

2009 SENATE NATURAL RESOURCES

SB 2189

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2189

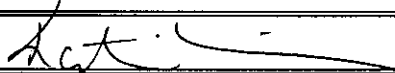
Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 22, 2009

Recorder Job Number: 7510

Committee Clerk Signature



Minutes:

**Senator Lyson** opened the hearing on SB 2189, relating to game and fish license fees for residents under eighteen years of age and relating to game and fish license fees. All committee members were present.

**Senator Hogue** introduced SB 2189 (see attachment #1).

**Senator Triplett** the fiscal note indicates we would end up losing federal revenues by the reduction in state licenses. Have you talked this over with Game and Fish Department to see if there is a way to accomplish your objective without losing federal funds or was that news to you that federal funds would be lost?

**Senator Hogue** the youth would still have a license, they just wouldn't pay the fee. The minimum that Game and Fish Department has to charge is like three dollars before they get the federal funding. I thought about shifting it to adult or out of state hunters, but I felt this was the right thing to do. We should not be charging North Dakota youth for the right to hunt. The right to carry firearms is part of our North Dakota constitution. This is a fundamentally important part of our heritage. We should give those youth the opportunity to do this free of charge.

**Senator Triplett** the fact that our Game and Fish Department is self sustaining from hunting fees means that if we do this that there would be some loss of services from Game and Fish Department . If we want them to keep their service level up we would have to authorize them to spread this cost across their other rates. Have you thought about how much it might increase other fees if we do this?

**Senator Hogue**, I have, and I haven't asked either the Game and Fish Department or Legislative Council to prepare that type of offset. It is a matter of a few dollars, because there are substantially more adult hunters than youth hunters. We charge substantially more for out of state hunters than we do for in state hunters. If we were to spread this across those groups for example it could be done.

**Paul Schadewald**, Chief administration Services Division with North Dakota Game and Fish Department, was in opposition of SB 2189 (see attached testimony #2).

**Senator Erbele** asked if there was a breakdown of what the ages are of hunters. Do you know how many youth licenses are issued within the thousands that are shown on the graph?

**Paul Schadewald** I don't have a graph or the numbers with me but I can get them to you. On the youth deer season we sell about 500 youth bow licenses and about 6500 youth deer tags.

**Senator Erbele** do you track that back, is that an increase or decrease in trend?

**Paul Schadewald** I think we are staying about even. The numbers in hunting education classes are about the same.

**Senator Schneider** asked Paul if he could give us an idea of how resident fees in other states compare to that of North Dakota.

**Paul Schadewald** we are a little bit cheaper on most of our fees. We do subsidize with a large number of nonresident waterfowl and pheasant hunters that come into the state. We also have not had a major fee increase for many years because of the number of nonresident hunters.

**Senator Triplett** if we were to approve this bill and were to give you permission to spread the loss over the rest of the fees, generally, how much would you have to add to adult fees to make up the difference?

**Paul Schadewald** there is about 110,000 residents who hunt in a year, so it would be spread over that number. If you have over a million dollars, that would be ten dollars over a biennial period or five dollars a year for residents. If you put nonresidents in there it is a larger pool and there were around 40,000 nonresident hunters this year.

**Senator Freborg** don't we have a major imbalance in the fees compared to Montana, especially in deer licenses.

**Paul Schadewald** the nonresident fees in Montana are set based on sort of a commercial value. They have low rates for residents, but the nonresident pay high fees for big game licenses.

**Senator Freborg** what about small game, strictly nonresident compared to North Dakota?

**Paul Schadewald** I believe North Dakota is probably a little bit higher compared to Montana.

**Mike McEnroe**, speaking on behalf of the North Dakota Chapter of the Wildlife Society, was in opposition of SB 2189 (see attached testimony #3A & 3B).

**Foster Ray Hager**, representing the Cass County Wildlife Club, we oppose this bill for all the reasons you have already heard.

**Senator Lyson** closed the hearing on SB 2189.

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2189

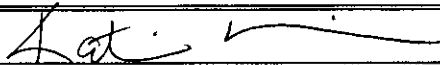
Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 23, 2009

Recorder Job Number: 7626

Committee Clerk Signature



Minutes:

**Senator Lyson** opened the discussion on SB 2189, one member absent.

**Senator Hogue** these are alternative amendments. The first amendment (102) would give authority to increase license fees. This would give the Game and Fish Commissioner the discretion to raise fees the way he thinks best to offset any loss of revenue arising from eliminating fees for youth. The other amendment (101) raises the resident game license fee by two dollars and the nonresident by six dollars. 101 would still cause a net loss of revenue to the game and fish commission. It eliminates over half of the fiscal impact, but it is still on the order of a loss of \$200,000 per year and about \$400,000 for the biennium. Our statute is set up where the legislature spells out the fees that maybe charged for each of the different categories of hunting/fishing licenses both for resident and nonresident and youth. I can see some concern with giving the commission discretion to set the fees. On the other hand, I think it would be best if they had that discretion to raise the fees. I am leaning towards amendment 102.

