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SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1285

2005 HOUSE NATURAL RESOURCES

HB 1285

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1285

House Natural Resources Committee

Conference Committee

Hearing Date: January 20, 2005

Tape Number	Side A	Side B	Meter #
(Note: Tape 2 did not	record. There are no	taped minutes of this	hearing.)

Committee Clerk Signature

Karen Bonnet

Chr. Nelson: I will open the hearing on HB 1285 and ask the clerk to call the roll. Bill read.

Rep. Gil Herbel, Dist., 16, representing ND Quality Deer Management, Inc.: Quality Deer Management originated in northeast ND. They suggest that deer licenses be used similarly to those of the Elk Foundation for better quality deer management. The specifics about the organization will be given to you by the president of ND Quality Deer Management, Inc. I am here to ask your support of HB 1285.

Chr. Nelson: Are there any questions of Mr. Herbel?

Rep. Hunskor: Tell me about North Dakota Quality Deer Management, Inc. Is it local?

Herbel: A local ND chapter was started last year designed after the national organization.

Chr. Nelson: Any further questions of Gil? Seeing none, thank you. Is there further testimony in support of HB 1285?

Larry Lewis, Pres., ND Quality Deer Management, Inc.: Our charter was effective on June 4, 2004. The organization as a new concept promotes leaving adequate mature does and letting the

little bucks grow at least two years. The goal is to balance the buck/doe ratio. We would shorten the breeding season, let the fawns grow. QDM decided to form a non-profit entity statewide in ND to keep the dollars in the state. The profits will remain in ND for things like youth programs.

(Copy of *Deer Tracks* and certification of incorporated status.)

Rep. Solberg: Is there a membership fee?

Lewis: Yes, \$20 per year, \$45 with family, \$100 donor, and \$250 promoter/business, \$500 for Power Promoter, whose logo is printed in every issue of *Deer Tracks*.

Rep. Hunsakor: Who manages the income and expenses?

Lewis: The president, secretary and four board members, of which we have three at this time.

Rep. Hanson: Do you have a non profit status?

Lewis: It's being worked on. We have less than \$10,000 budgeted for three years.

Chr. Nelson: Are there any further questions of Mr. Lewis?

Rep. Hanson: When is your raffle to be held?

Lewis: It will be referred to a group committee. We're considering a silent auction and one by mail. Goal is to have 1000 members by June, or 1% of ND hunters. Once we have the members, then we feel we can do a live auction.

Rep. Hanson: If a person wins a license at the auction, they can't purchase a license in the same year.

Lewis: If that is the ruling, we'll have to follow it.

Hanson: It's in the bill, they can apply but can't receive a license if they receive one from another source.

Lewis: I didn't know.

Rep. Herbel: I would want this auction to be similar to the elk license process to be in the same compliance.

Lewis: It would have to be issued by our group by June 5 or 6.

Rep. Hanson: It would have to be by the licensing deadline.

Rep. Hunsakor: This looks like a local auction, what research have you done to promote membership?

Lewis: We have members in Berthold, Fargo, Ft. Ransom, Lisbon and other areas. We did put a hold on the membership drive this winter when I had heart surgery.

Chr. Nelson: How many members do you have?

Lewis: About 150 memberships; there could be more actual members with the family memberships.

Chr. Nelson: Any further questions? Seeing none, thank you, Mr. Lewis. Is there further support of HB 1285? Seeing none, is there opposing testimony?

Paul Schadewald, ND Game & Fish: We listened to the testimony to see how we'll sit on it. Since this is a start up organization, we are not familiar with it. This might set a precedent. We have raffles for ND bighorn sheep which funds projects in the Badlands, elk raffles which fund elk projects in various elk areas. A difficulty is that the funding is for the organization rather than management on the ground. It might also be precedent-setting to provide licensing by a private organization. We'll have to be working with them over the years.

Chr. Nelson: Is consideration given to the number of members and length of their being in business?

Schadewald: We want the organization to be on a solid footing, with a business plan so that we can anticipate it being around for a long time. National affiliation is not necessary but it needs to be solid locally.

