sit on this for a week but the committee deadline for bills out of committee is going to butt up against 1200. As it moves forward it will have a policy hearing and then another hearing on the appropriation side and we will never be able to hold this bill long enough to see what 1200 does. I certainly will hold it for a week. He said he got the dates yesterday and the appropriation bills out of committee on both sides by March 9th and the policy bills without a fiscal note have to be out on March 22nd.

Representative Keiser said he had a couple of comments. He said he had a chance to talk to Ernie Trudow during the break and I asked him how many people are out there working on behalf of gun safety. He said between seven and eight hundred and you have to teach a course once every two years to remain certified. There are really about 125 hard core hunter safety guys out there that do most of the work and are very active. That is a group that is making a significant contribution to the state. I know that Game and Fish does a lot to reinforce it and reward those people that do it for a certain number of years. They do some good things. When that group comes to the legislator and asks for something I think we

should pay attention to the request. I think we should see if there is a way that we can work with them to recognize their request. They are saying we want to increase hunter safety and we want to increase young hunters. I do not support raffles as I think they are a nightmare and are hard to manage. I am not sure how this group is going to run this raffle. I don't support the raffle, but if we really want to support this group, we could put an appropriation on the bill for ten or fifteen thousand dollars and take it out of the Game and Fish in addition to HB 1200 and put a sunset on it and require Game and Fish to work with them in developing and overseeing how they are going to improve safety and hunter involvement and come back and report to Legislative Council in two years. That I could support. We need to support these people who are doing so much for this industry because without them we will be funding hunter safety and it is going to have a fiscal note of millions of dollars.

Chairman Porter said over the years Game and Fish has protected these instructors like they were their own. The incentives that they have placed out there for years of service have been very nice coming out of the fund.

Representative Keiser said he was not saying that we had not done that. He was saying that here is a group who is coming to us and saying they would like to have control and we don't want to be subject to the grant process and we don't want to be overly controlled and try to do our own thing on hunter safety. I think we should take a risk and get them some money and say they should report back to us.

Chairman Porter said it would sure fit into HB 1200 really nice.

Representative Keiser said yes it would but for some reason I have heartburn with this.

Chairman Porter said he wanted to hear from Paul Schadewald what they are doing now for the hunter safety programs funding enhancements. If they have a request from this

organization, how is it handled? Did they come to you and ask for additional funds that you turned down so they came to us and asked for a raffle?

Mr. Schadewald said as far as he knows they did not come to the Game and Fish. I think that is intentional. We fund small range projects and large range projects throughout the state. I think we would be very receptive to a proposal to help them and support this kind of activity. As far as I know we don't have one. They may have the attitude that that is fine, but they still want to do the raffle. I do not know. They are a very tight knit hard working group. What they need to keep their group going, I am not sure. Maybe they figure the raffle would be an activity that would be good for their group.

Chairman Porter asked if from a department standpoint any of the voids that are being mentioned in this that could be enhanced.

Mr. Schadewald said it is a lot like law enforcement. You can spend all your money on it because it is a good cause. You have to balance things on the different activities. I think that is the only difference that we have on HB 1200 or these types of activities. It is a debate on which direction the funding is going to go. When the votes are cast, we will do a good job of implementing whatever the legislature has decided on.

Representative Keiser isn't that what they are saying. They are not being critical on what Game and Fish has or hasn't done or what 1200 may or may not do. They are really saying that they would like to have a pot of money that they raised that they will supplement and compliment everything else that is going on. We would like to have some control and that is what this is about.

Mr. Schadewald said he thought that is it. He said they may also be saying we want our group to work together on this.

Representative Meyer said he thought Representative Keiser made a good point. No one was mandating that they do this. They came to us and requested this. A raffle is not a difficult thing and they can raise a lot of money. They want to raise their own pool of money and it won't be political.

Representative Hanson said that Representative Drovdal had a point of putting the sunset clause on it. We did that on the moose permit. If we try this for two years and they don't make any money we can drop it.