**Senator Freborg** does anyone know what exactly the Game and Fish Department's proposed budget is? I think it is \$57,000,000 but I am not positive. I am mildly opposed to these amendments. I have no problem with raising nonresident fees. Very few sessions ago we sat

here and listened to a \$37,000,000 budget, which is \$20,000,000 less. They are growing by leaps and bounds and I think they can find it in their budget to do this.

**Senator Lyson** just to clarify, you are either going to submit 101 or 102 is that correct?

**Senator Hogue** yes, that is correct.

**Senator Freborg** I certainly think 102 would be acceptable because we are only giving them authority of about a million dollars.

**Senator Lyson** also it is only for this purpose. I think it is more acceptable than raising fees.

**Senator Freborg** some people may say that we should be getting it from nonresidents, with 102 they can apply the increase to them as well.

**Senator Schneider** is there a way to get the Game and Fish Department to give us an estimate on where they will be applying the fee increase to make up for the difference? I just worry about unintended consequences.

**Senator Lyson** if we go with 102 it says where they can do it. It will be either in license fees for residents or for nonresidents. It won't take care of the whole amount but at least half of it.

**Senator Schneider** within the Game and Fish Department license fees are there any different kinds of game fees?

**Senator Triplett** yes there are 54 different types.

**Senator Schneider** so we won't really know where they are getting revenue from right?

**Senator Lyson** they set fees for so many different things for example fishing, fur bearers etc. They can raise money very easily. You could raise a fishing license fifty cents and it would bring in an awful lot of money to the Game and Fish Department.

**Senator Triplett** it seems to me that the Game and Fish licensing fees in general, are so reasonable that this should be able to be absorbed.

**Senator Hogue** I move a do pass on amendment 102.

**Senator Triplett** seconds the motion.

Roll call was taken, 6 yeas, 0 no, 1 absent, **motion passed.**

**Senator Triplett** I move a do pass as amended.

**Senator Schneider** seconds the motion.

Roll call was taken, 6 yeas, 0 no, 1 absent. **Motion passed.**

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2189

Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 23, 2009

Recorder Job Number: 7626

Committee Clerk Signature

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### Minutes:

SB 2189 was held open to allow Senator Erbele to vote.

Vote changed to 6 yea, 1 no, 0 absent.



## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2189

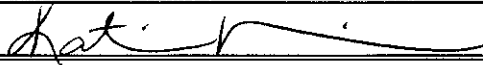
Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: January 29, 2009

Recorder Job Number: 8178

Committee Clerk Signature



Minutes:

**Senator Lyson opened the discussion on SB 2189.**

**Senator Hogue** I discussed the amendment with several other Senators and also visited with a representative from the Game and Fish Commissioner. One of the concerns was the effective date. The representative from the Game and Fish Commissioner wanted it to be effective at the beginning of the season. The amendment will provide that the elimination of the youth hunting fees will be starting on April 1, 2010. The second change relates to the amendments we had discussed with last week. We were discussing whether to put a specific dollar amount on another fee or to give the Game and Fish Commissioner discretion to raise fees where he sees necessary. All of the fees that we impose upon our fishers and hunters are set by statute. There is a strong desire to make sure when the Game and Fish Commissioner raises or lowers those fees; he has to come back to us as a legislative body to seek that authorization. The other amendment will basically strike out the amendment that we previously voted on and raise the fee on the stamp license from ten dollars to thirteen dollars. This proposed amendment will keep our statutory scheme consistent. Every fee will be set in statute rather than permitting the Game and Fish commissioner to set those by administrative rule.

**Senator Hogue** moves the Natural Resources Committee reconsider its passage of the .0100 amendment and the bill.

**Senator Freborg** seconds the motion.

Voice vote was taken and motion passed on a vote of 7 to 0.

**Senator Schneider** asked Senator Hogue if he had any sense on how the Game and Fish Department felt about the amendments.

**Senator Hogue** The effective date is something they suggested directly to me. They do not support the concept of the bill, in terms of the free hunting license for youth. The other provision about raising the stamp from \$10 to \$13 is something that, I think, they support over promulgating an administrative rule.