Chr. Nelson: Is there a member limit?

Schadewald: Size is not a big thing if the organization is solid. There needs to be some monitoring of bank accounts and funds.

Rep. DeKrey: Is shooting small bucks and leaving them lay a management option?

Schadewald: Not here. Colorado found some, for every legal kill, they found an illegal kill. That's a shoot first, look later attitude.

Chr. Nelson: Further questions? Is there further opposition to HB 1285?

David Munsch: I'm against raffles. If it's not a 501 (c) (3) entity, I'm against it. I put in for any antlered deer and get a license about every four years. Mule deer tags are tough to get. This just takes one more tag from people honestly trying to go by the rules.

Chr. Nelson: Questions of Mr. Munsch? Further opposition to the bill?

Dennis Daniel: Mr. Lewis said he had 100 members and the goal was 1% of hunters. I would say, "Come back when you reach your goal." The way the bill is written, nothing says when the tag is to be issued. Hunters could lose elevated points. It needs to be addressed so people don't lose points.

Chr. Nelson: Questions of Mr. Daniel? Further opposing testimony?

Harold Neameyer, Cass County Wildlife Club: (Written testimony attached)

Chr. Nelson: Questions of Mr. Neameyer? Further opposing testimony?

Page 5
House Natural Resources Committee
Bill/Resolution Number HB 1285
Hearing Date January 20, 2005

Mike Donahue, United Sportsmen of ND: (Written testimony attached; also has written testimony for the ND Bowhunters, opposing HB 1285.)

Chr. Nelson: Questions of Mr. Donahue? Is there further opposition to HB 1285? Seeing none, I will close the hearing on HB 1285.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1285

House Natural Resources Committee

Conference Committee

Hearing Date: January 20, 2005

Tape Number	Side A	Side B	Meter #
(Note: Tape 2-B was taped over. There are no taped minutes of this hearing.)			

Committee Clerk Signature *Laren Bonnet*

Chr. Nelson: I'll take discussion on HB 1285 relating to ND quality deer management, incorporated, raffle and auction.

Rep. Drovdal: I make a motion to Do Not Pass.

Rep. DeKrey: Second.

Chr. Nelson: Discussion?

Rep. DeKrey: I think the organization is still new, and we should wait until it's a worthy organization with a good track record. We should still delay this bill.

Chr. Nelson: They have been in business for less than a year, the non profit status has not yet been completed. I have a lot of questions, also. To keep the integrity of such organizations, I think we need to at least tie it to enhanced habitat.

Rep. Keiser: I talked to the bill sponsor, and he's not fully satisfied, either.

Chr. Nelson: A motion has been made for a **DO NOT PASS on HB 1285**. I would ask the clerk for a **Roll Call Vote: 13-Yeas; 0-Nays; 1-Absent; Carrier: DeKrey**

FISCAL NOTE
 Requested by Legislative Council
 01/12/2005

Bill/Resolution No.: HB 1285

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 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.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 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.*

Two licenses per biennium would be provided to Quality Deer Management, Inc. Revenue from the raffles would be used by Quality Deer Management, Inc., so it is not shown on this fiscal note.

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.*

The cost of two deer licenses is \$40.

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 T. Schadewald
 Phone Number: 328-6328

Agency: ND Game and Fish Department
 Date Prepared: 01/12/2005

Date: 1/20/05
Roll Call Vote #: ~~1~~ 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1285

House

NATURAL RESOURCES

Committee

Check here for Conference Committee

Legislative Council Amendment Number :

Action Taken : Do Not Pass

Motion Made By : Drovdal Seconded By : DeKrey

Representatives	Yes	No	Representatives	Yes	No
Chairman - Rep. Jon O. Nelson	✓		Rep. Lyle Hanson	✓	
Vice Chairman - Todd Porter			Rep. Bob Hunsakor	✓	
Rep. Dawn Marie Charging	✓		Rep. Scot Kelsh	✓	
Rep. Donald L. Clark	✓		Rep. Dorvan Solberg	✓	
Rep. Duane DeKrey	✓				
Rep. David Drovdal	✓				
Rep. Dennis Johnson	✓				
Rep. George J. Keiser	✓				
Rep. Mike Norland	✓				
Rep. Darrell D. Nottestad	✓				

Total (Yes) 13 No 0

Absent 1 - Porter

Floor Assignment DeKrey

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

REPORT OF STANDING COMMITTEE (410)
January 21, 2005 3:17 p.m.

