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# 2003 HOUSE NATURAL RESOURCES

HB 1122

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#### 2003 HOUSE STANDING COMMITTEE MINUTES

#### **BILL/RESOLUTION NO. 1122**

House Natural Resources Committee

**Conference** Committee

Hearing Date January 17,2003

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	<u> </u>

Minutes:

Rep. Keiser: Spoke on behalf of HB 1122 as the sponsor of the bill. Adds to habitat

management funds. Gives a chance to everyone to get a mule deer license.

**Rep. Hanson:** Would you oppose splitting the licenses?

**Rep. Keiser:** I would not care speak on their behalf. Game and fish did recommend having one piece of legislation instead of multiple pieces of legislation. We need to be consistent. As we allow various groups to raffle of auction licenses.

Rep. Norland: When the tag is issued is it statewide or area specific?

Rep. Keiser: That is a question for game and fish.

Brandon Mason: Mule Deer Foundation testified on behalf of HB 1122. (See Attached Testimony).

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Chair Nelson: Is the badlands chapter the only chapter in the state?

Brandon Mason: Yes

Minuted Characteristic and the factor of the A Construction of the second 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 haim filmed. document being filmed. 19 Date Operator's Signature ÷.

Page 2 House Natural Resources Committee Bill/Resolution Number 1122 Hearing Date January 17, 2003

Chair Nelson: What is your Budget?

Brandon Mason: It varies from year to year.

Chair Nelson: Will you partner with other state institutions.

Brandon Mason: The goal is to increase the mule deer population.

Chair Nelson: These tags would be for ND projects only.

Brandon Mason: That is correct.

Rep. Drovdal: I applaud your mission statement but your opening statement claims a dwindling

herd. I disagree. How do you determine who gets the funding?

**Brandon Mason**: ND game and Fish Dept. Has given out a record number of licenses. The mule deer tags are not being issued as often. Habitat needs improvement. They need to be rejuvenated or replaced. The first step is going to or volunteer board. We work with state and federal agencies to determine need. We go through all approval process. The National Mule Deer Board reviews all projects.

**Rep. Drovdal:** I do take exception with your statement about national grasslands. I have a difficult time driving home from mule deer strikes.

Chair Nelson: Do you have an elected board?

Brandon Mason: Handled out of Reno, NV. They are often biologists with a background in wildlife management.

Less Mason (1300): Spoke on behalf of 1122.

**Rep. Drovdal:** Can you guarantee me that granting these funds will be utilized to remove grazing from our national grasslands.

の記述 e New new constant of the state The micrographic images on this film are accurate reproductions of records delivered to Modern Information Dyseams for more filmed in the regular course of business. The photographic process meets standards of the American National Standards insti (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of document being filmed. **Operator's Signature** ÷

Page 3 House Natural Resources Committee Bill/Resolution Number 1122 Hearing Date January 17, 2003

Brandon Mason: We have no intention of taking any ones grazing rights. We want to work with cattlemen. Well managed grazing is a good wildlife management tool.

Chair Nelson: You should have landowner input.

**Rep. Keiser:** The national group only can acceptor reject projects the local groups submit.

Brandon Mason: Yes

Harold Neameyer: Cass county wildlife club. (See Attached Testimony)

Chair Nelson: Would nonresident winners of the raffle bother your group.

Harold Neameyer: That is a personal feeling by an individual. They would lose two licenses.

**Rep. Norland:** These would be new licenses.

Mike Donahue: United Sportsman and Wildlife. We are even more opposed to this bill than

before. The issues surrounding the loss of 2 tags and the lack of local control are serious issues.

How can you preclude someone from the raffle.

**Rep. Keiser:** Are you or your groups opposed to money in wildlife management.

**Mike Donahue:** I have to discuss this further with them this weekend.

Rep. Keiser: Are you opposed to Private Public Partnerships?

**Rep. Hanson:** Would you be opposed to this bill if there were just one tag?

Mike Donahue: I will ask them that as well.

**Rep. Nottestad:** Where are you groups head quartered?

Mike Donahue: They are out of state.

David Musch: Citizen spoke out against HB 1122

Chair Nelson closed the meeting.



