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ROLL NUMBER

DESCRIPTION

2367

2005 SENATE NATURAL RESOURCES

SB 2367

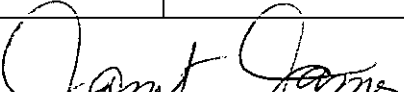
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2367

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date February 3, 2005

Tape Number	Side A	Side B	Meter #
1		X	0.9 - 22.6
2		X	14.7 - 19.9
Committee Clerk Signature 			

Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened the hearing SB 2367 relating to nonresidents small game hunting licenses.

All members of the committee were present except **Senator John Traynor**.

Senator Aaron Krauter of District 31, prime sponsor of SB 2367 introduced the bill stating issues of hunting, whether it be upland game or waterfowl have been important to everybody in the state. Last legislative session major changes were made to the upland game hunting licensing including the fee amounts and time periods for hunting. SB 2367 will simply change the hunting licenses to two 7 days or one 14 day license instead of two 5 day and one 10 day license. This will open the opportunity for nonresidents to hunt a few extra days in the state. It could be debated as to why the number of nonresident hunters were down last year, but some felt the nonresidents hunter did not come to North Dakota because they did not feel welcome. This bill

could be an economic advantage to the small towns and services. It will also make North Dakota a more attractive and increase tourism.

Bill Shalhoob (4.6) representing the North Dakota Hospitality Association testified in support of SB 2367 stating he wanted to echo Senator Krauter and to do whatever might help to bring back economic strength to the small communities that suffered from the changes in hunting laws last session.

Pat Candrian (5.6) manager of the Cannonball Company of Regent, North Dakota testified in support of SB 2367, on his on behalf and representing small town North Dakota. He stated that if there were 3 four day licenses this would encourage nonresidents to return to the North Dakota and help the economics of the small communities. He encouraged the committee to set a 3 day system at whatever length.

Dennis Bense (7.5) representing Scheels of North Dakota testified in support of SB 2367 (See attached testimony). He further stated that this change made by SB 2367 might not bring in more nonresident hunter but those that do come might stay a few days longer.

Senator Lyson asked for opposing testimony.

Mike Donahue 12.6) representing the United Sportsmen of North Dakota and the North Dakota Wildlife Federation testified in opposition to SB 2367 (See attached testimony). He also added that testimony infers that nothing is spent by the residents of the state. Electronic nonresident license fees for upland game for one license was increased by 1366 licenses from 2003 to 2004. As far as the daily limits of three and a possession limit of 12 pheasants is for four days, so extended days is not needed.

Senator Joel Heitkamp asked if the sports groups are adverse to making adjustments in the hunting licenses when the landscape of hunting has changed and the hunting is now very good. He asked if this is not building a fence.

Mike Donahue denied that this was building a fence and was compassionate about the economic losses in the southwest but sees the money just spent elsewhere in the state.

Curtis Blohm (20.1) representing the North Dakota Outdoor Heritage Coalition testified in opposition to SB 2367 (See attached testimony).

Harold Neameyer (21.3) representing the Cass County Wildlife Club testified in opposition of SB 2367 (See attached testimony).

Senator Lyson closed the hearing on SB 2367.

Tape 2, Side B, 14.7 - 19.9

Senator Stanley Lyson opened the committee work on SB 2367.

All committee members were present except **Senator John Traynor** and **Senator Ben Tollefson**.

Senator Joel Heitkamp made a motion for a Do Pass of SB 2367.

Senator Michael Every second the motion.

Senator Layton Freborg requested to ask of Paul Schadewald of the North Dakota State Game and Fish Department, why is there is a 14 day hunting season when there is a 3 day limit with total a possession limit of 12.

Paul Schadewald confirmed this saying that birds can be eaten during the hunting season or given away.

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Senate Natural Resources Committee

Bill/Resolution Number SB 2367

Hearing Date 2-3-05

Roll call vote for a Do Pass of SB 2367 was taken indicating 5 YEAS, 0 NAYS AND 2

ABSENT.

Senator Lyson will carry SB 2367.

Discussion was held if SB 2367 needs to be rereferred to Appropriations and it was decided to be included it in the motion.

SB 2367 was not rereferred to appropriations.

FISCAL NOTE
Requested by Legislative Council
01/25/2005

Bill/Resolution No.: SB 2367

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				(\$10,000)		(\$10,000)
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.*

This bill would change the number of days for a nonresident small game hunting license from two five day periods to two seven day periods. Nonresident can purchase an unlimited number of these licenses. Only about 900 of these licenses were sold as second, third, fourth and fifth licenses in the fall of 2003.

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.*

There may be a small reduction in revenue if some customers do not have to purchase additional licenses because of the four days added to the licenses. It is estimated that this might be a reduction of about \$5,000 per year.

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:	01/25/2005

Date: 2-3-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2367

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass + ~~referred~~

Motion Made By Hubbard Seconded By Givens

Senators	Yes	No	Senators	Yes	No
Senator Stanley Lyson, Chairman	✓		Senator Joel Heitkamp	✓	
Senator Ben Tollefson, Vice Chair			Senator Michael Every	✓	
Senator Layton Freborg	✓				
Senator Rich Wardner	✓				
Senator John Traynor					

Total (Yes) 5 No 0

Absent 2

Floor Assignment Lyson

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

REPORT OF STANDING COMMITTEE (410)
February 3, 2005 3:41 p.m.