**Senator Hogue** moves the amendments .0201 be adopted.

**Senator Schneider** seconds the motion.

Voice vote was taken and the motion to adopt the amendments passed on a vote of 7 to 0.

**Senator Hogue** moves SB 2189 as amended by .0201 be a Do Pass by the committee and be re-referred to the Appropriations Committee.

**Senator Schneider** seconds the motion.

**Senator Erbele** I don't think that a free license will help the youth situation at all. We have less youth because we have a youth declining youth population throughout the state. If you look at all the other sports that young people are involved in they have to pay to participate in them and for the gear and equipment, same as hunting. The fee they have to pay now is very reasonable.

**Senator Pomeroy** I agree with Senator Hogue on one hand but I don't think that the fees will keep them from doing it.

**FISCAL NOTE**  
**Requested by Legislative Council**  
02/02/2009

Amendment to: Engrossed  
SB 2189

**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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$20,000		
Appropriations						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill eliminates game and fish license fees for residents under age 18. These include: fishing, general game and habitat, small game, deer bow, deer gun, turkey, moose, elk, bighorn, crane, swan, and pronghorn licenses. It increases the cost of a habitat restoration stamp from \$10 to \$13.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Game and Fish license sales revenue from under 18 year olds would be reduced by about \$800,000 per biennium. \$200,000 in federal funding would be lost. The increase in the habitat stamp fee would offset this revenue loss, including the federal funds.

**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 \$200,000 per biennium of federal funds that would be lost comes from excise taxes on hunting and fishing equipment. This funding is allocated to North Dakota based on the number of paid license holders that we have. Youth under age 18 could not be counted because they do not pay \$3 or more for licenses.

**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.*

Youth hunters would still have to get licenses and tags for lottery licenses, but these would be issued at no charge. There could be a higher demand for these licenses because no fee is charged. This would result in some additional costs for issuing licenses. There would also be costs for adjusting the licensing computer systems.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

<b>Name:</b>	Paul Schadewald	<b>Agency:</b>	ND Game and Fish Department
<b>Phone Number:</b>	701-328-6328	<b>Date Prepared:</b>	02/02/2009

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/28/2009

Amendment to: SB 2189

**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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$500,000)		
Expenditures				\$20,000		
Appropriations						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill eliminates game and fish license fees for residents under age 18. These include: fishing licenses, general game and habitat, small game, deer bow, deer gun, turkey, moose, elk, bighorn, crane, swan, and pronghorn licenses.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Game and Fish license sales revenue would be reduced by about \$800,000 per biennium. \$200,000 in federal funding would be lost. License fees for those 18 and older would eventually be increased by admin rule to replace the lost revenue. The higher fees would probably not be in place until 2010 so the revenue increase would not offset the revenue loss for 2009-11. The federal funds would not be recovered.

**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 \$200,000 per biennium of federal funds that would be lost comes from excise taxes on hunting and fishing equipment. This funding is allocated to North Dakota based on the number of paid license holders that we have. Youth under age 18 could not be counted because they do not pay \$3 or more for licenses.

**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.*

Youth hunters would still have to get licenses and tags for lottery licenses, but these would be issued at no charge. There could be a higher demand for these licenses because no fee is charged. This would result in some additional costs for issuing licenses. There would also be costs for adjusting the licensing computer systems.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

<b>Name:</b>	Paul T. Schadewald	<b>Agency:</b>	ND Game and Fish Department
<b>Phone Number:</b>	701-328-6328	<b>Date Prepared:</b>	01/29/2009

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/13/2009

**REVISION**

Bill/Resolution No.: SB 2189

**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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$1,000,000)		(\$1,000,000)
Expenditures				\$2,000		\$2,000
Appropriations						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill eliminates game and fish license requirements for residents under age 18. The following licenses would be eliminated: fishing licenses for those age 16 and 17, general game and habitat, small game, deer bow, deer gun, turkey, moose, elk, bighorn, crane, swan, and pronghorn licenses.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Game and Fish license sales and federal revenue would be reduced by about \$500,000 per year or \$1,000,000 per biennium. This would include \$400,000 per year for licenses and about \$100,000 in federal funding per year. Some federal funds are allocated to North Dakota based on license sales. Reduced license sales will result in lower federal funding allocations.

**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.*

No cost deer licenses would result in a revenue loss of about \$225,000 per year. General Game and Habitat license sales would be reduced by about \$100,000 per year. Smaller amounts would be lost from a variety of other licenses.

The \$100,000 per year of federal funds that would be lost come from excise taxes on hunting and fishing equipment.

