

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1406

2007 HOUSE NATURAL RESOURCES

HB 1406

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1406

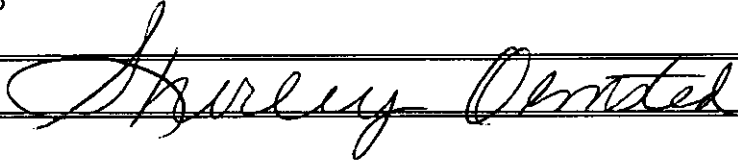
House Natural Resources Committee

Check here for Conference Committee

Hearing Date: February 1, 2007

Recorder Job Number: 2588

Committee Clerk Signature



Minutes:

**Chairman Porter** opened the hearing on HB 1406 and asked the clerk to read the title.

**Representative Ben Vig** of District 23 came forward as a sponsor of this bill. It is a simple bill that will allow a landowner or farmer the option to obtain a second gratis if he or she fills the primary gratis during the season. A license for deer hunting can be a proper way to control the deer populations but for the farmers to obtain and use the gratis is a simple way for us to partake in the sacred right to use our land for hunting. If they get the second license we would extend that only to the muzzle loading season. We will make it a safer place on the roads and on our local roads and farms.

**Chairman Porter** asked if he was limiting this to antlerless only. You are saying that as long as you own 160 acres you can have two buck tags a year.

**Representative Vig** said a gratis is a gratis.

**Chairman Porter** said a gratis is not a gratis. If I apply for a buck tag in my unit, I can still go get a gratis for my land but it is a doe only. You only can get one buck. That is all you get. Is it your intention that this would be a second buck tag?

**Representative Vig** said no. Whatever the definition of a gratis is.

**Representative Meyer** asked how many tags are filled during the muzzle loader season.

**Representative Vig** said not filled, but 2200 are issued.

**Representative Hunskor** said one of the concerns is if you have had a gratis during the gun season you could shoot a buck and then if you got another gratis during the muzzle loading season, you shoot another buck. Bucks are a pretty precious item. You could end up with 2 bucks.

**Representative Clark** asked if he was a landowner.

**Representative Vig** said no. He farms with a family so he applies for the gratis because he is farming.

**Representative Clark** asked if it goes with the title of the land or the farmer of the land.

**Representative DeKrey** said it can be transferred.

There was no further testimony in support of HB 1406

**Chairman Porter** asked for opposition to HB 1406.

**Mr. Paul Schadewald** of the game and fish came forward in opposition. He said they challenge how they would administer this law. Under this scenario, everyone is going to get a second gratis. Do you want it to be that way? They are not sure that they should be supplying two tags under this situation. He does have some detailed information on the muzzle loader season.

**Chairman Porter** said last year the number of gratis tags was 14,000 correct?

**Mr. Schadewald** said yes.

**Representative DeKrey** asked how they determine how many buck tags to hold out of the regular lottery drawing.

**Mr. Schadewald** said they know approximately how many land owners are going to apply.

We know that they will harvest about 70% bucks so we make adjustments based on historical data.

**Chairman Porter** said if we were add another buck tag to the gratis system, then the number of regular lottery drawing buck tags would go down.

**Mr. Schadewald** said if it got to be a significant number they would have to consider that in the drawing. There is about a 53% success in the muzzle loaders season and about 60% of those taken are bucks.

**Representative Meyer** asked if this was amended so that they could receive a second license just for a doe, would that help the situation.

**Mr. Schadewald** said that helps them to tell them what types of licenses because that is one of our questions.

**Chairman Porter** said taking that one step farther that would have an impact on the number of doe tags available to the general public for the lottery system also.

**Mr. Schadewald** said it could, depending on the number of applications. The doe numbers are high.

**Representative Hanson** said you issue a 1000 doe and 1000 buck license for muzzle loaders.

**Mr. Schadewald** said it is 2% of the total licenses issued so if there are one hundred forty thousand licenses so you would have 2800 licenses and half would be doe and half would be bucks.

