

1999 SENATE NATURAL RESOURCES

SB 2089

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2089

Senate Natural Resources Committee

Conference Committee

Hearing Date January 15, 1998

Tape Number	Side A	Side B	Meter #
1	x		3875-5546
Committee Clerk Signature <i>Lula A. Hagen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on SB 2089: A BILL FOR AN ACT TO AMEND AND REENACT SUBSECTIONS 3, 5, 7, AND 8 OF SECTION 20.1-03-11 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO GRATIS AND PREFERENTIAL LANDOWNER BIG GAME HUNTING LICENSES; AND TO DECLARE AN EMERGENCY. DEAN HILDEBRAND, representing the ND Game and Fish Department, testified in support of SB 2089 as a DO PASS. (See attached testimony)

SENATOR FREBORG asked at what point must you have applied for a gratis license.

DEAN HILDEBRAND stated a person can apply up to the hour of the opening season.

PAUL CRARY representing the Cass County Wildlife Club testified in favor of a DO PASS.

MIKE DONAHUE representing the ND Wildlife Federal testified in favor of a DO PASS.

SENATOR TRAYNOR closed the hearing and asked for further testimony.

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Senate Natural Resources Committee

Bill/Resolution Number Sb 2089

Hearing Date January 15, 1999

Senator Freborg moved for DO PASS. Senator Fischer seconded the motion.

ROLL CALL - 6 AYES, 0 NAYES, 0 ABSENT

FLOOR ASSIGNMENT: SENATOR FREBORG

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: _____ Amendment to: SB 2089

Requested by Legislative Council _____ Date of Request: 2-26-99

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:

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	\$10,000	0	\$20,000	0	\$20,000
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

Department Game and Fish Dept.

Phone Number 328-6328

Date Prepared: 2/26/99

Date 1-15-99

Roll call vote # 1

Please type or use black pen to complete

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2089

Senate Natural Resources Committee

Subcommittee on _____ (Identify or

Conference Committee _____ (check where appropriate

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Freborg Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
SENATOR TRAYNOR, CHR	✓				
SENATOR FISCHER, VCHR	✓				
SENATOR CHRISTMANN	✓				
SENATOR FREBORG	✓				
SENATOR HEITKAMP	✓				
SENATOR REDLIN	✓				

Total 6 (Yes) 0 (No)

Absent 0

Floor Assignment Senator Freborg

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

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE (410)
January 15, 1999 1:29 p.m.

Module No: SR-09-0709
Carrier: Freborg
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2089: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2089 was placed on the Eleventh order on the calendar.

1999 HOUSE NATURAL RESOURCES

SB 2089

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2089

House Natural Resources Committee

Conference Committee

Hearing Date 2/25/99

Tape Number	Side A	Side B	Meter #
1		b	26.0-35.8
Committee Clerk Signature <i>Robert D. Small</i>			

Minutes: ROGER RUSTVET, ND GAME AND FISH. In favor of this bill. SEE HANDOUT.

REP. DEKREY talks about gratis licenses.

REP. BERNSTEIN is also in favor of this bill. SEE AMENDMENT that he introduced to the committee.

REP. GROSZ asks if the governor sets the number of days the season would be open. RUSTVET replies that spring goose season would be from March 13 - May 9.

REP. HENEGAR comments about the snow goose shoot in Nebraska.

SUPPORT

PAUL CRARY, CASS COUNTY WILDLIFE CLUB, would like to be put on the record as being in support of this bill.

No questions, so the hearing was then closed until later in the day.

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House Natural Resources Committee

Bill/Resolution Number 2089

Hearing Date 2/25/99

The committee came back in the afternoon to do action on the bill. REP. DEKREY moves to accept the amendments, seconded by REP. NELSON. REP. GROSZ takes a voice vote that passes. REP. DEKREY moves to DO PASS AS AMENDED, seconded by REP. HANSON. The roll call vote was taken with 15 YES, 0 NO, 0 ABSENT. The motion carries. The carrier of the bill on the floor is REP. GALVIN.

Date: 2.25.99
 Roll Call Vote #: 1

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

House House Natural Resources Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken 2089 accept amendment

Motion Made By DeKrey Seconded By Nelson

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

Roll call passed

Total (Yes) _____ No _____

Absent _____

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

Date: 2.25.99
 Roll Call Vote #: 2

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

House House Natural Resources Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended 2089

Motion Made By DeKey Seconded By Hanson

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

Total (Yes) 15 No 0

Absent _____

Floor Assignment Galvin

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

REPORT OF STANDING COMMITTEE

SB 2089: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2089 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a nonresident spring white goose license; to", after "reenact" insert "sections 20.1-03-02, 20.1-03-07, 20.1-03-07.1,", and after "20.1-03-11" insert ", and section 20.1-03-12.1"

Page 1, line 2, after "to" insert "establishment of a nonresident spring white goose license and to"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 20.1-03-02 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-02. General game license - Stamps allowed for specific licenses.
~~No~~ Except as provided in section 4 of this Act, a person may not:

1. Acquire any resident or nonresident license to hunt, catch, take, or kill any small game or big game animal unless that person first obtains an annual general game license.
2. Hunt, catch, take, trap, or kill any small game or big game animal unless that person has in that person's possession an annual general game license together with the specific license required.