Module No: HR-14-0874
Carrier: DeKrey
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1285: Natural Resources Committee (Rep. Nelson, Chairman) recommends DO NOT PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1285 was placed on the Eleventh order on the calendar.

2005 TESTIMONY

HB 1285

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 1285
JANUARY 20, 2005

Mr. Chairman and Members of the Committee:

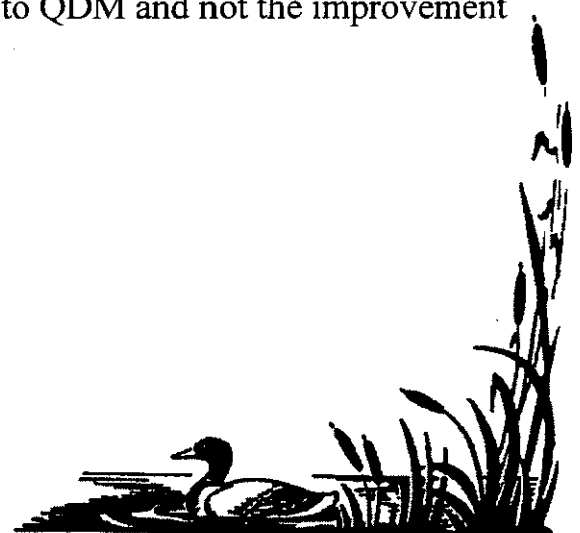
The Club opposes this bill because it proposes a philosophy the Club is not supportive of! It would make managing the deer herd very difficult when the overriding outcome is just big antlers.

There is too great a risk of people shooting a small buck and leaving (abandon) it if the number of points aren't of the required amount (antler points system).

The use of this Quality Deer Management (QDM) system lends itself to more commercialization of the deer population. The Club sees more posted land as land owners post in hopes of a financial bonus.

The Club doesn't think the G&F should be promoting this type of management system.

The profits from the raffle are designed to go back to QDM and not the improvement of the resources.



By: Mike Donahue
United Sportsmen of North Dakota

Post Office Box 272

Bismarck, ND 58502

www.unitedsportsmen-nd.org

E-mail: info@unitedsportsmen-nd.org

TESTIMONY REFERENCING

HB 1285

By Mike Donahue, Lobbyist #275

House Natural Resources Committee

January 20, 2005

The United Sportsmen of North Dakota and the N.D. Wildlife Federation do not support HB 1285 and ask for a **Do Not Pass**.

Quality deer management objectives are pretty much being obtained by the management practices of the ND Game and Fish Department. We do not support the private program by private interests. We envision the creation of de facto small refuges here and there in the state. Creation of these private refuges would hurt the G&F Department management for the entire state.

By: Mike Donahue
For NOBowhunters

HB1285

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HB 1285

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Folders [Add - Edit]

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- Draft
- Sent
- Bulk [Empty]
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Date: Tue, 18 Jan 2005 19:09:01 -0600

From: "Helphrey's" <helphrey@bis.midco.net> Add to Address Book

To: mikeonetrack@yahoo.com

Subject: HB1285

Mike,

Please accept this e-mail as authorization from the North Dakota Bowhunters Association to use our name as an organization that opposed to House Bill 1285. We feel raffle profits kept by the Quality Deer Management Association would not be used in the interest of the average sportsman in North Dakota.