Module No: SR-22-1785
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2367: Natural Resources Committee (Sen. Lyson, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2367 was placed on the
Eleventh order on the calendar.

2005 HOUSE NATURAL RESOURCES

SB 2367

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2367

House Natural Resources Committee

☐ Conference Committee

Hearing Date **March 3, 2005**

Tape Number	Side A	Side B	Meter #
1	x		2,175 - End
2	x		1600-2613
Committee Clerk Signature <i>Laren Bonnet</i>			

Minutes:

Chr. Jon O. Nelson: We will open the hearing on SB 2367 and ask the clerk to read the title.

Quorum present, Rep. Keiser absent.

Sen. Aaron Krauter, Dist. 31: We've had many bills related to upland game hunting. One of those set out the parameters whereby for a person who is not a resident of the state, who comes in and purchases a license, the license options they would have are: purchase a license that gets them two five-day periods to hunt or one ten-day period to hunt. What this bill does, it changes it to allow them to have two seven-day periods or one fourteen-day period. This is trying to make it so it's exactly what we have for non-resident waterfowl hunters in the state. My reasons for introducing this is simple. If you followed what happened between last session and today, you've heard a lot of situations where, particularly in southwest ND, we saw a decrease in the number of non-resident hunters. That affected the economy. Along with the resident hunters who are very, very important to this state and to the economy in southwestern ND, there was a

decrease in that economic activity. Bars, restaurants, the service industry saw declines in their numbers. They could count cancellations at hotels from the traditional, non-resident hunter who came year after year. The reasons could be many, but the one that came out was that most changes that took place in ND since the law changed last session. They (hunters) said they didn't think they were welcome in ND. This bill does *not* (speaker's emphasis) change the daily limit of three pheasants or upland game birds. It doesn't change the possession limit of 12. The idea for this bill came when I was visiting with a resident hunter from Fargo who hunts in our part of the state every year. He has a business of several retail stores in ND and he said he saw sales dip in October. It was attributed to situations where resident hunters bought their gear, shotguns and supplies, but the non residents didn't to the degree they had before. It was attributed to the change in the hunting requirements. It's an opportunity for someone who has hunted ND and perhaps South Dakota, gets on the internet, knows the regulations between the two states, and chooses SD. (We hope) this bill allows that hunter to choose ND.

Chr. Nelson: From a state policy standpoint, do you think it would be a good idea that our non-resident policy for upland and waterfowl be exactly the same?

Krauter: I think waterfowl is dictated from federal preferences because they are migratory. From a standpoint of state policy, I don't think there is anything wrong with it.

Chr. Nelson: One of the problems that come up in waterfowl season is that the first week for residents is limited across the state, while the upland season is only on the public lands. It seems to me that the waterfowl areas of the state would benefit from the same policy as upland is afforded. Would you agree?

Krauter: No, I do not agree. I think we've gone far enough when we said that the non resident cannot hunt on state land, the PLOT lands and things like that. That's fine, that's not a real big issue, but that's as far as it should go. The ND resident is so important, they are the taxpayers. I also value the non residents who come to the state.

Chr. Nelson: You may have misunderstood my question. I was more interested in waterfowl areas having most of the same policies as you're afforded, not restricted more.

Rep. Darrell D. Nottestad: I can see the rationale of changing from seven to 14 days, but I disagree with your rationale of what's happening in southwestern ND. If you're right that it's because of the five days, the people in the southeast and the rest of the state who have seen a tremendous increase of out-of-state hunters during this past year when you've seen a decline, (are an anomaly). They should have gone down as well, and they have not. I would cite that you have a problem in SW ND. I have hunted the Bucyrus/Hettinger area since I taught there, and I've seen the decline in birds. Hunters go where the birds are, and where they have access to land. The birds like we had three years ago, you couldn't walk through, they'd fly in front of you. In the Hettinger area, I'd say the birds were 80% of what they were two hunting seasons ago. In the Hettinger and Adams county areas there is very little access anymore. Even getting on land is difficult. I don't know what statistics you had, but I feel it's flawed.

Krauter: The statistics are the motel in Mott, the Meyer's who own the motel, have a history of years of repeat customers that come from out of state. They called and cancelled this year and did not come to ND at all. They didn't go to the SE or other parts of the state. The motel in Elgin, ND will show you their registry, the customers who came over a period of years did not come this past year. The reason the birds were down in SW ND is simple: It's a biological

thing. We had a killing frost in April, May, June, and I had one in July. The hatch didn't make it; some nests didn't even hatch.

Nottestad: I don't disagree with that at all. The other parts of the state have seen them increase. Those that chose not to come could have been replaced by others who came.

Chr. Nelson: Are there any questions?

Rep. Bob Hunskor: We're talking about five and seven days; do most pheasant hunters hunt longer than five days? Do you have any information percentages, how long they stay? Is going to seven days helpful in that sense?

Krauter: In the testimony provided in the Senate there were some scenarios given where some individuals came into the state later in October-November to hunt waterfowl. They purchased both licenses at the same time, hunted waterfowl one day and upland game the next, did some family things and hunted more. If they could keep the days simple from the standpoint of seven days and 14 days, that's the statistics we're looking at.