Chairman Porter said one of the questions that we have to ask ourselves from the fundraising standpoint is are we picking the right animal for them to move forward with. Is the animal that is going to entice people to buy a ticket in the first place so that they can raise the ten thousand dollars?

Representative Meyer said should we amend this to the elk in the park?

Representative Hanson said he didn't think we should take an elk or a moose or bighorn sheep. We already have those out. I don't think one antelope is going to break the state of North Dakota.

Chairman Porter said either is a whitetail. When you look at it what are people more than likely wanting to buy a ticket on? He said they are going to take this up next week and talk about this and the committee would certainly be open to any suggestions that the Game and Fish might have on a grant or a sunset clause situation on this or any other ideas that the department might have. I would also ask that in the next week you talk to the ND Insurance Reserve Fund and get us some concrete answers about this and the umbrella liability policy so that we have a little bit more information to work with.

Chairman Porter closed the discussion.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2201

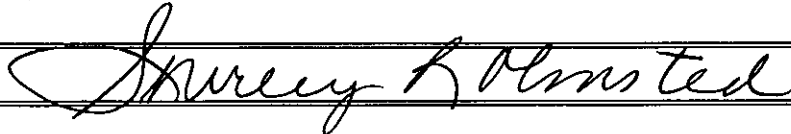
House Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: March 16, 2007

Recorder Job Number: 5191 & 5192

Committee Clerk Signature



Minutes:

Chairman Porter opened the discussion on SB 2201 and opened the floor for discussion. He said that during the original hearing Representative Hofstad asked as to whether this group would be covered under the Game and Fish umbrella for liability. After checking, Game and Fish personnel found that they would not be covered under their insurance and would be responsible for their own liability insurance for this activity.

Representative Meyer made a motion for a do pass on SB 2201.

Representative Solberg seconded the motion.

Chairman Porter asked for discussion. Hearing none, the clerk called the roll on a do pass on SB 2201. Let the record show that there were 10 yes, 2 no with 2 absent.

Representative Hanson will carry the bill to the floor.

Date: 3-16-07
Roll Call Vote #:

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2201

House Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Meyer Seconded By Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman – Rep. Porter	✓		Rep. Hanson	✓	
Vice-Chairman – Rep Damschen	✓		Rep. Hunskor	✓	
Rep. Charging			Rep. Kelsh	✓	
Rep. Clark	✓		Rep. Meyer	✓	
Rep. DeKrey		✓	Rep. Solberg	✓	
Rep. Drovdal					
Rep. Hofstad	✓				
Rep. Keiser		✓			
Rep. Nottestad	✓				

Total Yes 10 No 2

Absent 2

Floor Assignment Hanson

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

REPORT OF STANDING COMMITTEE (410)
March 16, 2007 11:18 a.m.

Module No: HR-50-5535
Carrier: Hanson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2201, as engrossed: Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2201 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

SB 2201

70628.0100

Sixtieth

Legislative Assembly
of North Dakota

SENATE BILL NO. 2201

Introduced by

Senators Heitkamp, Freborg, Lyson

Representatives DeKrey, Hanson, Wall

Page 1, Line 11, remove "and"

Page 1, Line 12, remove "nonresidents"

Renumber accordingly

Honorable members of the Natural Resources Committee

I am a fisherman and hunter from central North Dakota. My name is Rodney O'Clair. I am a member of the North Dakota Hunter Educators Association, a hunter education volunteer of the past 27 years, and a biologist.

I am a believer in hunter safety training, fair chase hunting, ethical actions afield and in conservation of natural resources for the good of future generations. For those reasons I came today to speak in support of Senate Bill 2201.

Don Meyer
Mark Walsh

I have two daughters and encouraged them to participate in hunting and fishing. Both are proud of their decision to take up the sports. Both married young men who did neither. That situation has been corrected and both are now enthusiastic pursuers of wildlife for the experience and table fare.