**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.*

It is assumed that youth hunters would still have to get tags for lottery licenses, but these would be issued at no charge. There could be a higher demand for these licenses because no fee is charged. This would result in some additional costs for issuing licenses.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

<b>Name:</b>	Paul T. Schadewald	<b>Agency:</b>	ND Game and Fish
<b>Phone Number:</b>	328-6328	<b>Date Prepared:</b>	01/12/2009



**FISCAL NOTE**  
**Requested by Legislative Council**  
01/12/2009

Bill/Resolution No.: SB 2189

**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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$1,000,000		\$1,000,000
<b>Expenditures</b>				\$2,000		\$2,000
<b>Appropriations</b>						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill eliminates game and fish license requirements for residents under age 18. The following licenses would be eliminated: fishing licenses for those age 16 and 17, general game and habitat, small game, deer bow, deer gun, turkey, moose, elk, bighorn, crane, swan, and pronghorn licenses.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Game and Fish license sales and federal revenue would be reduced by about \$500,000 per year or \$1,000,000 per biennium. This would include \$400,000 per year for licenses and about \$100,000 in federal funding per year. Some federal funds are allocated to North Dakota based on license sales. Reduced license sales will result in lower federal funding allocations.

**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.*

No cost deer licenses would result in a revenue loss of about \$225,000 per year. General Game and Habitat license sales would be reduced by about \$100,000 per year. Smaller amounts would be lost from a variety of other licenses.

The \$100,000 per year of federal funds that would be lost come from excise taxes on hunting and fishing equipment.

**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.*

It is assumed that youth hunters would still have to get tags for lottery licenses, but these would be issued at no charge. There could be a higher demand for these licenses because no fee is charged. This would result in some additional costs for issuing licenses.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

<b>Name:</b>	Paul T. Schadewald	<b>Agency:</b>	ND Game and Fish
<b>Phone Number:</b>	328-6328	<b>Date Prepared:</b>	01/12/2009

Date: Jan 23, 2009

Roll Call Vote #: 2189 #1

**2009 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."**

Senate Natural Resources Committee

☐ Check here for Conference Committee

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

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended ☒ Amendment

Motion Made By Sen. Hogue Seconded By Sen Triplett

Senators	Yes	No	Senators	Yes	No
Senator Stanley W. Lyson, Chairman	/		Senator Jim Pomeroy	/	
Senator David Hogue, Vice Chairman	/		Senator Mac Schneider	/	
Senator Robert S. Erbele	/		Senator Constance Triplett	/	
Senator Layton W. Freborg	/				

Total (Yes) 6 No 0

Absent 1 Sen. Erbele

Floor Assignment \_\_\_\_\_

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

The amendment only.

Date: Jan 23, 2009Roll Call Vote #: 2189 #2**2009 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."**Senate Natural Resources Committee☐ Check here for Conference CommitteeLegislative Council Amendment Number 90.529.0102Action Taken ☒ Do Pass ☐ Do Not Pass ☒ AmendedMotion Made By Sen Triplett Seconded By Sen Schneider

Senators	Yes	No	Senators	Yes	No
Senator Stanley W. Lyson, Chairman	/		Senator Jim Pomeroy	/	
Senator David Hogue, Vice Chairman	/		Senator Mac Schneider	/	
Senator Robert S. Erbele			Senator Constance Triplett	/	
Senator Layton W. Freborg	/				

Total (Yes) 6 No 0Absent 1 Sen ErbeleFloor Assignment Sen. Hogue

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

**REPORT OF STANDING COMMITTEE**

**SB 2189: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2189 was placed on the Sixth order on the calendar.

Page 1, line 15, after "eighteen" insert "- Authority to Increase license fees"

Page 1, line 17, after the underscored period insert "Notwithstanding game and fish license fees established by statute, the director by rule may increase game and fish license fees to offset the revenue lost by not charging game or fish license fees for licenses issued to residents under eighteen years of age."