Chr. Nelson: Rep. Hunskor, I'm sure Mr. Schadewahl has that information. Are there any further questions? Is there further supporting testimony?

Dennis Bense, Mgr. Scheels (Sports store): (Written testimony attached)

Chr. Nelson: Have you testified on non-resident bills in in the past?

Bense: No.

Chr. Nelson: We're glad to have you here. Are there any further questions? Seeing none, thank you for your testimony. (Welcomed students from Velva and described the bill and what the committee is doing.) Is there further supporting testimony?

Bill Shalhoob, ND Hospitality Assoc.: We're also in support of SB 2367. We believe extending or making it the same as the waterfowl for out-of-state hunters will have value. I also thought the article in the Bismarck Tribune on Wednesday about money being spent was interesting. The Hospitality Assoc. is here to promote hunting opportunity. We value the non-resident hunters and the resident hunters and the opportunity they bring to our businesses. It was interesting to see the amount of money being spent by resident hunters in these areas. We understand that from the business side of this. We'd like to see an extension of opportunity in both areas, promote activity because activity promotes business and that's what's good for our members, especially in the rural areas.

Chr. Nelson: Are there any questions? Seeing none, thank you for your testimony. Is there further supporting testimony?

Randy Hansen, Bismarck: I live in Bismarck. I'm not a hunter, but I am a businessman. I think it is very important to take advantage of every single opportunity we can, both in-state and out-of-state. In my business, I travel and I find myself constantly defending our state. I'm proud of our state and think it's really important that we have a good image to everyone. When they find out I'm from ND they ask what is special about our state. I spend a lot of time telling them, and hunting is one of those things. I think it's important that we send the right image to everybody. By extending the days of hunting I think we're doing something positive in our image. By restricting them, I think that's negative. I've hunted both waterfowl and upland game and I hear sportsmen frustrated because they can't get into the field due to space to hunt. Where I've hunted and had someone in the field before me, it hasn't always been an out-of-state license plate. I've also personally seen the economics of in-state and out-of-state hunters, and I think it's

very important for everyone to consider that. The more we can bring out-of-state people in, the more it's good for our economy and for our state's image.

Chr. Nelson: Are there any questions? Randy, does your business directly benefit from hunters?

Hansen: No! I don't have land to hunt on, nor rent nor lease land. I am a restaurateur and own an interior design business. I also visit restaurants in Bismarck, looking at hunters coming in from out-of-state. It's those hidden benefits that a lot of us in business do get a chance to see. Those who are not fortunate enough to be close to the business like I am would miss seeing the opportunities from having people from out-of-state come in. Businesses and towns grow, and it encourages land and game management.

Chr. Nelson: Are there any questions? Seeing none, thank you for your testimony. Is there further supporting testimony?

Brian Kramer, ND Farm Bureau: Support of 2367. We see this as a rural economic development issue. We think it's an opportunity for the landowners to augment their income if desired.

Chr. Nelson: Are there any questions? Seeing none, thank you for your testimony. Is there further supporting testimony?

Dana Bond, Exec. Dir., ND Tourism Alliance Partnership: Hunting and fishing is a very important part of our industry as are non residents and residents. We see this as a tourism-friendly bill. We support it and hope you do the same.

Chr. Nelson: Are there any questions? Seeing none, thank you for your testimony. Is there further supporting testimony? Seeing none, is there opposition to SB 2367?

Curtis Blohm, ND Outdoor Heritage Coalition: (Written testimony attached.)

Chr. Nelson: In testimony, I think Sen. Krauter mentioned that the daily and possession limit *wouldn't* be increased under this bill. Can you explain in your testimony the increase in number of birds harvested concept?

Blohm: We're not aware of that. It may be an assumption.

Chr. Nelson: Would that knowledge change your opinion of the bill?

Blohm: The group would not change their mind.

Chr. Nelson: Are there any questions?

Rep. David Drovdal: I don't understand what he's saying, the concept would give them two weekends. Here, they'd have two weekends and ten days.

Blohm: In previous testimony, that was one of the concepts brought forth in the Senate. The 14-day license would allow them to have two successive weekends together.

Chr. Nelson: Any further questions? Seeing none, thank you for your testimony. Is there further supporting testimony?

Jason Dubord, ND Wildlife Federation, and the United Sportsmen of ND: (Written testimony attached) To answer an earlier question, the average stay for most non-resident pheasant hunters is four days. We feel it will lead to possible abuse of possession limits.

Everyone who has spoken on behalf of this bill has spoken from a business standpoint, which I can't blame them. The Federation is looking at it from more of a resource standpoint. What was passed last session is obviously working because non-resident numbers are still about 1,300 this year.

Chr. Nelson: Are there any questions?

Rep. Drovdal: If there is a violation of law, it's illegal. So put that in your testimony, we're going to prosecute that. I don't think you need to assume that they're breaking the law in order to try to defeat this. Hunters are different. I hunt deer, but not antelope, geese, ducks, or pheasants. I know grouse hunters who come to my area who don't anything but grouse. There are hunters who hunt *only* (speaker's emphasis) pheasants. Those are the ones who reflect the SW area. They don't have ducks or geese. They have deer and antelope. They basically have pheasants. Couldn't it be that their numbers are down that 25% because of the type of hunters that they actually have? Whereas, if waterfowl numbers are up, that would increase overall non-resident hunters in the 1,300 increase, but not in that particular area. Couldn't that be a factor in this?