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# 2003 HOUSE STANDING COMMITTEE MINUTES

#### **BILL/RESOLUTION NO. 1122**

#### House Natural Resources Committee

**Conference** Committee

Hearing Date January 17, 2003

Tape Number	Side A	Side B	Meter #
2	XX		1,692
		<u> </u>	

Minutes:

Chair Nelson: reopened the hearing on HB 1122.

Rep. Hanson: I propose to amend to change it from two to one.

Rep. DeKrey seconded. Passed by voice Vote.

Rep Porter proposed to add constituant amendments. Rep. Keiser Seconded.

**Rep. Porter:** Clarified the implications for multiple applications for licenses with the raffle in

existence.

Additional discussions on wording of amendments.

Passed by voice vote.

Rep. Drovdal: Expressed concern about oil exploration effects from this bill.

Rep. Dekrey motioned for a recommendation of Do Pass on HB 1122. Hanson Seconded.

Vote was 13 Yes, 1 No, 0 Absent. Rep. Hanson Carries.

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## FISCAL NOTE Requested by Legislative Council 01/21/2003

Amendment to: HB 1122

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.

	2001-2003 Biennium		2003-200	5 Blennium	2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$40)		(\$40)
Expenditures						
Appropriations						

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

2001	2001-2003 Blennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts	

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill would take two licenses for the Mule Deer Foundation each biennium. These would cost \$20 if issued in the regular license lottery.

- 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, of the effect on the blennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Paul Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	01/21/2003

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# FISCAL NOTE Requested by Legislative Council 01/02/2003

Bill/Resolution No.: HB 1122

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

	2001-2003 Blennium		2003-200	5 Biennium	7 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$80)		(\$80)
Expenditures						
Appropriations						

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

	200	1-2003 Bienr	ium	200	3-2005 Bienr	nium	200	5-2007 Bien	nium
	Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
•									

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

The Game and Fish Department would reduce mule deer license sales by four each biennium.

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.

At \$20/license, the revenue reduction would be \$80 per biennium.

- 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, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Paul Schadewald	Agency:	ND Game and Fish Department
Phone Number:	701-328-6328	Date Prepared:	01/03/2003

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# AMENDMENTS TO HOUSE BILL NO. 1122

Committee

Adopted by the Natural Resources

January 17, 2003

1-20-03

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1/20/03

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Page 1, line 8, replace "two licenses" with "one license per year"

Page 1, line 9, replace "for one of the licenses under" with "or"

Page 1, remove line 10

Page 1, line 13, after "prescribes" insert ". If an individual receives a mule deer license through the raffle or the auction, the individual is not eligible to apply for a mule deer license through the game and fish department that year"

Renumber accordingly

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## Page No. 1

#### 30257.0201

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Operator's Signature Date

Date	: //	117/0	3	
Roll	Call	Vote	#:	Ĺ

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

<b>BILL/RESOL</b>	UTION A	i <b>O</b> .			
House House Natural Resource	5			Com	nittee
Check here for Conference Co	mmittee				
Legislative Council Amendment N	umber _				
Action Taken <u>Accomp</u>	nd V	0	ass 1122		
Action Taken <u><u>Necomp</u> Motion Made By <u>De Krey</u></u>		Sex	conded By <u>Hanson</u>		
Representatives	Yes,	No	Representatives	Yes	No
Chairman Jon O. Nelson	V				
Vice-Chairman Todd Porter	V				
Rep. Byron Clark	V				
Rep. Duane DeKrey					
Rep. David Drovdal					
Rep. Lyle Hanson					
Rep. Bob Hunskor					[
Rep. Dennis Johnson					
Rep. George Keiser					
Rep. Scott Kelsh					
Rep. Frank Klein					
Rep. Mike Norland			· · · · · · · · · · · · · · · · · · ·		
Rep. Darrell Nottestad			·····		
Rep. Dorvan Solberg					
Total (Yes) <u>13</u> Absent <u>0</u>		No			
Floor Assignment <u>Sey</u>	ansoy				

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

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#### **REPORT OF STANDING COMMITTEE (410)** January 20, 2003 2:06 p.m.

