

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1049

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yolanda Rickford
Operator's Signature

10/2/03
Date

2003 HOUSE NATURAL RESOURCES
HB 1049

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Valista Rickford
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1049

House Natural Resources Committee

Conference Committee

Hearing Date January 16, 2003

Tape Number	Side A	Side B	Meter #
1	XX		0-3073

Committee Clerk Signature

Eric Meyer

Minutes:

Rep. Delamr: Chair of Judiciary B committee. Gave an overview of HB 1048, 1049, and 1050.

Tim Dawson: Legislative Council. Gave a Further overview of HB 1048, 1049, and 1050.

Kyle Blanchard: North Dakota Professional Guides and Outfitters Association. (See Attached Testimony).

Roger Rosvitt (2714): ND Game and Fish Department testified on behalf of HB1049. In the past the guides and outfitters have been forced to turn in a client lists, price lists, and other materials that became public record. This is very sensitive material to a business.

Mike Donahue: North Dakota Wildlife Federation and United Sportsman. We support HB1049.

Harold Neumyer: Cass County Wildlife Club. (See Attached Testimony).

Chiar Nelson closed the hearing on HB 1049.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1048

House Natural Resources subcommittee 1048 1049 1050

Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter #

Committee Clerk Signature

Minutes:

Chairman Porter called the meeting to order.

Rep. Porter: Explained that the fishing provision which had caused concern in the hearing is explained in regulations already. A fishing outfitter is already a guide.

Rep. DeKrey: Change the fee to \$100.

Rep. Porter: Changing the owns or leases for primary persuit of agriculture.

Rep. DeKrey: We need to change this so landowners showing where hunters can hunt would not violate the law.

Rep. Froelich: We give an outfitter a liscense on a sliding scale of increasing rate for expansion.

Roger Rosvit: We should put a penalty in this for guiding without a liscense.

Rep. Porter: On a sliding scale. Depending on the severity of the crime.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

Page 2

House Natural Resources Committee

Bill/Resolution Number ~~1050~~ 1049

Hearing Date January 23, 2003

Roger Rosvit: We should change the and's to or's. This fixes the problem of someone receiving money under the table for guiding. They cannot just say they were doing it out of the goodness of their hearts. That way we do not have to go through bank records.

Rep. Porter: Rep. Froelich would change the scale from number of employees to number of acres.

Adjourned.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yolanda Rickford
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1049

House Natural Resources Committee

Conference Committee

Hearing Date January 31, 2003

Tape Number	Side A	Side B	Meter #
1		xx	0-1056

Committee Clerk Signature

Minutes:

Chair Nelson called the meeting to order on HB 1049.

Rep. Porter: Said the interim committee felt this should be a stand alone bill.

Rep. DeKrey moved a Do Pass on HB 1049. Rep. Solberg seconded.

The motion carried by a vote of 12-1-1. Rep. Norland will carry.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

Date: 1/31/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1049

House House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By DeKrey Seconded By Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	✓				
Vice-Chairman Todd Porter	✓				
Rep. Byron Clark		✓			
Rep. Duane DeKrey	✓				
Rep. David Drovdal	✓				
Rep. Lyle Hanson	✓				
Rep. Bob Hunsakor	✓				
Rep. Dennis Johnson	✓				
Rep. George Keiser	✓				
Rep. Scott Kelsh	✓				
Rep. Frank Klein	✓				
Rep. Mike Norland	✓				
Rep. Darrell Nottestad	✓				
Rep. Dorvan Solberg	✓				

Total (Yes) 12 No 1

Absent 1

Floor Assignment Norland

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
February 3, 2003 9:28 a.m.

Module No: HR-20-1496
Carrier: Norland
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1049: Natural Resources Committee (Rep. Nelson, Chairman) recommends DO PASS
(12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1049 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-20-1496

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

2003 SENATE NATURAL RESOURCES

HB 1049

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yolanda Rickford
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1049

Senate Natural Resources Committee

Conference Committee

Hearing Date 2-28-03

Tape Number	Side A	Side B	Meter #
1	X		0.7 - 15.5
		X	9.2 - 9.7
Committee Clerk Signature <i>Janet James</i>			

Minutes:

Senator Ben Tollefson, Vice Chairman of Senate Natural Resources Committee opened the hearing on HB 1049 relating to the powers of the director of the game and fish department with respect to guides and outfitters.

All members of the committee were present except Senator Thomas Fischer.

Tim Dawson of the Legislative Council described HB 1049 stating the bill was in conflict of HB 1050 which will be before the committee later in the session. He stated that if the committee liked the concept of HB 1049 it should be amended into HB1050 to guarantee that the concept of HB 1049 stays alive. HB 1049 provides protection to guides and outfitters if the director of the North Dakota Game & Fish Department requires proprietary information from them. This proprietary information would include customer lists which are quite valuable and will be protected under the statute in the bill and exempt from the constitution article on public records. Information can be used by the director for statistical proposes.