DuBord: Yes, that could be the case. I would have to say that if I was a non resident, and I hunt in SW ND, and have for many years, and probably spend a couple thousand dollars on a trip, it doesn't take long for word to get to me if numbers are down. If I find that out, outside of law or license changes, that would be a big factor for me not hunting.

Rep. Duane DeKrey: You made a statement that the hunters were east of the Missouri. I was curious about where they were because the restaurants, bars and motels in the central part of the state, McCluskey, Steele, Goodrich, Fessenden, Harvey, are all experiencing anywhere from 20-25% downturn.

DuBord: I don't have an answer to that question. This is more of an assumption.

Chr. Nelson: Rep. DeKrey, we're talking strictly upland licenses here. Jason, why are you only using the license data from electronic sales only in your assumptions?

DuBord: I'm not sure. Those were the statistics that he'd pulled.

Chr. Nelson: O.K., I'm sure that Paul (Schadewald) could expand on that. Are there any further questions? Seeing none, thank you for your testimony. Is there further opposition to SB 2367?

Seeing none, Mr. Schadewald, I'm assuming that you are going to testify neutral?

Paul Schadewald, ND Game & Fish: As a result of the legislation from last session, one of the major comments that we do get from our non-resident customers is, "How come I have to take a different deal, five days out for my small game hunting license?" By hunting seven days for waterfowl, from an administrative point of view, that would clear up.

Chr. Nelson: Could you explain the 2003-2004 total numbers, as far as the effect of what we did last session. (Explains the bill and last session to students in the audience)

Schadewald: We saw an increase in one area and a decrease in another. In small game license sales, we a steady increase and ended up with a final total. Earlier, we did not have the paper license totals. **(Change to Tape 1B)** I don't think the Game & Fish Dept. can take credit, nor the Legislators take the blame on all these things. Many forces influence hunting, weather, etc. Waterfowl license sales were down approximately 2,000 (from 26,000-24,000) and is that legislation or is it because the water conditions are bad in parts of the state? That needs to be considered, also.

Chr. Nelson: Would you give me the numbers, obviously 29,801 means that in 2003 it was...

Schadewald: ...28,687 in 2003.

Chr. Nelson: How about 2003?

Schadewald: I don't have that number with me but I can certainly get it. One thing to remember is that prior to 2003, we had a small game license that all waterfowl hunters had to purchase

whether they hunted other small game or not. The license structure was such that there probably were about 40,000 small game licenses sold, but the license structure was totally different.

Chr. Nelson: Further questions?

Rep. Todd Porter: When we made this decision last session you had a summary sheet that showed the number of hunter days spent in the state. We picked the five and ten because I believe 94-95% of the people stayed here less than ten total days. I was hoping you could provide that information again. You may want to include all the statistical information so that we have it available during our committee discussion.

Schadewald: Sure. Also, I do have one statistic for you. Right now, customers can purchase a *second* (speaker's emphasis) ten-day license if they would like to. Less than 3% of the customers do, so we're talking about 800 customers that will buy more than one license. The majority of the customers aren't affected one way or the other whether it's ten or 14 days.

Chr. Nelson: In your numbers for 2004, the 29,801, are those duplicates included in those totals?

Schadewald: Yes, approximately 800 licenses are coming in with a second or third license. Second licenses are the most common, but there are occasional third licenses.

Chr. Nelson: One could argue that the number's are quite stagnant from an individual standpoint. Would the probability that good pheasant harvest across the state of ND and just the recognition that ND is becoming a great resource for pheasant hunting lead to an increase on an awareness standpoint?

Schadewald: I don't know.

Porter: It was 800 in 2004. What was the number of multiple licenses sold in 2003?

Schadewald: I would have to do an estimate because there is a significant percentage of paper licenses, so we have a hard time finding out if the people with paper licenses go through the process and how many bought one, two or three licenses. We can easily do it with electronic licenses, or project the percentages from the electronic data and apply that to the whole group. It would be very similar for both years.

Drovdal: We heard the numbers of four and one half days as the average that hunters stay in the field. That's when they have ten days available. Do you feel that what this bill will accomplish is not really to increase the number of days they actually hunt, but to give them some flexibility and send them more of a welcome to ND sign?

Schadewald: I think the numbers speak for themselves. It's not going to affect the overall averages or statistics that much. It will affect certain individuals or small groups of individual customers that have an opportunity to spend seven days in a row.

Chr. Nelson: Are there any questions?

Rep. Lyle Hanson: Do you have the same stats on the number of non-resident hunters by county?

Schadewald: We can come up with that based on survey results from 2003. I think we have some customer information and are getting the survey information from 2004 back. We asked in our sample what county they hunted in the most. We can get some information, although there are some weaknesses, too. We can't read too much into it.

Hanson: But you don't have it for last fall?

Schadewald: Not yet, but we will probably have it by the end of the session.

Chr. Nelson: Are there any questions?

Rep. Scot Kelsh: Do you have any stats on the number of birds harvested and the numbers of the bird populations for every year?

Schadewald: We do have that and we can get information like that together. It would be a chart or something that I could provide.