The facts are clear that recruitment of new hunters is on the wane. The most recent (January) issue of North Dakota Outdoors magazine contains a well written article by Craig Bihle of the Game and Fish Department. I carefully looked over his statistics and figures and find that small game license sales have decreased from 30,209 in 2004 to 28,790 in 2006, just short of a 5% decrease in two years. Small game hunting is where young hunters cut their hunting teeth and learn respect for the outdoors, for themselves and others and for the heritage and tradition of conservation. It is where recruitment begins but retention is fostered.

The December 4, 2006 issue of Newsweek featured an article penned by Steve Tuttle. The essay title is actually posed as a question, Hunters: A Vanishing Breed? The author describes his walk up the gun ladder from BB to large rifle, the emotion he felt on his first kill and the feeling of changing from boy to man. I quote a portion of the article "The once open range has fewer hunters due to urbanization and restricted access to land. Yet hunters today are spending more money on the sport, which partly funds conservation." Within this quote lies my concern as well. If we are not recruiting hunters, funding sources decrease and the ND Game and Fish Department cuts staff and programs. If all they did was issue licenses I would not be as concerned. But this is the agency that is responsible for creating and protecting wildlife and habitat resources, research, and law enforcement. It is not a department that serves hunters and fishermen only, but all of North Dakota, its people and its economy. Without license sales, the budget decreases.

But back to the Newsweek story, 31 States are honest enough to report loss of hunters at rates between 0 and 31%. Follow up letters in subsequent Newsweek editions also shared concerns of decreasing hunters. There was even a positive letter from a vegetarian, which of course in a lost language means "poor shot."

This bit of background sets the stage for my conclusion. North Dakota needs to more actively recruit hunters and to retain those recruitments. The North Dakota Hunter Educators Association is the non-government vehicle that can assist in that job. The organization is chartered as a 501 c 3 foundation and raises money which it uses to keep its

members trained, purchase instructional material and provides grants to other NGO's to carry out youth and family shooting, fishing and camping activities.

Should the Game and Fish Director be authorized by bill SB-2201 to provide an antelope tag to this group for raffle, we want to increase the money available to provide mentored hunts that pair a hunter educator with a first time hunter on a fair chase hunt on private lands. We feel we can teach a student respect for land and land owners, safe firearm handling, care of game, and provide camaraderie. Funds would also be used to advertise hunter safety rules during the hunting season and range shooting events would be held around the state. Here the family would practice safe handling of archery and firearms, practice marksmanship, and have a chance to try various types of firearms. They might also see working hunting dogs for the first time.

The Association is not asking for a grant or begging for handouts. We are offering to share our skills and a means to raise funds to reimburse expenses of doing so. This merely seeks a coveted prize than can be used to help generate those monies. Please look at this bill favorably for the safety of the people of North Dakota, for the passing on of a cherished heritage and tradition, and for the conservation of natural resources including wildlife.

I end by quoting a friend of mine. "If you hunt with your kid, you won't be hunting for your kid."

NORTH DAKOTA HUNTER EDUCATORS ASSOCIATION HUNTER RECRUITMENT STRATEGIC PLAN

There is factual evidence that points to a declining trend in the recruitment of hunters, trappers, fishermen and those that participate in the consumptive outdoor sports in both North Dakota and throughout the United States. The purpose of this plan is to set a course of action that will recruit and retain new hunters by utilizing experienced Hunter Education Instructors to facilitate this recruitment. Sport hunting is one of the safest of all outdoor activities, and we believe our plan ensures sport hunting will continue to be passed from one generation to the next.

This strategic plan was undertaken for several reasons. Any person wishing to hunt who was born after December 31, 1961 is required to attend and successfully complete a Hunter Education course provided under the direction of a certified Hunter Education Instructor, and there is always a need for continuing education. Today's societal norms have changed and it is becoming more and more difficult to encourage the outdoor sport of shooting and hunting. There are more diversions for young people such as school sports and electronic games, fewer mentors to encourage the hunt, fewer places to hunt at a reasonable cost, and the lack of need to put game meats on the table.

The North Dakota Hunter Educators Association (NDHEA) is laying out this plan to provide ready access and hunting experience to first time hunters (FTH) in an effort to reverse the above presumptions, whether true or false. This project is primarily aimed at first time hunters and not exclusively youth hunters.