#### Module No: HR-10-0787 **Carrier: Hanson** Insert LC: 30257.0201 Title: .0300

20.000.000000000

#### **REPORT OF STANDING COMMITTEE**

22: Natural Resources Committee (Rep. Nelson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS HB 1122: Natural (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1122 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "two licenses" with "one license per year"

Page 1, line 9, replace "for one of the licenses under" with "or"

Page 1, remove line 10

Page 1, line 13, after "prescribes" insert ". If an individual receives a mule deer license through the raffle or the auction, the individual is not eligible to apply for a mule deer license through the game and fish department that year"

Renumber accordingly





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## 2003 SENATE STANDING COMMITTEE MINUTES

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#### **BILL/RESOLUTION NO. HB 1122**

Senate Natural Resources Committee

Conference Committee

Hearing Date 2-27-03

Tape Number	Side A	Side B	Meter #
2	X		.6 - 13.6
 	<u>_</u>		
Committee Clerk Signatur	e Jan	ut James	
Minutes:			

Senator Ben Tollefson. Vice Chairman of the Senate Natural Resources Committee opened the hearing on HB 1122 relating to establishing a mule deer license raffle and auction.

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

**Brandon Mason**, Chairman of the Northern Badlands Chapter of the Mule Deer Foundation testified in support of HB 1122 (See attached testimony). He also presented a list of Projects in other states partially funded by the Mule Deer Foundation (Appendix A) and potential Projects in North Dakota (Appendix B), the Quarterly Publication of the Mule Deer Foundation "Mule Deer" and a membership application for the Mule Deer Foundation (Attached). He also gave his personal education and his hunting history.

Harold Neameyer representing the Cass County Wildlife Club testified in support of HB 1122 (See attached testimony).



Page 2 Senate Natural Resources Committee Bill/Resolution Number HB 1122 Hearing Date 2-27-03

<u>Senator Layton Freborg</u> asked that although the winner of the raffle or auction may not apply for a regular mule deer license for that year, will the winner lose their bonus points.

**Brandon Mason** answered that would have to be worked out with the North Dakota Game & Fish Department.

Les Mason of Bismarck, North Dakota testified in support of HB 1122 giving his history of mule deer hunting. He stated HB 1122 would help the Mule Deer Foundation partner with the North Dakota Game & Fish Department to improve the habitat which will increase the number of deer and eventually increase the number of licenses available. He gave the history of the Mule Deer Foundation.

**Roger Rostvedt.** Deputy Director of the North Dakota Game and Fish Department testified to HB 1122. He pointed out a technical error in the bill as to Line 2 where it should read "or" instead of "and" auction. The Mule Deer Foundation is currently not registered with the Secretary of State but will be to protect their name. Protection of bonus points is already supplied for the elk, big horn and moose so he assumes because the license is authorized by proclamation this would probably be the same.

Senator Tollefson cle sed the hearing on HB 1122.

Senator Stanley Lyson made a motion for a Do Pass of HB 1122.

Senator Layton Freborg second the motion.

Senator Heitkamp questioned if the house cleaning amendment suggested by Roger Rostvedt

Senator Lyson stated that this should be taken care by the bill that was just passed allowing the



**Market** 

Page 3 Senate Natural Resources Committee Bill/Resolution Number HB 1122 Hearing Date 2-27-03

Roll call vote was taken indicating 6 YEAS, 0 NAYS AND 1 ABSENT OR NOT VOTING.

Senator Lyson will carry HB 1122.



Date: 2-27-03 Roll Call Vote #: 1

# 2003 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. // >>-

Senate Senate Natural Resources				Com	mittee
Check here for Conference Com	mittee				
Legislative Council Amendment Num	nber _				
Action Taken Do	223				
Motion Made By hym		Se	conded By Triba		
Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer			Senator Michael A. Every	V	
Senator Ben Tollefson			Senator Joel C. Heitkamp	~	
Senator Layton Freborg					
Senator Stanley W. Lyson	K				
Senator John T. Traynor					
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	A				
Total (Yes)		No	0		
Absent		1			
Floor Assignment	hy	m			<u></u>

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



#### **REPORT OF STANDING COMMITTEE (410)** February 27, 2003 12:37 p.m.

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# Module No: SR-35-3579 Carrier: Lyson Insert LC: . Title: .