Page 2
Senate Natural Resources Committee
Bill/Resolution Number HB 1049
Hearing Date 2-28-03

Senator John Traynor asked if amounts paid by clients to guides and outfitters can be included in this disclosure.

Tim Dawson responded prices paid by clients is usually considered proprietary information although these prices would be contained in contracts and is also advertised in brochures etc.

Senator Michael Every asked if HB 1050 was requested by the guides and outfitters.

Tim Dawson answered HB 1048, 1049, 1050 all came from the interim Judiciary B Committee. HB 1048 has been eliminated and HB 1050 is the compressive regulation of guides and outfitters by the Game & Fish Department.

Representative Lois Delmore, Chairman of the Judiciary B Committee testified that that contents of HB 1049 is also in HB 1050, she asked the committee to take a look at HB 1050 and amend it to the form they wish and then HB 1049 would not be necessary.

Roger Rostvedt, Deputy Director of the North Dakota Game and Fish Department testified in support of HB 1049 stating the department does need some records and as the Judiciary B Committee has expressed the need for some information from the department they have been reluctant to centralize the information because there currently is no protection for the trade secrets or client lists. In the past this has been looked upon as improper government action to take the records and make them open. HB 1049 will allow the department to collect the desired information centralized but not be accessible by competitors.

Senator John Traynor asked if the IRS came in and asked how much a guide or outfitter made from his clients would they supply that information.

Roger Rostvedt stated that would probably require a court order.

Page 3
Senate Natural Resources Committee
Bill/Resolution Number HB 1049
Hearing Date 2-28-03

Mike Donahue representing the United Sportsman Club and the North Dakota Wildlife Federation testified in support of HB 1049. He suggested the committee hold off action on HB 1049 until HB 1050 was heard and then combine the bills.

Harold Neameyer of the Cass County Wildlife Club testified in support of HB 1049 (See attached testimony).

There was no opposing or neutral testimony on HB 1049.

Senator Tollefson closed the hearing on HB 1049.

Tapc 1, Side B, 9.2 -9.7

Senator Thomas Fischer opened discussion on HB1049 stating there is a conflict between the bill and HB 1050. He expressed that he wanted to appoint a sub committee to look at both bills before HB 1050 was heard before the committee. He appointed Senator Ben Tollefson, Senator Stanley Lyson, and Senator Joel Heitkamp to the sub committee to look at the two bills.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1049

Senate Natural Resources Committee

Conference Committee

Hearing Date 3-13-03 Discussion and Action

Tape Number	Side A	Side B	Meter #
2	X		10.5 - 11.8

Committee Clerk Signature *Janet James*

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened the discussion of HB 1049.

All members of the committee were present.

Senator Fischer stated the contents of HB 1049 are now amended into HB 1050 so the bill is not needed.

Senator Michael Every made a motion for a Do Not Pass.

Senator Layton Freborg second the motion.

Roll call vote was taken indicating 7 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING.

Senator Every will carry HB 1049.

Senator Fischer closed the discussion and action on HB 1049.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

Date: 3-13-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1049

Senate Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Every Seconded By Freborg

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every	✓	
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp	✓	
Senator Layton Freborg	✓				
Senator Stanley W. Lyson	✓				
Senator John T. Traynor	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Every

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

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 12:59 p.m.

Module No: SR-45-4669
Carrier: Every
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1049: Natural Resources Committee (Sen. Fischer, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1049 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-45-4669

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

CP

2003 TESTIMONY

HB 1049

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Valista Rickford
Operator's Signature

10/2/03
Date



Cass County
WILDLIFE CLUB

Box 336
Casselton, ND 58012


**TESTIMONY OF HAROLD NEAMEYER
CASS COUNTY WILDLIFE CLUB
PRESENTED TO THE HOUSE NATURAL RESOURCE COMMITTEE
ON HB 1049, JANUARY 16, 2003**

Mr. Chairman and Members of the Committee:

I'm Harold Neameyer speaking on behalf of the Cass County Wildlife Club, an organization of over 200 sportspeople organized to promote conservation of wildlife, to promote sportsmanship in hunting and fishing and to support the proper management of these resources. The Cass County Wildlife Club supports HB 1049.

In today's world, there is an increased concern for confidentiality of personal and business information. With the increased need to license guides and outfitters in order to better control this activity, it is also imperative to keep records and reports confidential.

The Cass County Wildlife Club supports HB 1049 and requests a unanimous "DO PASS".



The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yalosta Rickford
Operator's Signature

10/2/03
Date

LP

North Dakota Professional Guides and Outfitters Association

January 16, 2003

House Natural Resource Committee

Positions of the North Dakota Guides and Outfitters Association regarding HB 1048, HB 1049, and HB 1050.