The goals are:

- Pair a FTH with an experienced hunter educator on a legitimate, fair chase hunt.
- Hunt on private lands.
- Hunt for any legal game, including gophers and prairie dogs, that is in season and for which there is reasonable assurance of some success.
- Provide camaraderie through mentorship and group activity.

Manpower Resource needs:

- NDHEA instructors forming a cadre and arranging hunting grounds
- Contact person to prepare list of first time hunters (FTH)
- Contact person to prepare list of landowners (LO) willing to open land to one or more hunters for whatever game is in relative abundance there, including gophers or prairie dogs
- Person to organize transportation for participants and organize "camaraderie activity"
- Person to track expenses and pay bills
- Person to organize and oversee this plan (Notify FTH to have all appropriate licenses)

Materials and Supplies needed

- Shells, Guns, and safety equipment if needed for the FTH
- Financial considerations for logistics (shells for FTH, gift for LO from FTH)
- Supplies needed for cleaning game, cooking and eating at the camaraderie activity

Potential Problems and Solutions

- Liability considerations for FTH, Mentor and LO (Mentors will be Hunter Educators that are background checked by the North Dakota Game and Fish Department), state law exempts LOs from liability when allowing hunters access at no cost, all FTH will be hunter education graduates and there will be a review of field safety procedures before and during the hunt. The educator will not carry a weapon to harvest game, so they can offer full attention to mentoring the FTH.
 - Spreading the word that the Mentor program is available
 - Consider the need for Liability insurance coverage.
 - Locating open hunting areas with low hunter pressure. The NDHEA will try to access land that is usually posted to hunting. It is hoped that the LO could be approached and would allow a FTH with an instructor to have access. This would be an expression of good will, would teach the FTH how to seek permission from LOs, and show the LO that hunting by safety trained, ethical hunters is not a liability to their property. The word would get to the LOs through news outlets, and general mailings about this program. They would be encouraged to call a central location to get on a mailing list. It is also possible the NDHEA could adjust the PLOTS program where they would advertise a pledge to a LO that their PLOTS would be open to either youth hunters or FTH mentored pairs only, not the general hunting public.
 - Creating the FTH list can take numerous man hours. The North Dakota Wildlife Federation (NDWF) will be asked to become the clearing house that creates the lists of FTH and LOs. They would collect the names, phone number, address, and wild game available. This would mean that only one telephone number or email address would be advertised and needed and private phone numbers would be treated confidentially by NDWF.
- Expenses to cover the cost of ammunition, provide appropriate hunting and safety equipment and a small gift for the FTH to present to the LO, and the camaraderie activity may amount to more than the NDHEA can currently afford. The NDHEA is a 501c(3) foundation and can accept charitable donations. The NDHEA will approach the legislature to authorize the North Dakota Game and Fish Department Director to provide an "Any antelope, any open unit tag" to the NDHEA. The NDHEA would organize a legal raffle to raise funds for the organizations use. The raffle would include the unguided antelope tag and other prizes the NDHEA would arrange for. The funds would be used to provide for various projects such as, sponsoring mentored hunts for youth who may

otherwise not have the means to go afield to hunt; establishing a statewide network of shooting locations for youth to become familiar with both archery equipment and firearms under the supervision of a certified volunteer hunter education instructor; and purchasing advertising in news media during hunting season concerning firearms safety and hunting ethics and the promotion of safe and responsible hunting.

Specific Steps and Dates:

-The camaraderie activity could be a meeting of several mentoring pairs at a common location prior to and after the hunt. The activity in the first meeting would be to assure equipment is in working condition, that all participants have proper clothing and safety gear, a review of safe gun handling, a review of what is expected of the FTH, and an outline of the day's activities. The second meeting would be to clean game, cook a small meal or lunch, discuss the hunts and have a good time. Pictures would be taken, the LOs and FTH would share time and stories and the FTH would present the LO with a small gift of appreciation.