Renumber accordingly

Date: 1, 2009, 29

Roll Call Vote #: 2189

**2009 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."**

Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 90529.0201

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Sen. Hogue Seconded By Sen. Schneider

Senators	Yes	No	Senators	Yes	No
Senator Stanley W. Lyson, Chairman	/		Senator Jim Pomeroy	/	
Senator David Hogue, Vice Chairman	/		Senator Mac Schneider	/	
Senator Robert S. Erbele	/		Senator Constance Triplett	/	
Senator Layton W. Freborg	/				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Amendment only

Date: Jan 29, 2009

Roll Call Vote #: 2189

**2009 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."**

Senate Natural Resources Committee

☐ Check here for Conference Committee

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

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Sen. Hogue Seconded By Sen. Schneider

Senators	Yes	No	Senators	Yes	No
Senator Stanley W. Lyson, Chairman	/		Senator Jim Pomeroy		/
Senator David Hogue, Vice Chairman	/		Senator Mac Schneider	/	
Senator Robert S. Erbele		/	Senator Constance Triplett	/	
Senator Layton W. Freborg		/			

Total (Yes) 4 No 3

Absent \_\_\_\_\_

Floor Assignment Sen. Hogue

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

**REPORT OF STANDING COMMITTEE**

SB 2189, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2189 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and" and after "20.1-03-12" insert "and section 20.1-03-12.1"

Page 1, line 4, after "fees" insert "; and to provide an effective date"

Page 1, after line 12, insert:

**"SECTION 2. AMENDMENT.** Section 20.1-03-12.1 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-03-12.1. Habitat restoration stamp required - Use of revenue - Land purchases not allowed.** Except for licenses issued under section 20.1-03-07.3, a habitat restoration stamp is required for every resident and nonresident general game license for which a stamp fee of ~~ten~~ thirteen dollars must be charged. The habitat restoration stamp fee is in addition to the annual general game license fee charged under section 20.1-03-12. Land may not be purchased with habitat restoration stamp moneys. All moneys generated by habitat restoration stamp fees must be placed in the game and fish private land habitat and access improvement fund with five dollars of the fee allocated to the private land open to sportsmen program."

Page 1, line 15, remove "Authority to increase fees"

Page 1, line 17, remove "Notwithstanding game and"

Page 1, replace lines 18 through 20 with:

**"SECTION 4. EFFECTIVE DATE.** This Act becomes effective on April 1, 2010."

Renumber accordingly



2009 TESTIMONY

SB 2189

1 **TESTIMONY OF DAVID HOGUE IN SUPPORT OF SB 2189**

2 **Senate Industry, Business, and Labor Committee**

3 **January 22, 2009**

4 **9:00 am**

5  
6  
7 Good Morning Chairman Lyson and members of the committee. My name  
8 is David Hogue. I am a North Dakota Senator representing District 38. I am the  
9 prime sponsor of Senate Bill 2189 and offer testimony in support of its adoption.

10 As a member of your committee, I know you have heard testimony about  
11 taking pro-active steps to increase the level of interest in hunting and fishing  
12 among North Dakota youth. I share this same objective. For several reasons,  
13 interest in hunting and fishing among North Dakota youth appears to be in  
14 decline. I introduced SB 2189 to help reverse this decline.

15 We have heard testimony last week on a bill to authorize a one time  
16 hunting experienced for individuals who have not passed the hunter safety  
17 program. That is a positive step for fostering interest in hunting activities. SB  
18 2189 represents another effort towards that same objective.

19 It's important for the Committee to recognize that no single bill, no single  
20 gesture, or regulation, standing alone, is likely to reverse the trend. It will, in my

1 judgment, require a series of tools or incentives to develop healthy interest in  
2 youth.

3 The bill does have a fiscal impact of approximately \$ 1 million per biennium.  
4 This is a modest investment in the youth of North Dakota. Some may suggest that  
5 the parents pay for youth hunting fees so it really is a discount for the parents. In  
6 many cases, the parents are the ones paying for the youth hunting fees. But my  
7 experience is that there are lots of different arrangements occurring in the field,  
8 especially when youth live in single parent families or when neither parent are  
9 hunters.

10 Hunting and fishing can be expensive pursuits. The legislative assembly  
11 has previously taken steps to reduce the costs of hunting for youth and disabled  
12 citizens. The Legislature has passed "free" fishing days for example. See section  
13 20.1-03-06 of the North Dakota Century Code.

14 SB 2189 is another step in that direction. I ask this committee to give SB  
15 2189 favorable consideration.

**North Dakota Game and Fish Department Testimony  
Senate Bill 2189**

The North Dakota Game and Fish Department is funded by those who hunt and fish and boat. It depends on license sales and excise taxes paid on hunting, fishing and boating equipment. While intentions of the sponsors of this bill are certainly positive, the results are just as certainly negative. The Department will have a reduction of revenue of approximately \$500,000 per year. The Department does not support the "free license" concept. We do not think that a fee change like this will result in any additional anglers or hunters. It will result in a loss of funding for programs that do work, things such as access programs for both hunting and fishing.