Thank You

Bill Helphrey
Government/Conservation Chairman
North Dakota Bowhunter Association

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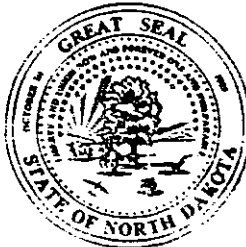
Search Mail

Search the Web

By: Larry Lewis
Re: HB 1285
1/20/05

State of North Dakota

SECRETARY OF STATE



CERTIFICATE OF INCORPORATION OF

NORTH DAKOTA QUALITY DEER MANAGEMENT INC.
Secretary of State ID#: 12,708,700

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that Articles of Incorporation for the incorporation of

NORTH DAKOTA QUALITY DEER MANAGEMENT INC.

duly signed and verified pursuant to the North Dakota statutes governing a North Dakota NONPROFIT CORPORATION, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation to

NORTH DAKOTA QUALITY DEER MANAGEMENT INC.

Effective date of incorporation: June 4, 2004

Issued: June 4, 2004

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger
Secretary of State

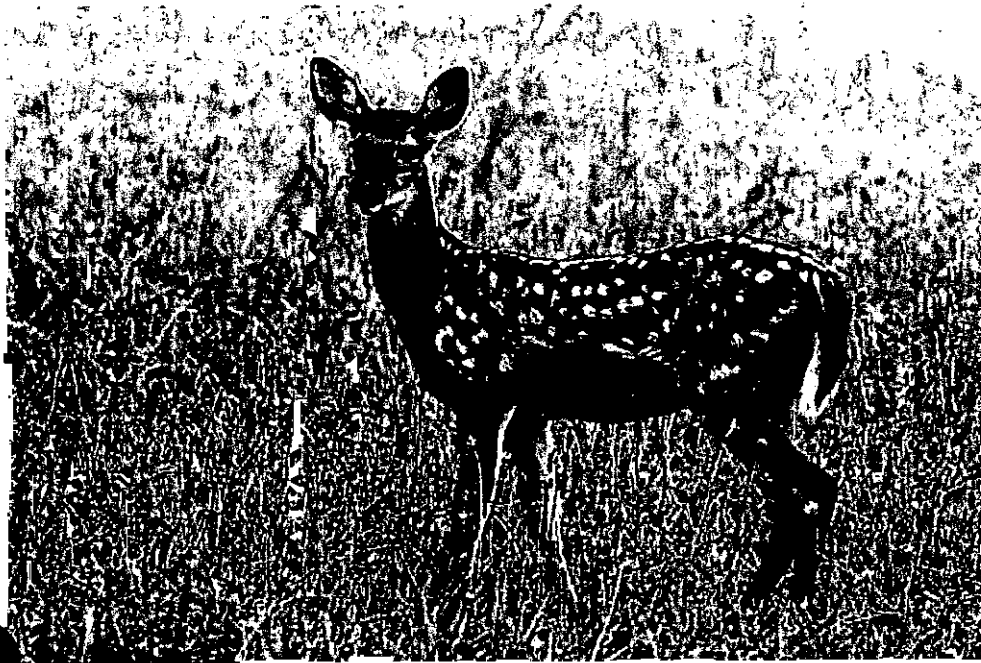
NORTH DAKOTA QUALITY DEER MANAGEMENT



*Hunting safety, ethics, education, monitoring,
search, ecology, food plots, and information*

NORTH DAKOTA QUALITY DEER MANAGEMENT

QDM—making a positive contribution to the future of whitetail deer hunting.



QDM is a nonprofit wildlife conservation organization. The North Dakota organization of landowners, hunters, wildlife managers, and natural resource people promoting a sound, balanced, whole herd health concept into a management program. It is an approach to deer hunting and deer management that has been proven to balance the sex ratios of deer herds and increase the number of older bucks.

The primary focus is on education, research, and management of the deer population.

By joining the North Dakota QDM, you will gain knowledge about wildlife hunting and management of the white-tail herd and their habitat.

Whitetail populations are skyrocketing. There are fewer people hunting and many that do hunt, only want to shoot a buck, which leaves an increased amount of does for the next year, dropping even more deer. We strive to protect the deer-hunting heritage and increase the education of our fellow hunters.