# **REPORT OF STANDING COMMITTEE**

HB 1122, as engrossed: Natural Recources Committee (Sen. Fischer, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1122 was placed on the Fountsenth order on the calendar.





2003 TESTIMONY



- M. JANA

Mule Deer Foundation Testimony Regarding House Bill 1122 Natural Resources Committee Chairman: Representative J. Nelson Date 01-17-03

Mr. Chairman:

The Mule Deer Foundation in a nonprofit conservation organization dedicated to ensure the conservation of mule and blacktail deer and their habitats. The state of North Dakota is home to thousands of mule deer. It is widely believed that Lewis and Clark, who passed through our great state two hundred years ago on their epic journey west, gave the mule deer its name. Their journals describe admiration for this unique-looking animal and the rugged country it inhabited.

Times have changed, and unfortunately for mule deer, not for the better. Mule deer in our state and around the country have proved far less adaptable to changes in their environment than elk and especially whitetail deer, which have shown an uncanny ability to survive in our backyards. As our Game and Fish Department can testify, managing mule deer and public expectations is complex. The real cause of this decline is pure and simple: habitat loss and degradation. The Mule Deer Foundation exists to stop this decline and is making a concerted effort in the state of North Dakota to reverse this disturbing trend.

Realizing the importance of this magnificent animal to our great state, both economically and culturally, Representative George Keiser has introduced House Bill 1122 which would allocate 2 statewide mule deer tags to our organization, with one to be auctioned off and the other to be raffled. While we realize the concern of many sportsmen surrounding the loss of two tags, we



feel that the proceeds from the auction and raffle will go a long way to improving habitat and therefore increasing mule deer numbers across their range in North Dakota and ensure mule deer have a secure home.

By partnering with private landowners, the North Dakota Game and Fish Dept., the US Forest Service, the Bureau of Land Management, and others, we can make a difference.

We ask for your personal support of this bill, and your committee's, and encourage your colleagues in the legislature to support it as well. It's good for mule deer, the great state of North Dakota and generations to follow. Thank you.

Aaron Olson Committee Member Northern Badlands Chapter of the Mule Deer Foundation (701) 471-0121

Brandon Mason Committee Chair Northern Badlands Chapter of the Mule Deer Foundation (701) 355-4312

David Skalsky Committee Treasurer Northern Badlands Chapter of the Mule Deer Foundation (701) 224-0820

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# Appendix A Mule Deer Foundation (MDF) Projects in other States

- \* STAMP New Mexico
  - MDF partnered with NRA, private landowners, USGS, NMGF
  - MDF contributed \$20,000 to the project
  - Goal: Restore Santa Fe mule deer herd, including 1.5 million acres

## \* Burro Mountain Rock Headers

- New Mexico
- MDF partnered with Gila National Forest, Sike Act, Water Shed 319 Improvement Program
- MDF contributed \$2,500 to the project
- Goal: Build rock-headers for permanent water and to help stabilize riparian areas. Also provide a year-round water resource and green forage.

# \* Elkhorn Wildlife Management Unit Noxious Weed Pilot Project

- Montana
- MDF partnered with USFS, BLM, NRCS, Bureau of Reclamation
- MDF contributed \$10,000 to the project
- Goal: Aggressively treating noxious weeds on private, federal, and state lands in the Elkhorn Mountains, and to implement prevention and education programs.

#### \* Laramie Range Mule Deer Habitat Initiative

- Wyoming
- MDF partnered with WGFD, BLM, RMEF
- MDF contributed \$10, 000 to the project
- Goal: Provide funding to private landowners, primarily along the foothills of the Laramie Range Mountains, to improve mountain shrub, aspen & big sagebrush steppe communities for mule deer.



# Appendix B Mule Deer Foundation (MDF) Potential Projects in North Dakots

- \* Expansion of Private Lands Open To Sportsmen (PLOTS) Program
  - Potential partnership with the NDGFD
  - Goal: To increase forage production for mule deer and cattle by promoting and paying for cell grazing systems, as well as shrub plantings for establishment of grazing and browse habitat. Also to increase access for sportsmen.
- \* Joining the Sage Grouse Working Group
  - Potential partnership with various agencies such as the BLM, USFS, and others.
  - Goal: To restore sage grouse habitat which invariably increases mule deer habitat.
- \* Re-establishment of Deer Browse Transects
  - Potential partnership with the USFS
  - Goal: To relocate and reevaluate browse transects, which were used proviously by the NDGFD to monitor browse that deer were actively feeding on. Subsequent habitat projects will be planned according to the information received from the evaluations of the transects.