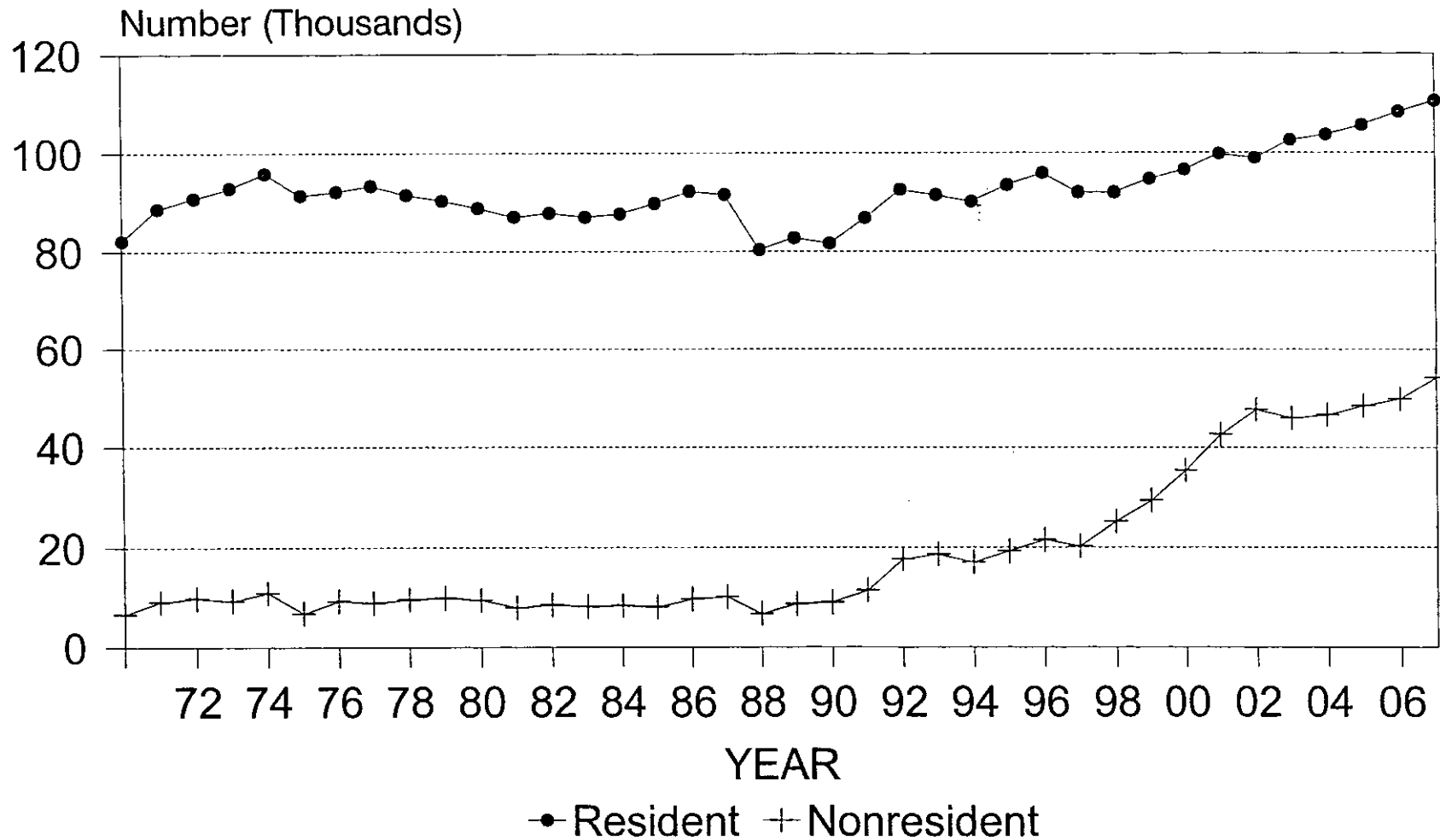
A recent recruitment and retention study found that the following constraints/dissatisfaction for hunting emerged: lack of time in general, work obligations, family obligations, not enough access to places to hunt, other interests being more important and not enough places to hunt, poor behavior of other hunters, too many hunters in the field, and having to travel too far to hunt.

In this study the cost of licenses was not a significant factor discouraging potential hunters. The cost of North Dakota hunting and fishing licenses, especially for residents, is already a bargain. In North Dakota we are able to keep resident fees low because of the large number of nonresidents coming here. We also have granted resident license rates to youth under age 16 from many states that do the same for our youth. Licenses are a very small part of the cost of hunting and fishing.

