

**1999 HOUSE NATURAL RESOURCES**

**HB 1410**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1410

House Natural Resources Committee

Conference Committee

Hearing Date January 28, 1999

Tape Number	Side A	Side B	Meter #
1	X		9.3
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes: HOUSE BILL 1410. A BILL FOR AN ACT TO CREATE AND ENACT A NEW SUBSECTION TO SECTION 20.1-03-12 OF THE NDCC, RELATING TO NONRESIDENT SMALL GAME HUNTING LICENSE FEES; AND AMEND AND REENACT SUBSECTION 1 OF SECTION 20.1-03-07, SECTION 20.1-03-07.1, AND SUBSECTIONS 2, 7, 8, 37, 38, AND 39 OF SECTION 20.1-03-12, RELATING TO NONRESIDENT HUNTING AND FISHING LICENSES AND FEES.

REPRESENTATIVE CARLSON: Handout of summary of the bill - I made changes to the nonresident fees for hunting and fishing in ND. Each year we have increasing costs in the Department which is funded by license fees as well as matching monies from the Pittman-Robertson Act. I did not include resident fees at this time because: 1) its been since 1993 that we have done anything with our fees and, 2) I tried to do an average or comparable charge of fees as the states surrounding us for the same types of services. I believe we have some of the finest hunting and fishing in the nation and we do not have to be ashamed to charge what is a reasonable and fair market price compared to the states surrounding us. That is the basis of the bill.

The area of confusion in the bill is that right now we have a small game license that you can purchase for the season of Sept. 1 to Jan. 3. Most states that have a small game license have a time restriction. We allow hunting during the Sept - Jan season. SD, for example, has a season that is \$95 plus a \$5 surcharge for two five-day periods. They can buy an additional license for \$100. Our current license is \$75 for small game. I established a new category. There are two licenses for small game. One is for all season for \$175. The other is broken down as to what you will hunt and includes numbers of days.

REPRESENTATIVE GROSZ: One of the questions that will come up from rural legislators is that by raising fees we may dissuade some people from coming here and thus not getting the economic income. What's your thought on that?

REPRESENTATIVE CARLSON: If we as nonresidents go to another state, we pay comparable rates as to what is proposed here. Also, the cheapest part of any hunting trip, is the license; other paraphernalia notwithstanding!

REPRESENTATIVE NELSON: Is the above definition the average hunter that comes into ND?

REPRESENTATIVE CARLSON: If you have been to any of the boat ramps or motels in various towns, you would see that this is the rule rather than the exception.

REPRESENTATIVE NELSON: Do you favor lowering or eliminating corporate income tax in the state of North Dakota?

REPRESENTATIVE CARLSON: No, I do not.

REPRESENTATIVE NELSON: There are a number of people that do this to spur economic growth in North Dakota, and I think that is the point that seems to be missing from this entire argument. There may be some localized places where this is not the case, but given the abundant supply of waterfowl, especially snow geese, we would like to enhance rather than restrict hunters - wherever they come from. This bill creates a disincentive by raising fees. The other point is that of all the state agencies that we have in North Dakota, it seems to me that the North Dakota Game and Fish is doing as well with their current income as any of them.

REPRESENTATIVE CARLSON: I can't agree with that. We tie everything we do as a government with the cost of living index, and many times we deal with that as either a multiplier or an automatic increase. Looking at the numbers, what would a 1993 \$75 license fee be had we applied that standard to the raises we gave our employees, the gas we put in our cars, the price of our vehicles? I've never had a sportsman tell me they would not hunt because the license costs too much. Also, these are not significant increases. They are well below what the consumer price index would have put them at. I would have no trouble with raising fees along with the CPI. But to think that someone would not come here because we raise the license fee from \$75 to \$85 is not a legitimate complaint. It is not going to happen. We have the finest waterfowl hunting on the mainland United States. We have 18,000 nonresidents who came here last year. They will pay less for their licenses under this proposal than they did last time. There are record numbers of hunters every year that the waterfowl population is up. One thing that you fail to put in the equation is: if the nonresident comes when things are good, he never comes when the report in the Minneapolis Tribune says there are no ducks, no geese. The resident still buys the license and hunts. How many licenses did we sell to nonresidents in the 1980's when it was dry? Minnesota has almost nothing left to hunt. They come here to hunt. I think we need to be

unafraid to say that if the average across the region is \$25 for a nonresident fee, that we have to be at \$15 and think that nobody will come.