The QDM approach produces a healthier herd with more older bucks and fewer does. Older bucks have an earlier and more intense rutting season. The deer will also have increased antler growth, increased body weights, less chance of disease and death.



Our purpose is to promote ethical hunting, education, and legislation.

Short Range Goals:

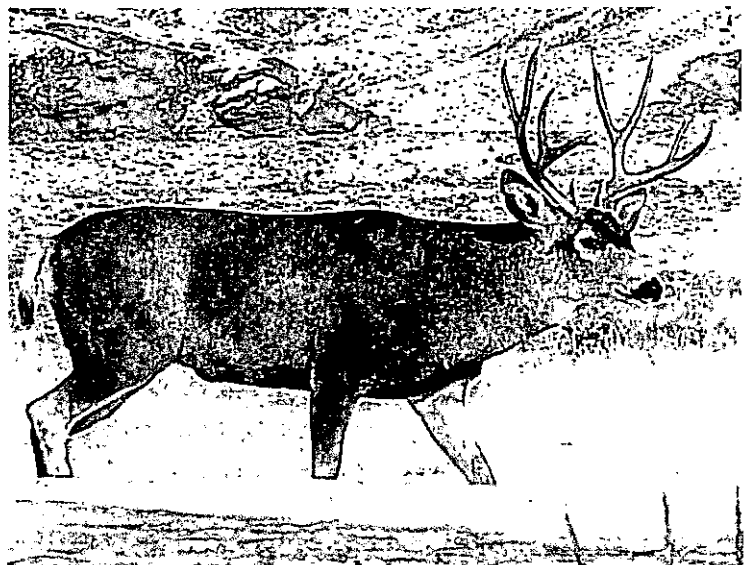
- 1) To educate hunters on quality deer management (QDM) and how it compares to traditional deer management (TDM).
- 2) To determine harvest goals on your property or within your hunting family, group, club or camp.
- 3) To stress the importance of letting the little bucks go, and when we do pass up the little buck, our neighbors and hunting partners will do the same.
- 4) To provide information on habitat and nutrition to maximize member results.
- 5) To request a statewide buck tag from the ND legislature that would be auctioned as a fundraiser.
- 6) To work with state agencies to gain important relationships that will work towards the betterment of the deer resources in North Dakota.

Long Range Goals:

- 1) To establish pilot management sites in North Dakota that incorporates QDM philosophy. Setting examples for anyone to form or expand QDM sites on their property, with neighbors, or within their hunting group.
- 2) To get antler restrictions into the rulebook (example: protecting spikes and forks).
- 3) To balance the buck to doe ratio between 1-1 and 1-3.
- 4) To manage the whole herd from birth to maturity in a healthy manner.
- 5) To collect buck-doe ratios, doe-fawn percentages, and field judging (scoring on the hoof) with documentation of scores when bucks are shot or sheds are found.

NDQDM Code of Conduct

- Members will know and obey all hunting regulations.
- Members will respect all property and landowner rights.
- Members will respect posted property for the entire year, from scouting, to hunting season, to shed hunting in the spring.
- Members will act in a manner that brings credit to NDQDM and deer hunting.



QDM CORNERSTONES:

- 1) Herd Management — Stabilize the herd population at a level the habitat can support by harvesting does and protecting young bucks.
- 2) Habitat Management — Improve the available nutrition through food plots and natural vegetation management.
- 3) Hunter Management — Learn to distinguish fawns, does, yearling bucks and older bucks to improve selective harvest.
- 4) Herd Monitoring — Determine the buck to doe ratio in your hunting area.

