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2003 SENATE NATURAL RESOURCES

SB 2242

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Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2242

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 2-13-03

Tape Number		Side A	Side B	Meter#
1			X	36.9 - end
2		X		
Committee Clerk Signs	ture	and	James)	

Minutes:

<u>Senator Thomas Fischer</u>, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2242 relating to nonresident waterfowl hunting licenses.

All members of the Committee were present except Senator John Traynor.

Senator Joel Heitkamp of District 26 cosponsor of SB 2242 introduced the bill stating there is problem of depredation of grain fields caused by Canadian geese. It was suggested there be a spring hunt but because of federal law this can not be done so the bill really did nothing. So he submitted an amendment that takes things back to the fall season and it allows nonresident hunters to have no limits. This will cause hunter pressure on the geese and reduce their numbers.

Rep. Pam Gulleson of District 26 testified that about a year ago a group got together to discuss the problem of the over population of geese and the depredation they cause. She presented a binder that contained photos of the depredation. She stated this bill might be the solution to the problem of the over population.

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Page 2 Senate Natural Resources Committee Bill/Resolution Number SB 2242 Hearing Date 2-13-03

Randy Kreil Chief of the Wildlife Division of the North Dakota Game & Fish Department testified in support of SB 2242 (See attached testimony).

Mike Donahue representing the United Sportsmen and the ND Wildlife Federation testified in support of SB 2242. With the amendments they support the bill.

There was no testimony in opposition or in a neutral position of SB 2242.

Senator Heitkamp made a motion to accept amendment 30284.0101.

Senator Michael Every second the motion.

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

Senator Heitkamp made a motion for a Do Pass as Amended.

Senator Every second the motion.

Roll call vote #2 was taken indicating 6 YEAS, 0 NAYS AND 1 ABSENT OR NOT VOTING.

Senator Heitkamp will carry SB 2242.

Senator Fischer closed the hearing on SB 2242.

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FISCAL NOTE

Requested by Legislative Council 02/14/2003

Amendment to:

SB 2242

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 Biennium	2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

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

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

No significant fiscal impact is anticipated.

- 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 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:	328-6328	Date Prepared:	02/14/2003

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FISCAL NOTE

Requested by Legislative Council 01/20/2003

Bill/Resolution No.:

SB 2242

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 Biennium	2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues					*	
Expenditures						
Appropriations						

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

2001-2003 Biennium		2003-2005 Biennium			2005-2007 Biennium			
Counties	Cities	School Districts	Countles	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.

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 - 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	Ageno	y: ND Game and Fish Department
Phone Number:	328-6328	Date P	Prepared: 01/21/2003

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Prepared by the Legislative Council staff for, Senator Heitkamp

February 12, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2242

Page 1, line 1, remove "create and enact a new section to chapter 20.1-04 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to hunting of Canada geese; and to"

Page 1, line 3, remove "nonresident waterfowl"

Page 1, line 4, replace "licenses" with "of Canada geese by nonresidents"

Page 1, line 11, remove the overstrike over "The" and remove "Except for a license issued under section 2 of this Act, the"

Page 1, line 21, after the period insert "The fourteen-day, seven-day, and two 7-day hunting period restrictions do not apply to nonresidents hunting during the early September Canada goose season."

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 3

Renumber accordingly

30284.0101

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Date: /

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2342

Senate Senate Natural Resources				_ Com	mitte
Check here for Conference Cor	nmitte c				
Legislative Council Amendment Nu	mber _				
Action Taken Accept	Ar	nend	ment 30284.0	101	
Motion Made By Dut		Se	conded By Ever	·	
Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer			Senator Michael A. Every	1	
Senator Ben Tollefson	V	~~~~	Senator Joel C. Heitkamp	V	
Senator Layton Freborg	1			<u> </u>	
Senator Stanley W. Lyson	1	• • • • • • • • • • • • • • • • • • • •		<u> </u>	
Senator John T. Traynor	.				
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Total (Yes)		No	0		
					
Absent		/_			
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f the vote is on an amendment, briefl	y indicate	intent			

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Date: $\frac{2}{2}$ -/3 -03
Roll Call Vote #: $\frac{2}{2}$

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2242

Senate Senate Natural Resource	es			Com	mittee
Check here for Conference C	Committee				
Legislative Council Amendment 1	Numb er			***************************************	
Action Taken Do	Pacs	6	25 Amonded		
Motion Made By	ultean	Sé	econded By Eur	}	
Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	V		Senator Michael A. Every	1	
Senator Ben Tollefson	V		Senator Joel C. Heitkamp	V	
Senator Layton Freborg					
Senator Stanley W. Lyson					
Senator John T. Traynor					
	/		<i>△</i>		
Total (Yes)	6	No	0		
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If the vote is on an amendment, brid	efly indicate	intent	•		

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REPORT OF STANDING COMMITTEE (410) February 13, 2003 3:33 p.m.