REPRESENTATIVE MARTINSON: On page two, line four, it talks about the fee for the nonresident hunting license is \$75. Why does it indicate \$85 - is that due to a certificate habitat stamp costing \$10?

REPRESENTATIVE CARLSON: Yes

REPRESENTATIVE MARTINSON: If this bill were approved, would it clarify the \$10 discrepancy?

REPRESENTATIVE CARLSON: There are two options. You can buy all season for \$170 or ten days for \$85. This is confusing on the small game. We are creating a new category. If a nonresident comes and spends ten days, it will actually be the same price as before - \$10 less actually - than what you paid before. If you want to stay all season, it will cost you \$170.

REPRESENTATIVE GALVIN: I agree with you that North Dakota is rather timid in raising fees, but I also sympathize with Representative Nelson when he states that we should try to get people into North Dakota, and not try to keep them out.

REPRESENTATIVE CARLSON: I don't think this is an attempt to keep them out, it is just to charge a fair market value for what we offer - which is the finest walleye fishing in North America, excepting Canada; because of the efforts of ND Game and Fish and the money invested.

REPRESENTATIVE DROVDAL: I don't see in here where that \$10 is forgiven. Wouldn't the charge be \$170 plus the \$10?

REPRESENTATIVE CARLSON: The \$10 is always on top. But the existing code doesn't have the \$10 in that category. It is listed as something you have to buy for everything else. What's listed is the straight license fee, it doesn't include the \$10.

REPRESENTATIVE NOTTESTAD: I think raising the nonresident small game to \$170 is a bit much for the whole season. Have you thought of putting in a provision where they could buy two of the other, if they chose to go that route?

REPRESENTATIVE CARLSON: Yes, and it says somewhere in the bill that you can purchase a second one for ten days. The big change in this bill is that we have changed the season from all season being \$170 to creating a new category of ten days for \$85. And a second ten day ticket can be purchased.

REPRESENTATIVE GROSZ: So what we have to decide is if this will drive nonresidents away. What you are saying is 'How many people are going to check the price of a ticket to Disney World before they head out?'

REPRESENTATIVE CARLSON: That is exactly the point. I did not attempt to keep anybody out by charging more than the average, only what is fair for our resources. A side note - there are some states that put limits on waterfowl, and that is something that is left up to legislation.

PAUL KERRY: Cass County Wildlife Club, going on record as in support of HB 1410.

ROGER ROSTVET: Deputy Director of Game and Fish Dept. - If you were to make any changes not become effective until April 1, 2000 since we already have next years licenses printed.

REPRESENTATIVE DROVDAL: Is there a designated area that additional revenue would be spent on or a department division where these funds would be used?

ROGER ROSTVET: We did not specifically seek out this legislation, and that is unknown at this time.

DEAN HILDEBRANDT: Game & Fish representative - There are areas where we can use additional revenue in the department. It has become very difficult for the twenty five wardens that I have to police all fifty-three counties. I am also losing many of these people to departments that offer more dollars. From Whapeton to Bottineau, I have only one warden. We will have no problem deciding where the additional money would go.

REPRESENTATIVE NELSON: On the added staffing, couldn't you fund that out of the reserves that your department has now?

DEAN HELDEPRANDT: Yes we could do that now, and one of the things that we have to be cautious about is that people don't want big government and we don't either. In order to get more staffing we would have to go through the budgeting and legislative process. I don't want to put out more people than we need, but yet we do have to provide a balance.

Close hearing on HB 1410

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1410-A

House Natural Resources Committee

Conference Committee

Hearing Date 1-29-99

Tape Number	Side A	Side B	Meter #
1	X		
Committee Clerk Signature <i>Robinda Small</i>			

Minutes:

A BILL FOR AN ACT TO CREATE AND ENACT A NEW SUBSECTION TO SECTION 20.1-03-12 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO NONRESIDENT SMALL GAME HUNTING LICENSE FEES; AND AMEND AND REENACT SUBSECTION 1 OF SECTION 20.1-03-07, SECTION 20.1-03-07.1, AND SUBSECTIONS 2, 7, 8, 37, 38, AND 39 OF SECTION 20.1-03-12, RELATING TO NONRESIDENT HUNTING AND FISHING LICENSES AND FEES.