QDMA also has a national organization.
 Membership information available at
WWW.QDMA.COM 1-800-209-3337
 QDMA PO Box 227 Watkinsville, GA

North Dakota QDM Membership Form

- | | |
|--|----------|
| <input type="checkbox"/> 1 year Single Membership | \$20.00 |
| <input type="checkbox"/> 1 year Family (includes children under 18) | \$45.00 |
| <input type="checkbox"/> Donor Membership | \$100.00 |
| <input type="checkbox"/> Promoter (Includes Logo in Publication) | \$250.00 |
| <input type="checkbox"/> Power Promoter (Includes Logo in Publication) | \$500.00 |

total

Name _____
 Address _____
 Phone _____
 E-Mail _____

Mail payment & form to: NDQDM
 13284 69th St NE
 Park River, ND 58270

- Check #
 Cash

For any QDM questions, contact:

Larry Lewis
 Park River-284-6787

Tom Lehar
 Milton-496-3141

Paul Pittenturf
 Hoople-894-6278

Jeff Furstenau
 Fargo-371-1206

Complaints and Answers List

Here is a list of the most frequently heard complaints about why QDM will not work, and our answers to hopefully educate hunters on the fact that QDM will work very well if given a chance.

1) **Complaint-QDM is only about trophy hunting.**

Answer----Saying we are just trophy hunters shows a real lack of education. QDM looks at all aspects of deer and habitat management. We want to balance the adult buck/doe ratio as well as balance the herd within its environment, plus give our youth hunters more opportunities. By letting most of our bucks reach 2 or 3 years of age, you will see more middle age to mature bucks, and yes they will be trophies to us, but far from what Boone and Crockett would call a trophy. Mature or trophy bucks is only one of the many components of QDM.

2) **Complaint-I don't want more rules-or to be told I can't shoot a yearling buck.**

Answer----We already have a book-full of rules to hunt by. You have just gotten use to the old rules. We are just trying to get a couple of good rules into the book..

3) **Complaint-QDM is just for the rich.**

Answer----By mandating QDM in your area it will create a quality hunt for the average hunter, landowner or not, right here in North Dakota.

4) **Complaint-Outdoor hunting shows feature all kinds of trophy bucks every week, what's the problem? If you get out and work for them there are lots of trophies.**

Answer----Most of the bucks in those shows are on game farms or in high fenced areas not available to us. Hardly any of those shows are filmed in North Dakota. As for hard hunting you are largely fooling yourself, with 95% or more of our bucks taken at 2 years of age or younger how can there be a lot of mature bucks around? It's just common sense.

5) **Complaint-This QDM is a great idea, but if I pass up any young bucks my neighbors just shoot them.**

Answer----This is where education comes in, chances are your neighbors are saying the same about you. By contacting your neighbors on the benefits of working together with harvest goals in your area you will be surprised how many will be positive about QDM.

6) **Complaint-Less chance for my kids to shoot a deer.**

Answer-----QDM offers more opportunities for the kids with our early season youth hunt, which will give kids a good chance at a doe and the education of why this is important. This is an extra hunt. We also advocate kids being exempt from the antler restrictions for the first few years.

7) **Complaint-I'm a meat hunter.**

Answer-----QDM wants and needs meat hunters, we are meat hunters ourselves. But let's be smart about it. When a young buck is taken for meat, and you are passing up does, you are just adding to the problem that we already have in much of North Dakota with our buck/doe ratio heavily skewed toward does, and often too many deer for the habitat. That's what happens when you have 30 years of doe protection and everyone shooting bucks of all sizes. When hunters realize the benefits of taking an adult doe for meat instead of a young buck, many are happy to do so.

8) **Complaint-We are already doing QDM so we don't need any advice.**

Answer-----We think it's great that you're practicing QDM, but often find your neighborhood isn't. It's very hard to be successful with QDM if your neighbors are still shooting young bucks. Why? Our rifle season coincides with the rut, and during this time bucks are on the move following their nose and hormones-and this includes yearling bucks, which do a fair share of the breeding in an unbalanced herd. During this time bucks cross property lines several times a day. This puts you at the mercy of your neighbors in North Dakota. It might look good early in the fall with extra bucks on your property, but by the end of hunting season you have gained little if any. So if you really want to see results, practice QDM within your neighborhood, hunting family, group, club, or camp.

9) **Complaint-One bad year and we will be in trouble.**

Answer-----A deer herd that is well balanced (we are talking about the adult buck/doe ratio and a deer herd that is balanced with its environment) will be much stronger and have much less winter kill and disease than a traditional deer herd.