Module No: SR-28-2641 Carrier: Heltkamp Insert LC: 30284.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2242: Natural Resources Committee (Sen. Fischer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 20.1-04 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to hunting of Canada geese; and to"

Page 1, line 3, remove "nonresident waterfowl"

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Page 1, line 11, remove the overstrike over "The" and remove "Except for a license issued under section 2 of this Act, the"

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Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 3

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

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10/21/03

Date

2003 HOUSE NATURAL RESOURCES

SB 2242

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10/21/03

Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2242

House Natural Resources Committee

☐ Conference Committee

Hearing Date March 7, 2003

Tape Number	Side A	Side B	Meter#
1		XX	743-1392
2	xx		0-1422
Committee Clerk Signature	Cin Ma		

Minutes:

Chair Nelson called the hearing on relating to hunting of Canada geese by nonresidents; and to provide an expiration date to order.

Sen. Heitkamp: Introduced SB 2242. The problem is pretty simple to explain but hard to solve. The geese have multiplied in drastic numbers and are damaging crops. They are doing a lot of crop damage. One idea we have is to have an early season goose hunt. We cannot have it count against nonresident hunters. Unfortunately when you are losing you livelihood you will defend that. Some of these people are taking matters into their own hand. I don't think we need to do that. We want to allow them to get the help they need. We want more of these harvested.

Rep. Klein: why can't the local resident take care of this. Aren't there enough residents to hunt?

Sen. Heitkamp: They can. If it is designated area they can. The goal is to put enough pressure on them as we can. The one thing we have learned about this session. The word that keeps coming up is access. Access is not a problem in my area. Bring as shot gun and come on down.

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Page 2
House Natural Resources Committee
Bill/Resolution Number 2242
Hearing Date March 7, 2003

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Rep. Hanson: I have an amendment for Richland and Sargent Counties that will take care of your problem right now. If you get your problem solved then you can take it off in two years.

Sen. Heitkamp: I knew an amendment may be surfacing like this. While it would take care of the people we are aiming at. It seems to me that we need to take care of the people in the rest of the state. I know it is a problem in my area, and if it is as problem in my area it is likely a problem in other areas.

Sen. Hanson: We can add more counties to it if you want.

Sen. Heitkamp: We will know not know the factor. The weather forecasts I have heard pushes this drought further east.

Rep. Norland: It looks like this is done in the spring of the year. They prefer to eat grass.

Sen. Heitkamp: We cannot do it in the spring. Federally, we can only do it in the fall.

Rep. Norland: It seems to me we are tying to fix the problem in the wrong season.

Sen. Heitkamp: These geese were introduced unnaturally. This is happening because someone decided to start a goose hatchery. Now we have a problem. Where I differ from you is the fact that if you shoot them in the fall they will not be back in next spring.

Rep. Gulleson: Testified in support of SB 2242. 10 years ago we did not have a population of Canadian geese. Fish and Game and US Fish and Wildlife and local landowners worked together to allow this population to grow. They now ask us legitimately for help today. Be careful what you ask for. Million dollar cost to area farmers. They are trying to fix the problem in a proactive way. A large group of farmers have all chipped in the pool to build a case. This is a win-win situation. There is increased access and the farmers relieve this problem by cutting down on this problem.

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Page 3
House Natural Resources Committee
Bill/Resolution Number 2242
Hearing Date March 7, 2003

Chair Nelson: Would you be opposed for a required fee for the license.

Rep. Gulieson: I am hoping it is reasonable. I do not see an onslaught of people using this. I prefer the approach that limits it to one area.

Rep. Amerman: Testified in favor of SB 2242. Reiterated the points made by previous testimony.

Rep. Hanson: Why don't you run an ad in the paper advertising the situation. You would sure get a response.

Rep. Amerman: That could be part of the solution.

Randy Kreil: North Dakota Game and Fish Department. (See Attached Testimony)

Chair Nelson: Everything I hear is that nonresidents don't hunt geese it's all about ducks. Is a bill like this going to help.

Randy Kreil: Nonresident do hunt geese. Canada geese are particularly attractive to hunters from Minnesota and Wisconsin. In their flyaway they are permitted to shoot one Canada goose a day. In North Dakota they can shoot three.

Chair Nelson: I would not have a problem giving your department the authority to set zones to respond to areas with depredation problems and mitigate areas where nonresidents are not welcome. How bad does it have to get before you open up an early season.

Randy Kreil: Noted earlier testimony where an advisory board helped to bring about an early Canada goose season. There has been some concern about totally wiping out the population.

Chair Nelson: Asked game and Fish to draft an amendment relating to zones.

Rep. Porter: How do you track the success and failure of this.

Randy Kreil: We may be able to do that with nonresident hunting questionnaires.

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House Natural Resources Committee
Bill/Resolution Number 2242
Hearing Date March 7, 2003

Rep. Porter: What are the chances of ascertaining credible accurate data from the survey data?

Randy Kreil: This is designed to be a statistically valid survey expanded to give us reliable

data.

Mike Donahue: United Sportsman. Testified in support of SB 2242. Wildlife Federation is

Neutral.

Rep. Hanson: Should this go statewide?

Mike Donahue: We don't think this should go statewide. We understood this would be limited

to the south east corner of the state.

David Munch: Testified neutral on SB 2242.