**REPRESENTATIVE GROSZ:** I talked to Representative Carlson and what he and I came up with was that instead of \$170, it would go up to \$100 and then Section 4 would be deleted completing. What the amendment will say is that the \$170 will be changed to \$100, Section 4 will be deleted, and it will become effective April 1, 2000. There will be a slightly different fiscal note. Moved by Representative Drovdal, seconded by Representative Porter. No discussion on amendment. Bill is amended.

**REPRESENTATIVE DROVDAL:** Motioned for a Do Pass as amended.

**REPRESENTATIVE GALVIN:** Second the motion.

**REPRESENTATIVE DROVDAL:** I do not have a problem raising fees on out-of-state because we are very reasonable on fees. I do have a little bit of concern about the husband and wife fee. But I do get comments quite often on how reasonable fees are for North Dakota.

Roll call: 12 (yes), 1 (no), 2 (absent). Do Pass.

Page 2

Senate Appropriations Committee

Bill/Resolution Number HB ~~1339~~ 1410

Hearing Date 1-29-99

**REPRESENTATIVE MARTINSON:** Carry the bill.

**FISCAL NOTE**

(Return original and 10 copies)

Bill/Resolution No.: \_\_\_\_\_ Amendment to: HB 1410

Requested by Legislative Council \_\_\_\_\_ Date of Request: 2-9-99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

**Narrative:**

It is estimated that this bill will result in an additional \$250,000 in revenue per year for the game and fish fund.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:	0	0	0	\$250,000	0	\$500,000
Expenditures:	0	0	0	0	0	0

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: None
- b. For the 1999-2001 biennium: None
- c. For the 2001-03 biennium: None

4. **County, City, and School District** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
0	0	0	0	0	0	0	0	0

If additional space is needed, attach a supplemental sheet.

Signed *Paul Schadewald*

Typed Name Paul Schadewald

Date Prepared: 2/9/99

Department Game and Fish

Phone Number 328-6328





VK  
2/5/99

**HOUSE AMENDMENTS TO HOUSE BILL NO. 1410 2/5/99 NAT. RES.**

Page 1, line 1, remove "create and enact a new subsection to section 20.1-03-12 of the North"

Page 1, line 2, remove "Dakota Century Code, relating to nonresident small game hunting license fees; and"

Page 1, line 4, after "fees" insert "; and to provide an effective date"

Page 1, remove line 9

Page 1, line 10, remove "hunting license."

**HOUSE AMENDMENTS TO HOUSE BILL NO. 1410 2/5/99 NAT. RES.**

Page 2, line 4, remove "seventy"

Page 2, line 11, replace "A new subsection to section 20.1-03-12 of the 1997 Supplement to the" with "**EFFECTIVE DATE.** This Act becomes effective on April 1, 2000."

Page 2, remove lines 12 and 13

Renumber accordingly

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

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

House House Natural Resources Committee

Subcommittee on 1410  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO PASS AS AMENDED

Motion Made By DROVDAL Seconded By Galvin

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

Total (Yes) 12 No 1

Absent 2

Floor Assignment MARTINSON

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

**REPORT OF STANDING COMMITTEE**

**HB 1410: Natural Resources Committee (Rep. Grande, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1410 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new subsection to section 20.1-03-12 of the North"

Page 1, line 2, remove "Dakota Century Code, relating to nonresident small game hunting license fees; and"

Page 1, line 4, after "fees" insert "; and to provide an effective date"

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Page 2, remove lines 12 and 13

Renumber accordingly

**1999 SENATE NATURAL RESOURCES**  
**HB 1410**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1410

Senate Natural Resources Committee

Conference Committee

Hearing Date March 4, 1999

Tape Number	Side A	Side B	Meter #
1	x		1335-4892
Committee Clerk Signature <i>Lyla A. Tegen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on HB1410: RELATING TO NONRESIDENT HUNTING AND FISHING LICENSES AND FEES; AND TO PROVIDE AN EFFECTIVE DATE.

REP. CARLSON explained HB1410 as a bill that adjusts the nonresident hunting fees in ND.