- HB 1048

NDPGOA Supports a do pass recommendation. It is in our belief that additional testing will help ensure that licensed guides are knowledgeable in Game and Fish laws, a significant aspect to conducting a professional guide service.

We do ask, why is fishing guiding not included?

-HB 1049

NDPGOA supports a do pass recommendations. We strongly believe that all records needed with important information regarding the business client list and contract information is private and damaging if able to be viewed by others under the open record laws.

-HB 1050

NDPGOA supports a do pass recomadation, if certain segments of the bill were better defined and amended as follows:

Page 4, line 4, section 23: Better define outfitter as to not include motel owners, etc.

Page 16, line 31: We request Hunting guide annual fee to remain at \$100.00

Page 17, line 1: replace fishing guide, with fishing outfitter.

Page 17, line 8: Replace fee with required.

Page 17, line 15: We believe that this entire bill hinges of the value of becoming an Outfitter. Thus, we strongly oppose not allowing outfitter licenses to be transferable. Establishing a well run profitable outfitting business should have the opportunity to be sold to others. We agree that the buyer must qualify as per rules to become an outfitter.

Page 18, line 9, section 2: Add fishing outfitter.

Page 18, line 19, section 5: Add to section, any one under suspension.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Valista Rickford
Operator's Signature

10/2/03
Date

Page 19, lines 1, section 2: delete or better define "including each transaction" What does the director need this information for?

Page 19, line 12, section 5: Addition of fishing outfitters? Do fishing outfitters need to take a test?

Page 19, line 17, section 6: We request this section deleted, our organization oppose any cap on outfitters.

Page 20, line 6, section 2: Replace "must", with "may".

Page 20, line 14, section 3: remove due to the unfairness and enforcement issues.

Thank you for your time and consideration on these important issues and legislation

I can be reached at 701-739-9616 or 701-662-5996 if the committee members need any assistance from our association.

Kyle Blanchfield
President, NDPGOA
Lobbyist, NDPGOA

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Kalisto Rickford
Operator's Signature

10/2/03
Date

6

**TESTIMONY REGARDING
HB 1048, HB 1049 and HB 1050
By: Mike Donahue (Lobbyist 215)
January 16, 2003**

ND House Natural Resource Committee

On behalf of the United Sportsmen of North Dakota and the ND Wildlife Federation, we would like to thank the Judiciary Interim B committee for their dedication and hard work on these matters.

HB 1048: The organizations support the objective of HB 1048. Please note that "fishing" must be included. We support a DO PASS.

HB 1049: We support a DO PASS. We agree with the Guides and Outfitters Association.

HB 1050: We generally concur with the Guides and Outfitters support of this bill however, bear in mind that "access" is the umbrella to many of these issues. The more commercialization of the taking of fish and game – the more limiting access to the general (taxpayer) hunting public. The resource belongs to the public.

Exceptions we have with the G&O position are:

1. Page 16, line 31: The guide license fee should remain \$200.00 (two hundred).
2. Page 17, line 8: We suggested and the G&O's concurred that the word "Fee" should be replaced with the word "Required".
3. Page 19, line 17: The two hundred should be reduced to one hundred or one hundred and fifty. We are also willing to re-look at a sliding scale.
4. Page 20, lines 14-19: Leave them in the bill. It may be possible to expand this portion so that low-level misdemeanors are excluded.
5. Page 20, line 6: Change the word "must" to "may".
6. Pages 15 and 16: All license fees should be increased.

Further Comment:

We believe that capping the number of outfitters and acreage that can be leased is necessary. For example, if 200 outfitters leased 20,000 acres each, the four million acres will be generally locked out of the reach of average income hunters.

Also, last session, there was discussion of G&O's not carrying a weapon when afield with clients. We do not see the necessity of a guide carrying a weapon while afield with a client.

Cass County
WILDLIFE CLUB

Box 336
Casselton, ND 58012



TESTIMONY OF HAROLD NEAMEYER
CASS COUNTY WILDLIFE CLUB
PRESENTED TO THE SENATE NATURAL RESOURCE COMMITTEE
ON
HB 1049
FEBRUARY 28, 2003

Mr. Chairman and Members of the Committee:

I am Harold Neameyer speaking on behalf of the Cass County Wildlife Club, an organization of over 200 sportspeople organized to promote conservation of wildlife, to promote sportsmanship in hunting and fishing and to support the proper management of these resources.

The Cass County Wildlife Club supports HB 1049. The requirement that the Director requires information from guides and outfitters has become increasingly important. Should the Director request proprietary information, we support keeping that information confidential and not public.

We urge you to give a DO PASS to HB 1049.



The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Halosta Rickford
Operator's Signature

10/2/03
Date