Rep. Drovdal: Would Game and Fish have the flexibility to limit the nonresident parts.

Paul Shadewald: We can use the existing language.

Dennis Daniel: Testified neutral on SB 2242.

Rep. Norland: If you shot geese every day. It would not make one bit of difference on the farm.

Dean Hildebrand: We are tying get at those local populations of geese.

Rep. Norland: The problem is in the spring.

Rep. Hanson: Can you open it up to Sargent and Richalnd counties without the amendments.

Dean Hildebrand: Yes

Rep. Hanson: Will you open it up statewide?

Dean Hildebrand: I cannot answer that at this time. We are tying to target the areas affected.

Rep. Hanson: I will not vote for this if you open it up statewide.

Rep. Johnson: Pointed it out his area has depredation problems now.

Chair Nelson closes the hearing on SB 2322.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2242

House Natural Resources Committee

☐ Conference Committee

Hearing Date March 13, 2003

Tape Number	Side A	Side B	Meter #
1	XX		3271-end
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	C : 11		
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Minutes:

Chair Nelson called the meeting to order.

Rep. Hanson: I think we should amend this to fix those counties affected. Game and Fish said they may open it up statewide.

Chair Nelson: The reason we did not act on this last week is I think there are problems in other parts of the state. I do not want to create another issue of resident and non-resident. I would have liked game and fish to answer that.

Rep. Hanson moved an amendment Rep. DeKrey seconded. Motion carried by voice vote

Rep. DeKrey motioned a recommendation o Do Pass as Amended, seconded by Rep. Hanson.

The motion carried by a vote of 13-0-1. Rep. Hanson will carry.

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THE REAL PROPERTY.

Prepared by the Legislative Council staff for Representative Harison February 26, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

Page 1, line 20, after "hunting" insert "in Richland and Sargent Counties" Renumber accordingly

Page No. 1

30284.0201

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Date: 3/13/1/3
Roll Call Vote #: /

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2 7 42

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REPORT OF STANDING COMMITTEE (410) March 13, 2003 3:47 p.m.

Module No: HR-45-4751 Carrier: Hanson Insert LC: 30284.0202 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2242, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 2, after "nonresidents" insert "; and to provide an expiration date"

Page 1, line 20, after "hunting" insert "in Richland and Sargent Counties" and after the underscored period insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through December 31, 2007, and after that date is ineffective."

Renumber accordingly

(2) DESK, (3) COMM

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Page No. 1

HP-45-4751

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2003 TESTIMONY

SB 2242

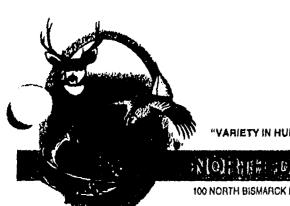
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100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 68501-6096 PHONE 701-328-6300 F/X 701-328-6362

SENATE BILL 2242

Testimony from the North Dakota Game and Fish Department

Hunting of Canada Geese by Nonresidents in the Early September Season Senate Natural Resources Committee February 13, 2003

30 We Terry

The purpose of Senate Bill 2242 is to allow nonresident hunters to participate in the early September Canada goose hunting season without the days counting against their 14 day, two seven day, or statewide seven day restrictions. Since their reintroduction in the mid 1970s, Canada geese nested in relatively small numbers in North Dakota until 1994 when an unprecedented 10 year wet cycle began. This wet cycle resulted in increased wetland habitat and the Canada goose population responded by expanding to the point that crop depredation by nesting and brood rearing geese became a problem in certain parts of the state.

The early September Canada goose season was first implemented in 1999 in an effort to reduce the resident Canada goose population. The first season was open in only Richland and Sargent Counties and ran from September 1 through the 15th. The next year the season was expanded statewide and a third week was added along with a liberal bag limit of 5 birds per day. In each of the past two years over 38,000 Canada geese have been killed in this September hunting season. The department will continue to offer this hunting season until such time as resident Canada goose numbers decline to a level where depredation are reduced to a more acceptable level.

In addition to this special hunting season, our department has been working with landowners in the southeast part of the state to develop methods to manage resident goose populations and reduce the damage caused by these geese to crops such as soybeans and corn. One of the tools being used is involving more people in the September hunting season. This bill would allow nonresident hunters to participate in the September season without the days counting against their regular season hunt. The number of people we would expect to participate in this opportunity may be relatively small but the additional harvest would be welcome by the landowners.

THE GAME AND FISH DEPARTMENT RECOMMENDS A DO PASS ON SB 2242

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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 SB 2242, MARCH 7, 2003

Mr. Chairman and Members of the Committee:

Cass County Wildlife Club opposes SB 2242 because this bill could allow nonresidents up to 35 days of Canada goose hunting depending on the length of the season in September.

If this bill were to pass, we fear outfitters could tie up known areas where local Canada's exist. This could be to the demise of the local hunter. If nonresidents had to be selective in the use of their 14-day limit, it would seem more reasonable.

If depredation is the problem in a local area, it would seem the local hunters could help reduce the problem through cooperation with landowners.

The Cass County Wildlife Club therefore opposes SB 2242.



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