**Representative Nottestad** asked if Representative Vig really wanted to hunt that muzzle loaders season, right now he could apply for his gratis and save that for muzzle loaders and purchase doe tag if there were a surplus, correct?

**Mr. Schadewald** said that was correct.

**Mr. Curt Decker** from Dickinson, ND, came forward in opposition. He referred to Mr.

Schadewald's statement about 14,000 gratis deer licenses being issued. Over the last ten years, there has been an increase in the gratis permits. You are only putting out 2800 muzzle

loader tags so if just one third of those gratis applications came in for a second tag, you could hypothetically wipe out all of our chances as the general public to get a tag. Since 1990 the farms are decreasing and the gratis tags are being abused. This is not a right, but a privilege. This was intended to reward the agriculturalist for a lot of headache with putting up with hunters. It has since gone on to the recreational land owners. This is being abused. If Mother Nature turns on us, the 140,000 permits could come down to 80,000. If I am not mistaken, these are free. We have wonderful resources but they are limited. We should all be held to the same standard to hunt. There are a lot of options out there for the gratis hunter.

**Representative Meyer** said you do admit that the landowner feed a lot of deer.

**Mr. Decker** said absolutely. The true agricultural farmers deserve this. Not the recreational farmers. They put up with a lot on their farms. They have done a lot for the sportsmen.

**Representative Drovdal** said he owns land but he does not farm it but rents it out. He puts in tree rows to try to help the game. Are you telling me that I cannot apply for a gratis tag?

**Mr. Decker** said no. He is only opposing the second gratis tag.

**Representative Hofstad** asked if he had statistics to verify his numbers on the gratis tags.

Where does this information come from?

**Mr. Decker** said he can call Game and Fish and he knows a number of people in western North Dakota and they are not agriculturalists. They are landowners. They are out there to get that tag and they don't care. I don't have any statistics to prove it.

**Mr. Harold Erickson** said that if they did a do pass on both bills relating to the gratis tags, He said if you put a deadline on the gratis permit in the other bill, that will circumvent you getting the second gratis tag. He is opposing both bills. Everyone in the state has buck fever and that is what everyone wants. If you pass this a landowner like myself could possibly get two buck tags. I don't think that should be the case.

**Representative Hanson** asked if the first gratis license is for either a buck or a doe. If you have a general license, the gratis license is a doe. Is that correct?

**Mr. Erickson** said that was correct. Our confusion is that it does not say what the second gratis license would be.

**Mr. David Munch** came forward. He is a landowner in Morton County. He said there have been many changes in the past few years. He thinks this is getting out of hand. There are several other bills that want to give these tags away. I am going to have get my wife and divide up the land so that we can get extra gratis tags. I am one of the people that want the deer on my land and I will put up with them. I like the meat too. This all about money. Is the general fund going to get enough money?

**Mr. Mike McEnroe** from the Wildlife Society came forward in opposition. See written testimony marked as Item #1. They urge a do not pass on HB 1406.

**Representative Meyer** asked if there was any accounting of the tags.

**Mr. Schadewald** we know how many people had tag and general things like that but we do go to the public with surveys and get those responses back on this.

**Representative Meyer** asked if when you are drawn for a mule deer buck is everyone on a level playing field. If you get a mule deer buck are you put on the bottom of the list?

**Mr. Schadewald** said it may take 5 to 7 years to get a license. Each year that you apply and are unsuccessful, you get a bonus point and there is a multiplier affect. Everyone has a chance every year but some have a much higher chance of getting the buck tag.

**Representative Drovdal** asked if there is a survey on the gratis tags.

**Mr. Schadewald** said they do know how many gratis there are.

The hearing was closed.

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1406

House Natural Resources Committee

Check here for Conference Committee

Hearing Date: February 1, 2007

Recorder Job Number: None

Committee Clerk Signature

*Shirley Demsted*

Minutes:

**Chairman Porter** asked the committee to consider HB 1406.

**Representative DeKrey** made a motion for a do not pass.

**Representative Drovdal** seconded the motion.

**Chairman Porter** asked for discussion. Hearing none, the clerk called the roll for a **do not pass** on HB 1406.

Let the record show 12 yes, 1 no with 1 absent.