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# Potential Amendments to House Bill 1122

1. A. A. A.

- 1. If an individual receives a mule deer license through the rafile or the auction, they are not eligible to apply for a mule deer license through the ND Game and Fish Dept. that year. The rafile will be held first, and the individual who receives that license will not be eligible to bid on the auction license.
- 2. On page 1, line 8, you may want to consider inserting "per year" after the word "licenses".

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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 1122, JANUARY 17, 2003

Mr. Chairman and Members of the Committee:

I am Harold Neameyer speaking on behalf of the Cass County Wildlife Club. The Cass County Wildlife Club decided initially to oppose this bill based on the following:

- 1. The bill does not explain how and where any of the proceeds will be spent. Are there unmet needs for mule deer research and management that could benefit from these funds?
- 2. Is the raffle for any mule deer?
- 3. The auction license will probably go out of state, which is where the big money is. Do we want to give up a mule deer license to go out of state for money?
- 4. Could there be long-range benefits that would increase the mule deer population and habitat?

If the need in number one above is justified, then Cass County Wildlife Club could remove its objection to HB 1122 and support it.



Mule Deer Foundation Testimony Regarding House Bill 1122 Natural Resources Committee Chairman: Sen. T. Fischer Date 02-20-03

Mr. Chairman:

The Mule Deer Foundation in a nonprofit conservation organization dedicated to ensure the conservation of mule and blacktail deer and their habitats. The state of North Dakota is home to thousands of mule deer. It is widely believed that Lewis and Clark, who passed through our great state two hundred years ago on their epic journey west, gave the mule deer its name. Their journals describe admiration for this unique-looking animal and the rugged country it inhabited.

Times have changed, and unfortunately for mule deer, not for the better. Mule deer in our state and around the country have proved far less adaptable to changes in their environment than elk and especially whitetail deer, which have shown an uncanny ability to survive in our backyards. As our Game and Fish Department can testify, managing mule deer and public expectations is complex. The real cause of this decline is pure and simple: habitat loss and degradation. The Mule Deer Foundation exists to stop this decline and is making a concerted effort in the state of North Dakota to reverse this disturbing trend.

Realizing the importance of this magnificent animal to our great state, both economically and culturally, Representative George Keiser has introduced House Bill 1122 which would allocate 1



## statewide mule deer tag to our organization, either to be auctioned off or raffled. While we

realize the concern of many sportsmen surrounding the loss of a tag, we feel that the proceeds

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from the auction or raffle will go a long way to improving habitat and therefore increasing mule deer numbers across their range in North Dakota and ensure mule deer have a secure home.

By partnering with private landowners, the North Dakota Game and Fish Dept., the US Forest Service, the Bureau of Land Management, and others, we can make a difference.

We ask for your personal support of this bill, and your committee's, and encourage your colleagues in the legislature to support it as well. It's good for mule deer, the great state of North Dakota and generations to follow. Thank you.

Brandon Mason Committee Chair Northern Badlands Chapter of the Mule Deer Foundation (701) 355-4312

Patrick Isakson Committee Member Northern Badlands Chapter of the Mule Deer Foundation (701) 391-9854

Les Mason Committee Member Northern Badlands Chapter of the Mule Deer Foundation (701) 255-4750



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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 1122, FEBRUARY 27, 2003

Mr. Chairman and Members of the Committee:

I am Harold Neameyer speaking on behalf of the Cass County Wildlife Club. The Cass County Wildlife Club supports HB 1122. This represents action similar to the action taken to support elk, big horn and possibly moose. Increasing funds to manage mule deer is supported by our club. We are supportive of the fact that funds raised stay in North Dakota.

We understand that the raffle or auction must be completed prior to the annual regular mule deer draw, so that the winner is not eligible for the regular draw. We support this action as well.







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