There are programs that work. PLOTS, Archery in Schools, special youth hunts and mentor programs work. Elimination of fees will not aid in recruitment, it will only reduce the funds available for good programs.

# NORTH DAKOTA

## GENERAL GAME LICENSE SALES

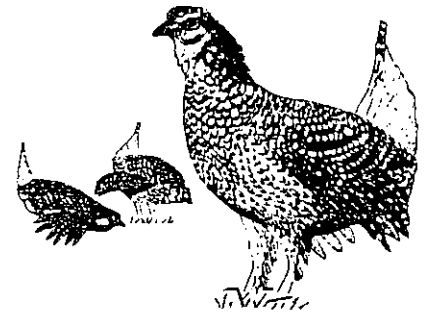




North Dakota Chapter

# THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



## TESTIMONY OF MIKE McENROE NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY PRESENTED TO SENATE NATURAL RESOURCES COMMITTEE JANUARY 22, 2009

Chairman Lyson and members of the Committee:

I am Mike McEnroe and I am speaking on behalf of the North Dakota Chapter of The Wildlife Society, a group of about 320 wildlife and natural resource professionals in the State. I have included a brochure describing the ND Chapter with my testimony.

I am speaking today in support of the Game and Fish Department in opposition to this bill. We generally do not testify in opposition to youth hunting bills. But the Game and Fish Department fiscal note on SB 2189 indicates a revenue loss of approximately \$ 1 million.

In the Department's Hunter recruitment and retention study, completed this past year, the cost of a hunting license was not identified as an obstacle or detriment to kids beginning to hunt. In similar studies in other states, license costs have not been identified as a reason kids don't hunt. Currently, youth under 16 years old do not need a small game hunting license (\$6.00), may purchase a deer license for \$ 10.00 (half price), and do not need a federal Duck Stamp (\$ 15.00) to hunt waterfowl. For \$23.00, a youth under 16 may hunt upland game, waterfowl, and deer from September 1 until the first weekend in January.

There is also the idea that a thing without cost has little or no value. I suggest that this is true whether it is the parent or the youth that pay for the hunting license. If the parent pays, he or she may be more inclined to take the child out hunting. If the kid makes the investment, he or she will want to make more use of the license.

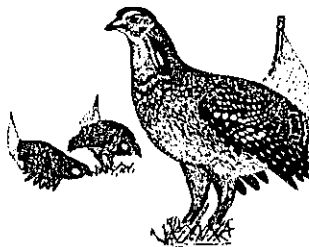
For these reasons, the Chapter recommends a "Do Not Pass" on SB 2189.

Thank you for the opportunity to comment. I will try answer any questions that you may have.

## SCHOLARSHIP PROGRAM

College scholarships are awarded annually to outstanding undergraduate natural resource students at Minot State University- Bottineau, North Dakota State University, Sitting Bull College, University of North Dakota, and Valley City State University. In addition, two outstanding graduate student awards are presented each year. Natural resource instructors at each of the universities and colleges nominate students for the scholarship awards.

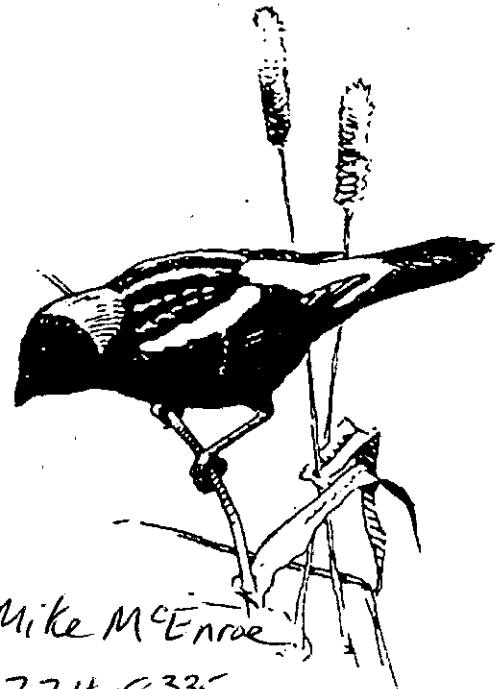
The Chapter has also implemented a Legacy Trust Initiative to strengthen the connection between natural resource students, educators, and the wildlife profession. Included in this endeavor are job fairs, career lesson panels, and opportunities for students to attend and engage in professional meetings.