Chr. Nelson: Any further questions? Seeing none, thank you for your testimony. We'll wait for some of that information. **(From Paul Schadewald: 2003 Reported pheasant hunting activity by non-residents attached)**

Rep. Dawn Marie Charging: How did you come up with the \$10,000 on the fiscal note?

Schadewald: There would be a small group of people who would not need to buy a second license. \$10,000 in this amount of licenses is minor.

Charging: But it's an increase from what we have today?

Committee: Decrease.

Schadewald: A very small one.

Chr. Nelson: Seeing no further questions, thank you, Paul. Is there further testimony? Seeing none, I'll close the hearing on SB 2367.

Afternoon, March 3, 2005:

Chr. Nelson: Let's take up SB 2367. That's Sen. Krauter's bill. I don't believe there were any amendments on this bill.

Rep. Dawn Marie Charging: I move a do pass.

Rep. Duane DeKrey: Second.

Chr. Nelson: There is a do pass motion by Rep. Charging and a second by Rep. DeKrey.

Committee discussion.

Rep. Todd Porter: I oppose the motion. I think what we did last session on splitting the bill and changing the licenses (was workable). If you remember, it generated \$3.2 million that we put back into the PLOTS program. I understand that \$10,000 isn't that much money, but it's still a significant amount of money that is going to private landowners to open their lands to public access. I think it moves us in the wrong direction. When you look at the statistics of who is affected by making this change, and the sheets handed out by Mr. Schadewald, in 2003 the average number of reported days was 5.8. Zero were affected by five and ten. On Pg. 2, in 2003, 7.97-zero would be affected by it; on Pg. 3 in 2002, 4.98 -zero were affected by the five and ten; on Pg. 4, 2002, 7.97, again, zero were affected by the change that we made. It's only been in effect two years. The individuals claiming that their numbers are down in their areas are right. Game & Fish showed that the number of hunters in southwest ND is down by an extreme number, but the fact that you have to remember is that most of those hunters were resident hunters that have discontinued their trips to southwest ND because there are more birds in southeast ND. If the winter keeps going the way it is, that is going to be 2005, too. Their numbers may go even further down. The other thing that happened in southwest ND is the commercialization of that area and the land being locked up by outfitters. Outfitters are advertising 40-50,000 acres under their control in southwest ND, so if you aren't hunting with an outfitter, you aren't hunting in southwest ND. That keeps people from going there. I think what we did last session is working, it's doing it's purpose, and it's too early to change it. I will oppose the motion.

Rep. Charging: Four days to me is not that big of a change. I can speak for my area, parts of six counties in west central ND, where it did have a pretty hard effect. Maybe it wasn't in the actual days, it was more of the attitude that North Dakota presented to our non residents. They were upset; we got a lot of bad press over it. Those communities and hotels show a decrease and I think it's a way we can send a positive message from ND to our neighbors.

Chr. Nelson: Further discussion?

Rep. Hanson: We're exactly the same as South Dakota, two fives, and one ten, possession limit of four. I read in the paper last fall that in Dickinson they were finding a lot of dead pheasants in the garbage cans around the motels. So, I'm going to oppose the bill.

Rep. Bob Hunsakor: They talk in the southwest about a drop of 25% in business. Would this do anything for more business and the economics in southeastern and southern North Dakota?

Porter: No, I don't think it would. The number's that you see from the Game & Fish are the average number of days hunted. The average is not above what we're already allowing. I don't think it is. I think what you have to remember is that even if you subtract the 800 from the number sold in 2003-2004, our total number of license sales is still going up. That means that more non residents are buying single and ten-day licenses. They're only using between four and seven of those days. So, do we need to raise it to 14 days? It's working the way it is. I don't think the change is necessary.

Charging: It's not always a rich man's sport. A lot of these folks don't have a specified amount of time that they can hunt. They don't have that privilege. They hunt at the drop of a hat. When they get off early on Friday, they will come back over here to hunt. Many of them are traveling

hundreds of miles just for the sport and maintaining that tradition. By adding four days it gives them an opportunity to make plans.

Rep. Duane DeKrey: For the same reason that Rep. Porter chose, I look at this and I see that it doesn't hurt the resident hunter at all. What it does is give a psychological advantage to the businesses in ND so when they advertise for hunters to come in the fall it will bring more of them in. It won't hurt anybody, because they don't hunt that number of days, anyway. Somebody from Iowa might drive through ND if they see they can actually hunt four more days.

Chr. Nelson: I agree with part of Rep. Porter's arguments that this has only had two years to work and that we shouldn't be making wholesale changes. Game & Fish did testify that administering a split license has proven to be somewhat difficult at times. If the licenses did mirror waterfowl licenses, there were advantages to that change.

Rep. Darrell D. Nottestad: I'm going to support the motion even though I'm going to hear about it when I get home, for a couple reasons. Number one, this is perceived by the tourism industry as negative, this supports what they are doing. Two, it will give them three weekends. Thirdly, it will give more opportunities even if all don't use all the days. It isn't going to do any harm, the resident hunters won't be hurt.

Rep. Norland: Call for question.

Chr. Nelson: Question has been called for a do pass motion on SB 2367. Call the roll on a

Do Pass, Vote:

8-Yeas; 5-Nays; 1-Absent; CARRIER: Charging

Date: 3/3/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2267

House NATURAL RESOURCES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number :

Action Taken : No Pass

Motion Made By : Charging 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	<u>Alts</u>				
Rep. Mike Norland	✓				
Rep. Darrell D. Nottestad	✓				

Total (Yes) 8 No 5

Absent 1

Floor Assignment Charging ✓

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

REPORT OF STANDING COMMITTEE (410)
March 4, 2005 7:44 a.m.