Attachment #2

Hi,

My name is Leland Bratlie, and I'm from Drayton ND. I'm the friend that Rod talks about, who usually closes his emails with the saying "Take a kid hunting, and you'll never hunt for the kid" I'd like to add that I'm honored to be counted amongst his friends.

Pembina
Walsh
Ramsey
Cavalier
Counties

I wish I could take credit for the saying "Take a kid hunting, and you'll never hunt for the kid," but I can't, however I'd like to take a couple minutes of your time to explain where that saying came from, as the idea for this bill has its roots in western ND and with the person who originally said those words.

Several years ago, while riding my motorcycle through western ND I ran into a landowner from Beach ND at a café in Medora. We started visiting, and he invited me to bow hunt for antelope on his land. He wrote his name and phone number on a napkin and told me to call him in the fall.

A couple weeks before antelope bow season opened, I called him, not knowing if he'd even remember me, or if the offer was still open. When he answered his phone and I explained who I was, and why I was calling he told me he had been waiting for me to call, and that the offer was still open, and went on to say if I came out he'd show me around the area.

I told him I would like to come out the coming weekend to do some scouting, and we made plans to meet at the café in Beach at 7:00 AM Saturday morning. When I got to the café we had coffee and visited, then got up to leave. I started walking to my pickup but he stopped me and told me to jump in his pickup as he'd drive. That's the kind of guy he is, I've found out since.

As we left Beach heading south he swung off onto a gravel road and we started talking about many things, and a few of them even had something to do with hunting antelope. But most were on our outlook on life, and he shared with me his firm conviction that his land would always be posted "no hunting without permission," so he knew who was on his land, but also that it would never be leased out to the highest bidder. And he talked about how important the hunting tradition was to him, and the importance of passing it on to the next generation.

After we'd stopped at the elevator in Golva and he'd introduced me to the manager there, and we'd had a can of pop and candy bar we left and headed for Sentinel Butte, the hill, not the town. He wanted to drive me to the top so we could get a "good look around." On the way to the top we ran into his nephew who was bow hunting for deer. We talked to Scooby for awhile, and after we'd started to the top again we discussed all the distractions there are for kids these days, and that's when I heard these words for the first time. He said Leland, "Take a kid hunting, and you'll never have to hunt for the kid." What wise words I still remember thinking.

I told him I was a hunter education instructor and we talked about how important it was that youth get involved in hunting. Then he looked at me and said this. "If you ever wanted to bring a couple kids out here hunting that don't have the opportunity otherwise, you're more than welcome to."

And those words were the seeds for this bill. And I thought to myself on the 502 mile drive home, on one hand you have a gracious landowner willing to allow first time hunters access to great hunting land, and on the other hand you have first time hunters that want to hunt but haven't got access to land, and nobody to take them hunting even if they did have land to hunt on.

And I thought of the single mothers who might want to take their children hunting in the absence of a husband or father figure, and how overwhelming the thought must be for them. Where do they start? Who will help them?

As I drove across this great state I thought of all the other landowners there must be who would be willing to allow first time hunters access to their property to hunt, and I also thought of all the times I've been asked the question in hunter education class, "where can I find a place to hunt?" And as I thought of those things, a plan started to formulate in my mind, and the end result of that idea is this bill.

I sincerely hope you give it your consideration, as I believe the very future of ethical sport hunting rests with ideas like this being used to reverse the alarming trend that Rodney spoke of with recruitment and retention of new hunters to our ranks. Thank you.

70628. _____

Mock Amendment

Sixtieth
Legislative Assembly
of North Dakota

Proposed Amendment to SENATE BILL NO. 2201

Introduced by

Senators Heitkamp, Freborg, Lyson

Representatives DeKrey, Hanson, Wall

Page 1, Line 11, after "director" insert "," and replace "with" with "Only" and replace "and" with "are"

Page 1, Line 12, remove "nonresidents"

Renumber accordingly

Item #1

Chairman Porter and Honorable members of the House Natural Resources Committee

I am a fisherman and hunter with a residence in Mohall and Jamestown, North Dakota. My name is Rodney O'Clair. I am a member of the North Dakota Hunter Educators Association, a hunter education volunteer of the past 27 years, and a biologist.