NORTH DAKOTA CHAPTER  
THE WILDLIFE SOCIETY  
P.O. Box 1442  
Bismarck, ND  
58502-1442  
(WWW.NDCTWS.ORG)

# North Dakota Chapter

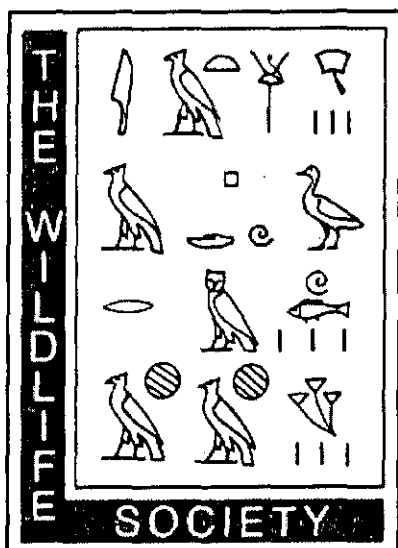
*The Wildlife Society*



NORTH DAKOTA CHAPTER  
The Wildlife Society

*Dedicated to the wise use of North  
Dakota's natural resources*





## WHAT IS THE WILDLIFE SOCIETY?

Founded in 1937, The Wildlife Society is an international, nonprofit, scientific and educational organization composed of professionals, students and laypersons interested and active in wildlife research, management, education, and administration.

## NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY

The North Dakota Chapter is an active affiliate of The Wildlife Society, a national organization. The Chapter is specifically concerned with effective management of North Dakota's plant and wildlife communities. The Chapter provides expertise in advising legislative and judicial processes concerning conservation of natural resources. It advocates the holistic treatment of environmental questions. The Chapter

was founded in 1963 and has played an active role in North Dakota wildlife management since that time.

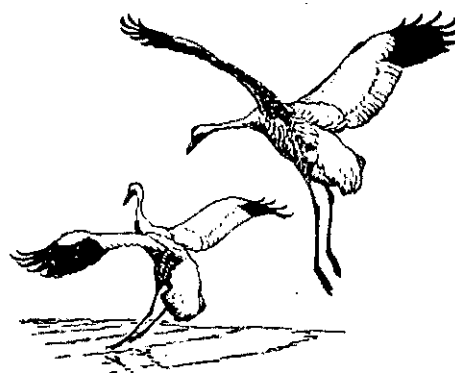
## CHAPTER MEMBERSHIP

Membership in the Chapter is open to any person who has an interest in the objectives and activities of the Chapter and is formally trained or employed in the wildlife field.

Those not meeting the education or employment requirements may also affiliate with the Chapter.

Association with the Chapter provides opportunities to be informed and participate in resolving conservation issues. Each member or affiliate receives the Chapter Newsletter.

Chapter members are encouraged to join the parent group, The Wildlife Society and the regional organization, the Central Mountain and Plains Section.



## ORGANIZATION

The Chapter is governed by an elected Executive Board composed of a President, President-elect, Past President, four Executive Board members, and an appointed Secretary-Treasurer.

A Field Representative for the Central Mountains and Plains Section of The Wildlife Society represents the Chapter on regional and national levels.

During legislative sessions, the Chapter employs a legislative liaison to provide expert testimony on Senate and House bills relating to natural resource issues, and where appropriate lobbies for bills that promote natural resource conservation.

## CHAPTER PROGRAMS, ACTIVITIES, AND SERVICES

An annual winter meeting is held for the membership to elect and install new officers, for hearing of committee reports and for the general business meeting. The meeting also features research and management presentations, panel discussions of timely issues, and poster



sessions. An annual fundraiser provides for social time and raises funds targeted for Chapter programs and activities. A formal banquet includes annual awards, recognition of achievements, and special speakers or entertainment.

## AWARDS

The chapter presents awards to recognize and commend outstanding achievement in wildlife related activities in North Dakota.



- The NORTH DAKOTA AWARD is presented to an individual for outstanding contribution to the profession of wildlife management in North Dakota.
- The NORTH DAKOTA HABITAT AWARD is presented to an individual or group that has made an outstanding contribution toward preserving and/or establishing high quality wildlife habitat on the lands of North Dakota.
- The NORTH DAKOTA CASE-OF-THE-YEAR AWARD is presented annually to the person or persons primarily responsible for the conviction of persons guilty of a serious natural resource violation in the state.
- Other awards may be given to individuals or groups that show outstanding achievements in wildlife-related fields.

## DAKOTA PRAIRIE LEGACY ENDOWMENT

The Dakota Prairie Legacy endowment is a Chapter initiative to provide income to meet the many urgent challenges confronting wildlife and their habitats. The Dakota Prairie Legacy accepts gifts of cash, property, and deferred gifts (estates) from its members and interested parties.