Module No: HR-40-4124
Carrier: Charging
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2367: Natural Resources Committee (Rep. Nelson, Chairman) recommends DO PASS
(8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2367 was placed on the
Fourteenth order on the calendar.

2005 TESTIMONY

SB 2367

Same
to House
3-3-05

Good Morning Mr. Chairman and members of the committee. My name is Dennis Bense. I am vice president and general manager of Scheels AllSports in Bismarck and an avid hunter and fisherman. I am here representing over 500 North Dakota Scheels employees in support of Senate bill 2367 that would bring a few more nonresidents dollars into our state. Recent limitations on nonresident hunters, such as not being able to hunt public land on opening week, was a big blow to business. While I am not here to undo what has been done in the past and as a hunter, understand giving residents an opportunity to hunt before nonresidents. I am here to support a bill that may bring a few more nonresident hunting dollars to North Dakota. These dollars would come after opening week when public lands are not so heavily hunted. Right now, our ND nonresident upland license is the same as South Dakota. With over 750,000 acres of PLOTS lands and great upland hunting, allowing nonresidents to stay a few more days may give hunters a reason to hunt North Dakota instead of South Dakota..

Prior to coming to Bismarck two years ago, I was the general manager of the Minot Scheels store. Many times I heard from nonresident hunters that they really wished the upland game time period would match the seven day waterfowl season. Many of these hunters would hunt waterfowl in the morning and upland game in the afternoon. As it is, if waterfowl hunting is slow, they would just leave after their five days. Think about the effect it would have on rural North Dakota if just 5000 of these nonresident hunters stayed an additional two days in a motel, ate a few more meals in a rural café and bought one more tank of gas.

IF 5000 hunters stay an extra 2 nights at \$30/night – that is \$300,000 additional hotel expense spent in ND.

IF 5000 hunters eat an extra 2 days at \$15 /day - that is \$150,000 of additional food bought in ND.

IF they spend \$10/day on extra gas, ice and snacks – that is \$100,000 of additional income for North Dakota.

I am not here to say that the nonresident dollar is more important than the resident. We certainly need both. Passing of this bill would have a positive influence on our business. But it is rural North Dakota that really needs the income generated from nonresident hunting. I hope the committee will support Senator Krauter's bill which would increase the economic impact nonresident's make in the fall . Thank you Mr. Chairman and committee. I will address any questions you may have.



United Sportsmen of North Dakota

Post Office Box 272

Bismarck, ND 58502

www.unitedsportsmen-nd.org

E-mail: info@unitedsportsmen-nd.org

TESTIMONY REFERENCING

SB 2367

By Mike Donahue, Lobbyist #275

Senate Natural Resources Committee

February 3, 2005

The United Sportsmen of North Dakota and the N.D. Wildlife Federation do not support this bill. We believe that the current non-resident license (upland) allowing two 5-day periods or one 10-day period is adequate.

In the 2003 session there was much discussion on the upland matter and we recall certain outfitters testifying that their average non-resident hunter stayed 3.5 days.

Considering that, we do not see the need for SB 2367.

Please, **Do Not Pass.**

Senate Bill No. 2367

Reference: Increases the nonresident small game hunting
license period from 10 to 14 days.

Senate Natural Resources Committee

Hearing Date: February 3, 2005

Good Morning, Mr. Chairman and Committee members. My name is Curtis Blohm. I appear before you today representing the North Dakota Outdoor Heritage Coalition. This coalition was founded out of the need for representation before the legislative committee by North Dakota citizens concerned for the preservation of our unique outdoor recreational heritage.

The ND Outdoor Heritage Coalition is opposed to the content of this bill. The proposed changes would add an estimated 120 hunter days for nonresidents. The additional days we feel would create additional hunter pressures, hunter competition and probably increase the number of birds harvested. We feel that the current law, passed in the 2003 legislative session, should be retained as currently written.

Thank You.

MISSION STATEMENT NORTH DAKOTA OUTDOOR HERITAGE COALITION

The North Dakota Outdoor Heritage Coalition was founded out of the need to have representation of North Dakota citizens concerned with the preservation of their unique recreational heritage. Its members believe and support the following:

- a. The necessity of preserving and fostering the underlying principals of the Public Trust Doctrine and in preserving high quality outdoor recreational opportunities.
- b. The belief that North Dakota's fish and wildlife resources must be kept as publicly held resources, owned and managed by the State of North Dakota for the long-term benefit and enjoyment of its citizens.
- c. To work to create and maintain a fair distribution of our outdoor recreational opportunities, giving preference to our resident sportsmen.
- d. To seek to minimize the affect of commercial operations on our publicly held resources and recreational opportunities by limiting the number of commercial operations and the amount of land under their control.
- e. We support programs that open private land to access for outdoor recreation especially those that are community-based because of the associated economic benefit.
- f. We support the increased acquisition of public use lands for outdoor recreation such as the PLOTS program.
- g. Be an advocate for restrictions on the use of North Dakota's resources which serve to guarantee that all participants have satisfying quality outdoor experiences well into the future.