**Representative Meyer** will carry this bill to the floor.



Date: 2-1-07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1406

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do not Pass

Motion Made By DeKrey Seconded By Drovdal

Representatives	Yes	No	Representatives	Yes	No
Chairman - Rep. Porter	<input checked="" type="checkbox"/>		Rep. Hanson	<input checked="" type="checkbox"/>	
Vice-Chairman - Rep Damschen	<input checked="" type="checkbox"/>		Rep. Hunskor	<input checked="" type="checkbox"/>	
Rep. Charging	<input checked="" type="checkbox"/>		Rep. Kelsh	<input checked="" type="checkbox"/>	
Rep. Clark	<input checked="" type="checkbox"/>		Rep. Meyer	<input checked="" type="checkbox"/>	
Rep. DeKrey	<input checked="" type="checkbox"/>		Rep. Solberg		<input checked="" type="checkbox"/>
Rep. Drovdal	<input checked="" type="checkbox"/>				
Rep. Hofstad	<input checked="" type="checkbox"/>				
Rep. Keiser					
Rep. Nottestad	<input checked="" type="checkbox"/>				

Total Yes 12 No 0

Absent 1

Floor Assignment Meyer

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

**REPORT OF STANDING COMMITTEE**

**HB 1406: Natural Resources Committee (Rep. Porter, Chairman) recommends DO NOT PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1406 was placed on the Eleventh order on the calendar.**

2007 TESTIMONY

HB 1406

*Item #1*



*North Dakota Chapter*

# THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502

**TESTIMONY OF MIKE McENROE**

**NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY  
PRESENTED TO THE HOUSE NATURAL RESOURCES COMMITTEE  
ON HB 1406, FEBRUARY 1, 2007**



CHAIRMAN PORTER AND MEMBERS OF THE COMMITTEE:

I am Mike McEnroe speaking for the North Dakota Chapter of The Wildlife Society. The Chapter opposes HB 1406, which provides a second "gratis deer license" for landowners.

This proposal is unworkable for several reasons. It requires that the North Dakota Game and Fish Department hold approximately 10,000 gun deer licenses back from the general lottery in order to have them available for the successful hunters among the 14,000 gratis license holders. These licenses would then be issued after the gun deer season for the muzzle loader season, 4-1/2 days later.

The alternative is for the Game and Fish Department to potentially issue 10,000 licenses for the muzzle loader season, above the number prescribed for the gun deer season.

There are logistical problems in how to have the successful gratis license hunters verify or indicate that they were successful in the gun or archery season. Is the license for the muzzle loader season for a buck or a doe? Muzzle loader licenses are for either buck or doe (antlered or antlerless); gratis licenses are for either sex and either species; mule deer or white-tailed deer.

The potential of getting a second deer license, possibly for a buck or a mule deer will only exacerbate the problems of sportsmen buying land to obtain desirable licenses. We have already discussed that there are too many applicants for the available buck licenses. HB 1406 may increase the number of applicants for the limited number of buck licenses.

For all these reasons, the Chapter respectfully requests that you give HB 1406 a "Do Not Pass" recommendation



Cass County  
**WILDLIFE CLUB**

Box 336  
Casselton, ND 58012



**TESTIMONY OF FOSTER HAGER**  
**CASS COUNTY WILDLIFE CLUB**  
PRESENTED TO THE HOUSE NATURAL RESOURCES COMMITTEE  
ON

**HB 1406**  
February 1, 2007

Mr. Chairman and Members of the Committee:

My name is Foster Hager representing the Cass County Wildlife Club.

We opposed HB 1406 because we feel that the Game & Fish Department would have a problem as to who has filled their tag and who hasn't filled their tag. Also another gratis tag would reduce the number of buck tags that would be available in the regular season.

Please oppose HB 1406.

*Not present at  
hearing - Left  
Testimony.*