Rates have not been adjusted since 1993 and ND is below the market compared to other states for similar types of hunting and fishing. ND has unlimited licenses sold compared to other states with license limits. (See attached Hunting License Fee Comparison for 1998)

SENATOR TRAYNOR asked about a letter from Scheels on 3-2-99.

REP. CARLSON replied in reference to the letter, there is a no 10-day license in this bill and that was their complaint, along with section 4. ND is wide open and not restricted like other states,

because we have an abundance of open land and the opportunity to get on land. We need to manage our resources and we need the revenue.

SENATOR TRAYNOR asked do you want our state to charge equivalent to what other states charge.

REP. CARLSON replied yes because ND has the quality and the CRP that we have, hunting is only going to get better so we should charge market.

SENATOR TRAYNOR asked if there are plans for the increased revenue to the ND Game and Fish Dept.

REP. CARLSON replied no.

JAMES NAGEL, ND Guide and Outfitters and ND Sport Fishing Congress testified as neutral.

(See attached proposed amendments proposed by Sen. Heitkamp) The intent of the amendment was to provide for a nonresident combination license which would include waterfowl and upland game for \$130.

SENATOR HEITKAMP asked will the \$130 price for this combination license hurt your business.

JAMES NAGEL replied somewhat, but not a significant amount.

ORLIN MERTZ, Goodrich Lodge owner testified in opposition to the rate increases because the increased fees may drive hunters to SD because we are in strong competition with SD.

SENATOR REDLIN asked if there is a greater survival rate in Nebraska and SD.

ORLIN MERTZ replied yes.

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Senate Natural Resources Committee

Bill/Resolution Number Hb 1410

Hearing Date March 4, 1999

PAUL SCHADEWALD, ND Game and Fish Dept. testified as neutral. The 1999 fees are listed in different brochures and magazines. The licenses have been printed so the increases, if passed, should be held off until April 1, 2000 or else new licenses and notices will have to be printed.

SENATOR HEITKAMP asked if the goal is to get more people hunting and fishing, why would we do this, because we don't need the money so are we doing it to keep up with other states.

PAUL SCHADEWALD replied ND Game and Fish did not propose any fee increase bills this legislation because our funding is in good shape and we do not see in the near future that we would need to have an increase.

SENATOR FISCHER asked will this fee increase have a big affect on the licenses sold in ND and people coming to ND to hunt.

PAUL SCHADEWALD replied not on the waterfowl situation but it is possible on the small game licenses.

SENATOR TRAYNOR closed the hearing on HB1410.

COMMITTEE ACTION-March 4, 1999-(Tape 2, Side A-Meter# 3871-4490) SENATOR

FREBORG moved for a DO NOT PASS, seconded by HEITKAMP. Roll call vote indicated 6 YEAS, 0 NAYS, 0 Absent and not voting.



PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1410

Page 1, line 1, after "to" insert "create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident hunting and fishing license fees; and to" and replace the second "section" with "sections"

Page 1, line 2, after the first comma insert "20.1-03-11.1,"

Page 1, line 12, after "**license**" insert "**or nonresident combination license**"

Page 1, line 14, after "~~to~~" insert "or", remove the overstrike over "~~a nonresident~~", after "~~hunting~~" insert "combination", and remove the overstrike over "~~license~~"

Page 1, line 15, after "license" insert "or nonresident combination license"

Page 1, line 19, after the second "hunting" insert "and combination"

Page 1, line 22, after "license" insert "or nonresident combination license"

Page 1, after line 22, insert:

**"SECTION 3. AMENDMENT.** Section 20.1-03-11.1 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-03-11.1. Combination ~~license~~ licenses - Director authorized to establish.** The director may establish a combination license consisting of a general game license, resident fishing license, resident small game license, habitat stamp, and fur-bearer license and a combination license consisting of a general game license, nonresident small game license, nonresident waterfowl hunting license, and habitat stamp."

Page 2, after line 9, insert:

**"SECTION 4.** A new subsection to section 20.1-03-12 of the 1997 Supplement to the North Dakota Century Code is created and enacted as follows:

For a nonresident combination license, one hundred thirty dollars."