The North Dakota Outdoor Heritage Coalition believes that the State's fish and wildlife resources must be kept a publicly held resource, owned and managed by the State, for the long-term benefit and enjoyment of its citizens.



**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

SB 2367

February 3, 2005

Mr. Chairman and Members of the Committee:

The Club is opposed to this bill which extends the length of the days non-residents can hunt. We are led to believe that the average hunt is 3 to 5 days, so 7 days seems adequate. Either of the 5 or 7 day current options allows them a weekend.

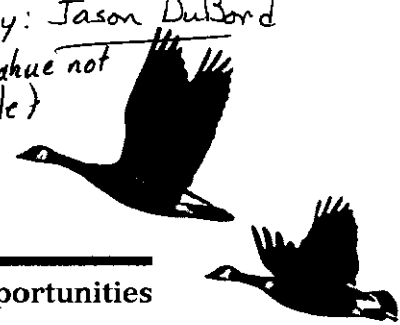
Should non-residents choose to hunt two weekends, a second license can be purchased which puts more money into the PLOTS Program.



North Dakota Wildlife Federation

Abundant wildlife and wildlife habitat, and access to wildlife recreational opportunities

Given by: Jason DuBord
(Mike Donahue not available)



3/3/2005

For: House Natural Resources Committee

Reference: SB 2367

The United Sportsmen of North Dakota and the North Dakota Wildlife Federation do not support SB 2367.

After much work by the 58th Assembly in 2003 the current non-resident upland license (two 5- day periods or one 10- day period) was adopted; and with the provision that more than one license could be purchased.

This session, we all are hearing that in the 2004 season hunting sales volume was down 25 percent and the reason is the new license.

But the license sales data for non-resident (electronic sales only) upland (buying only one license) from 2003 the 2004 sales were up by 1,366.

We believe the southwest sales volume was down because many many pheasant hunters (whether non-resident or resident) stayed east of the Missouri river.

Please give this bill a Do Not Pass.

Thank you,
Mike Donahue
Lobbyist #275



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North Dakota
Outdoor Heritage
Coalition

Curt Blohm
(701) 258-7056

Senate Bill No. 2367

Reference: Increases the nonresident small game hunting
license period from 10 to 14 days.

House Natural Resources Committee

Hearing Date: March 3, 2005

Good Morning, Mr. Chairman and Committee members.
My name is Curtis Blohm. I appear before you today
representing the North Dakota Outdoor Heritage Coalition.
This coalition was founded out of the need for
representation before the legislative committee by North
Dakota citizens concerned for the preservation of our
unique outdoor recreational heritage.

The ND Outdoor Heritage Coalition is opposed to the
content of this bill. The additional days we feel would
create additional hunter pressures, hunter competition and y
increase the number of birds harvested. The concept that
the change to 14 days would allow hunters to have two
week ends covered by their license is weak at best. The
current law allows for two 5 day hunting periods that
adequately allow for hunting on two successive week ends.
We feel that the current law, passed in the 2003 legislative
session, should be retained as currently written.
We recommend a "Do Not Pass" vote on this bill.

Thank You.

Fishing License Fee Comparison for 2005

	Resident Annual	Husband and Wife	Nonresident Annual	Nonresident 3 Day	Nonresident 7 Day	Trout Stamp
Minnesota	\$18.00	\$26.00	\$35.00	\$21.00	\$25.00	\$10.00
South Dakota	\$25.00	n/a	\$60.00	\$32.00	n/a	n/a
North Dakota	\$11.00	\$16.00	\$35.00	\$15.00	\$20.00	n/a
Nebraska	\$20.00	n/a	\$50.00	\$19.00	n/a	n/a
Wyoming	\$19.00	n/a	\$76.00	\$33.00	n/a	n/a
Montana	\$19.25	n/a	\$69.25	\$24.25 for 2 day	n/a	n/a

Average

\$18.71

\$54.21

\$24.00

Fees include any required certificate or special fees.

Nebraska requires a \$5 aquatic habitat stamp for all anglers. It is included in above fees.

Wyoming nonresident daily license costs \$11/day.

Montana 10 day nonresident fishing costs \$43.50

South Dakota 1 Day nonresident fishing costs \$14

Minnesota 1 day nonresident fishing license costs \$9.50

5B2367
By: Paul Schadenwald

2003 reported pheasant hunting activity
by nonresidents

3/3/05
By: Paul Schadewald
Re: SB 2367
Pg: 1 of 3

# of days hunted	# of Hunters	Percent	Cumulative # of hunters	Cumulative Percent
0	10	0.82	10	0.82
1	33	2.70	43	3.52
2	115	9.43	158	12.95
3	226	18.52	384	31.48
4	251	20.57	635	52.05
5	137	11.23	772	63.28
6	96	7.87	868	71.15
7	52	4.26	920	75.41
8	64	5.25	984	80.66
9	36	2.95	1020	83.61
10	79	6.48	1099	90.08
11	3	0.25	1102	90.33
12	26	2.13	1128	92.46
13	12	0.98	1140	93.44
14	17	1.39	1157	94.84
15	24	1.97	1181	96.80
16	9	0.74	1190	97.54
17	4	0.33	1194	97.87
18	6	0.49	1200	98.36
19	1	0.08	1201	98.44
20	9	0.74	1210	99.18
21	2	0.16	1212	99.34
22	1	0.08	1213	99.43
23	1	0.08	1214	99.51
24	1	0.08	1215	99.59
25	3	0.25	1218	99.84
30	2	0.16	1220	100.00