The director shall design and furnish, for sale to residents and nonresidents, an annual general game license. A stamp may be prepared by the director to be affixed to a general game license in place of each separate small game or big game hunting license.

SECTION 2. AMENDMENT. Section 20.1-03-07 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20.1-03-07. Licenses to hunt, trap, or fish required of nonresidents.
Nonresidents, except as provided in sections 20.1-02-05, section 4 of this Act, and 20.1-03-08, may not:

1. Hunt, catch, take, or kill any small game without a nonresident small game license.
2. Trap, catch, attempt to catch, take, or kill any protected fur-bearing animal except that nonresidents holding a valid nonresident fur-bearer and nongame hunting license may hunt only fox and coyote and residents of a state that allows North Dakota residents to trap within that state may purchase a nonresident reciprocal trapping license to trap in this state. However, a nonresident holding a valid nonresident reciprocal trapping license may not trap, catch, attempt to catch, take, or kill bobcats.
3. Catch, attempt to catch, take, or kill any fish without having a nonresident fishing license.

4. Hunt, catch, take, or kill any unprotected bird or animal without having a nonresident nongame hunting license or nonresident fur-bearer and nongame hunting license.
5. Hunt, catch, take, or kill any big game animal without having the respective nonresident big game license.

Each violation of this section is a distinct and separate offense.

SECTION 3. AMENDMENT. Section 20.1-03-07.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20.1-03-07.1. Nonresident waterfowl hunting license required. Except as provided in ~~section~~ sections 20.1-03-07.2 and section 4 of this Act, a nonresident may not hunt waterfowl unless that person first obtains a nonresident waterfowl hunting license, in addition to a nonresident small game hunting license. The nonresident waterfowl hunting license entitles the nonresident to hunt waterfowl for any period of fourteen consecutive days or any two periods of seven consecutive days each and in specified waterfowl hunting zones. A license authorizing two 7-day hunting periods may allow hunting in a different zone during each period. The governor, in the governor's proclamation, shall specify various waterfowl hunting zones for which nonresident waterfowl hunting licenses will be available, and may specify the number of licenses which may be issued in each zone and the manner in which they are to be issued. A nonresident is entitled to purchase only one nonresident waterfowl hunting license per year.

SECTION 4. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Nonresident spring white goose license. A nonresident may purchase a nonresident spring white goose license to hunt white geese during a spring season as determined by the governor by proclamation. The governor, in the governor's proclamation, may specify the number of licenses that may be issued and the manner in which they are to be issued. Nonresidents are not required to purchase any other license to hunt white geese during a spring white goose season. A nonresident is entitled to purchase only one nonresident spring white goose license per year; however, a nonresident may still purchase a nonresident waterfowl hunting license under section 20.1-03-07.1."

Page 6, after line 12, insert:

"SECTION 6. 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 spring white goose license, fifty dollars.

SECTION 7. AMENDMENT. Section 20.1-03-12.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

20.1-03-12.1. Habitat restoration stamp required - Use of revenue - ~~No land~~ Land purchases not allowed. A Except for licenses issued under section 4 of this Act, a habitat restoration stamp is required for every resident and nonresident general game license for which a stamp fee of five dollars must be charged. The habitat restoration stamp fee is in addition to the annual general game license fee charged under section 20.1-03-12. ~~No land~~ Land may not be purchased with habitat restoration stamp moneys. All moneys generated by habitat restoration stamp fees

must be placed in the game and fish private land habitat and access improvement fund."

Renumber accordingly

1999 TESTIMONY

SB 2089

**TESTIMONY OF THE NORTH DAKOTA GAME AND FISH DEPARTMENT
SB 2089: NOTARY REQUIREMENTS REMOVED
SENATE NATURAL RESOURCES COMMITTEE
JANUARY 15, 1999**

The North Dakota Game and Fish Department supports SB2089. This bill was introduced at the request of the Department. It is our belief that this requirement is of questionable value and imposes an inconvenience on not only landowners but also some notaries. Notarization does not ensure that applications are true and correct, it only verifies the signature of the applicant. Gratis and preferential licence applications are the only applications that require notarization. The North Dakota Game and Fish Department supports a **DO PASS** recommendation on SB 2089.