Re-number accordingly

Roll Call Vote #: /

Date: 3-4-99

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. AB 1410

Senate Natural Resources Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO NOT PASS

Motion Made By Freborg Seconded By Heitkamp

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

Total (Yes) 6 No 0

Absent 0

Floor Assignment Freborg

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

REPORT OF STANDING COMMITTEE (410)  
March 4, 1999 5:04 p.m.

Module No: SR-39-4084  
Carrier: Freborg  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1410, as engrossed: Natural Resources Committee (Sen. Traynor, Chairman)**  
recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1410 was placed on the Fourteenth order on the calendar.

**1999 TESTIMONY**

**HB 1410**

## Hunting License Fee Comparison for 1998

	<b>Resident Small Game</b>	<b>Resident Deer</b>	<b>Nonresident Small Game</b>	<b>Nonresident Small Game &amp; Waterfowl</b>	<b>Nonresident Deer</b>	
Minnesota	\$25.00	\$23.00	\$66.00	\$71.00	\$111.00	
South Dakota	\$27.00	\$30.00	\$95.00	\$195.00	\$150.00	
North Dakota	\$15.00	\$20.00	\$85.00	\$95.00	\$160.00	
Nebraska	\$19.50	\$22.25	\$65.00	\$65.00	\$150.00	
Wyoming	\$20.00	\$22.00	\$55.00	\$55.00	\$195.00	
Montana	\$10.00	\$13.00	\$60.00	\$65.00	\$78.00	Whitetail
					\$248.00	Mule Deer
<b>Average</b>	<b>\$19.42</b>	<b>\$21.71</b>	<b>\$71.00</b>	<b>\$91.00</b>	<b>\$156.00</b>	

Minnesota resident small game includes small game license(\$15) plus waterfowl stamp(\$5) plus pheasant stamp(\$5).

North Dakota Deer hunters need a certificate and general game and habitat license costing \$9. This is included in the small game license cost but not the deer license cost.

Nebraska hunters must purchase one \$10 habitat stamp. This cost is included on the chart for small game license cost, but is not included in the deer license cost.

Wyoming hunters must purchase one \$5 conservation stamp. This cost is included on the chart for small game, licenses, but is not included in the deer license cost.

Montana hunters must purchase one \$4 Conservation License. The cost is included on the chart for small game licenses, but is not included in the deer license cost.

**LICENSE FEE INCREASE HISTORY  
FOR NONRESIDENTS**

**1981**

- Small game \$40.00 to \$50.00
- Big game (gun) \$60.00 to \$100.00 (Bow) \$35.00 to \$100.00

**1983**

- Individual fishing \$15 to \$20.00
- Created Husband and Wife License for \$35.00.
- 7 day license \$4.00 to \$8.00

**1987**

- 7 day fishing \$8.00 to \$13.00
- Created 3 day fishing for \$8.00

**1993**

- Small game \$50.00 to \$75.00
- Big game \$100.00 to \$155.00 (plus \$5.00 non-refundable application fee)
- Waterfowl \$8.00 to \$10.00
- Individual fishing \$20.00 to \$25.00
- 7 day fishing \$13 to \$15.00
- 3 day fishing \$8 to \$10.00

Annual Inflation, 1993 - 3.0  
1994 - 2.6  
1995 - 2.8  
1996 - 2.9  
1997 - 2.3  
1998 - 1.6  
Ent 1999 2.1  
2000 2.2

75-9000

Fishing License Fee Comparison for 1998

	<b>Resident Annual</b>	<b>Husband and Wife</b>	<b>Nonresident Annual</b>	<b>Nonresident 3 Day</b>	<b>Nonresident 7 Day</b>	<b>Trout Stamp</b>
Minnesota	\$16.00	\$21.50	\$32.00	\$18.00	\$22.50	\$8.50
South Dakota	\$21.00	n/a	\$59.00	\$42.00	n/a	n/a
North Dakota	\$11.00	\$16.00	\$27.00	\$12.00	\$17.00	n/a
Nebraska	\$17.75	n/a	\$40.00	\$15.75	n/a	n/a
Wyoming	\$15.00	n/a	\$65.00	\$18.00	\$42.00	n/a
Montana	\$17.00	n/a	\$50.00	\$15 for 2 days	n/a	n/a

**Average                      \$16.29                      \$45.50                      \$21.15**

Fees include any required certificate or special fees.