Frequency Missing = 87

Average number of days reported hunted 5.8

2003 reported pheasant hunting activity
by residents

By: Schadewald

Re: SB 2367- 3/3/05

Pg: 2 of 3

Days Hunted	# of Hunters	Percent	Cumulative # Hunters	Cumulative Percent
0	40	1.25	40	1.25
1	225	7.04	265	8.29
2	422	13.21	687	21.50
3	359	11.24	1046	32.74
4	300	9.39	1346	42.13
5	299	9.36	1645	51.49
6	228	7.14	1873	58.62
7	86	2.69	1959	61.31
8	150	4.69	2109	66.01
9	34	1.06	2143	67.07
10	360	11.27	2503	78.34
11	24	0.75	2527	79.09
12	122	3.82	2649	82.91
13	15	0.47	2664	83.38
14	48	1.50	2712	84.88
15	129	4.04	2841	88.92
16	16	0.50	2857	89.42
17	8	0.25	2865	89.67
18	15	0.47	2880	90.14
19	6	0.19	2886	90.33
20	142	4.44	3028	94.77
21	5	0.16	3033	94.93
22	7	0.22	3040	95.15
23	2	0.06	3042	95.21
24	9	0.28	3051	95.49
25	24	0.75	3075	96.24
27	1	0.03	3076	96.28
28	10	0.31	3086	96.59
29	1	0.03	3087	96.62
30	65	2.03	3152	98.65
31	1	0.03	3153	98.69
34	1	0.03	3154	98.72
35	5	0.16	3159	98.87
36	1	0.03	3160	98.90
37	2	0.06	3162	98.97
38	1	0.03	3163	99.00
39	1	0.03	3164	99.03
40	11	0.34	3175	99.37
41	1	0.03	3176	99.41
42	1	0.03	3177	99.44
45	4	0.13	3181	99.56
48	1	0.03	3182	99.59
50	3	0.09	3185	99.69
60	6	0.19	3191	99.87
62	1	0.03	3192	99.91
70	1	0.03	3193	99.94
77	1	0.03	3194	99.97
90	1	0.03	3195	100.00

Frequency Missing = 237

Average number of reported days hunted is 7.97

2002 reported pheasant hunting activity
by Nonresidents

By: P. Schadewald
Re: SB 2367- 3/3/05
Pg: 3 of 3

Days Hunted	# of Hunters	Percent	Cumulative # of Hunters	Cumulative Percent
0	9	1.27	9	1.27
1	62	8.76	71	10.03
2	80	11.30	151	21.33
3	141	19.92	292	41.24
4	137	19.35	429	60.59
5	75	10.59	504	71.19
6	51	7.20	555	78.39
7	38	5.37	593	83.76
8	35	4.94	628	88.70
9	14	1.98	642	90.68
10	22	3.11	664	93.79
11	4	0.56	668	94.35
12	9	1.27	677	95.62
13	2	0.28	679	95.90
14	7	0.99	686	96.89
15	6	0.85	692	97.74
16	2	0.28	694	98.02
17	1	0.14	695	98.16
18	2	0.28	697	98.45
20	7	0.99	704	99.44
25	2	0.28	706	99.72
58	1	0.14	707	99.86
64	1	0.14	708	100.00

Frequency Missing = 118

The average number of reported days hunted is 4.98

2002 reported pheasant hunting activity
by residents

Days Hunted	# of Hunters	Percent	Cumulative # Hunters	Cumulative Percent
0	20	1.37	20	1.37
1	120	8.25	140	9.62
2	197	13.54	337	23.16
3	160	11.00	497	34.16
4	132	9.07	629	43.23
5	123	8.45	752	51.68
6	101	6.94	853	58.63
7	44	3.02	897	61.65
8	79	5.43	976	67.08
9	22	1.51	998	68.59
10	144	9.90	1142	78.49
11	13	0.89	1155	79.38
12	54	3.71	1209	83.09
13	3	0.21	1212	83.30
14	21	1.44	1233	84.74
15	58	3.99	1291	88.73
16	7	0.48	1298	89.21
17	4	0.27	1302	89.48
18	10	0.69	1312	90.17
20	57	3.92	1369	94.09
21	3	0.21	1372	94.30
22	3	0.21	1375	94.50
23	1	0.07	1376	94.57
24	4	0.27	1380	94.85
25	18	1.24	1398	96.08
26	3	0.21	1401	96.29
27	1	0.07	1402	96.36
28	5	0.34	1407	96.70
29	1	0.07	1408	96.77
30	24	1.65	1432	98.42
31	1	0.07	1433	98.49
34	2	0.14	1435	98.63
35	2	0.14	1437	98.76
36	3	0.21	1440	98.97
38	1	0.07	1441	99.04
39	1	0.07	1442	99.11
40	3	0.21	1445	99.31
45	2	0.14	1447	99.45
51	1	0.07	1448	99.52
53	1	0.07	1449	99.59
60	3	0.21	1452	99.79
65	1	0.07	1453	99.86
90	2	0.14	1455	100.00

Frequency Missing = 103

Average number of days hunted Pheasants reported 7.97