I am a believer in hunter safety training, fair chase hunting, ethical actions afield and in conservation of natural resources for the good of future generations. For those reasons I came today to speak in support of Senate Bill 2201.

I have two daughters and encouraged them to participate in hunting and fishing. Both are proud of their decision to take up the sports. My youngest even borrowed a high power rifle from a member of this committee for her first deer hunt. Both married young men who did neither. That situation has been corrected and both are now enthusiastic pursuers of wildlife for the experience and table faire.

The facts are clear that recruitment of new hunters is on the wane. A recent (January) issue of North Dakota Outdoors magazine contains a well written article by Craig Bihle of the Game and Fish Department. I carefully looked over his statistics and figures and find that small game license sales have decreased from 30,209 in 2004 to 28,790 in 2006, just short of a 5% decrease in two years. Small game hunting is where young hunters cut their hunting teeth and learn respect for the outdoors, for themselves and others and for the heritage and tradition of conservation and hunting. It is where recruitment begins but retention is fostered.

The December 4, 2006 issue of Newsweek featured an article penned by Steve Tuttle. The essay title is actually posed as a question, Hunters: A Vanishing Breed? The author describes his walk up the gun ladder from BB to large rifle, the emotion he felt on his first kill and the feeling of changing from boy to man. I quote a portion of the article "The once open range has fewer hunters due to urbanization and restricted access to land. Yet hunters today are spending more money on the sport, which partly funds conservation." Within this quote lies my concern as well. If we are not recruiting hunters, funding sources decrease and the ND Game and Fish Department cuts staff and programs. If all they did was issue licenses I would not be as concerned. But this is the agency that is responsible for protecting wildlife and habitat resources, research, and law enforcement. It is not a department that serves hunters and fishermen only, but all of North Dakota, its people and its economy. Without license sales, the budget decreases.

But back to the Newsweek story, 31 States are honest enough to report loss of hunters at rates between 0 and 31%. Follow up letters in subsequent Newsweek editions also shared concerns of decreasing hunters. There was even a positive letter from a vegetarian, which of course in a lost language means "poor shot."

This bit of background sets the stage for my conclusion. North Dakota needs to more actively recruit hunters and to retain those recruitments. The North Dakota Hunter Educator Association is the non-government vehicle that can, and desires to, assist in that job. Other states, like North Dakota, have tried various means to recruit new hunters. Actions like lowering ages to hunt big game, special youth seasons, youth conservation camps and programs for school presentations. The detractor of these efforts are electronic games, house holds of single parents and two parents working to earn a living, school that has become a full time job – and only in ND is the opening of deer season almost treated like an excused hunting day.

The Hunter Educators Association is chartered as a 501 c 3 foundation and raises money which it uses to keep its members trained, purchase instructional material and provides grants to other NGO's to carry out youth and family shooting, fishing and camping activities.

Should the Game and Fish Director be authorized by the passage of bill SB-2201 to provide an antelope tag to this group for raffle, we would use it to **provide mentored hunts that pair a hunter educator with a first time hunter** on a fair chase hunt on private lands. We feel we can teach a student respect for land and land owners, safe firearm handling, care of game, and provide camaraderie. Funds would also be used to **advertise hunter safety rules during the hunting season and conduct range shooting events around the state**. Here, the family would practice safe handling of archery and firearms, practice marksmanship, and have a chance to try various types of firearms. They might also see working hunting dogs for the first time. The ND Wildlife Federation has already agreed to assist us in tracking the first time hunters, landowners and instructors.

The Association is not asking for a grant or begging for handouts. We are offering to share our skills and seek a means to raise funds to reimburse expenses of doing so. This bill merely seeks a coveted prize than can be used to help generate those monies. Please look at SB2201 favorably for the safety of the people of North Dakota, for the passing on of a cherished heritage and tradition, and for the conservation of natural resources including wildlife.

I end by quoting a friend of mine who ends his emails with, "If you hunt with your kid, you won't be hunting for your kid."