

2013 HOUSE AGRICULTURE

HB 1322

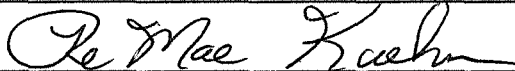
2013 HOUSE STANDING COMMITTEE MINUTES

House Agriculture Committee
Peace Garden Room, State Capitol

HB 1322
January 31, 2013
Job #18065

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to game and fish department land purchases

Minutes:

Attachments 1 & 2

Representative Hofstad, Co-Sponsor: I am from the epicenter for waterfall hunting in the state and the home of a world renowned fishery. Part of preserving this resource is a relationship between Game & Fish Department, and between the landowner and hunter. This bill strengthens that relationship. The way the law works now is if the Game & Fish Department is intending to acquire land they must have a statewide plan. If it is an acquisition of more than 10 acres or \$10,000, they then present themselves to the budget section. We could find ourselves neighbors to Game & Fish without notice.

This is an opportunity to give landowners notice. It is not burdensome to the Game & Fish Department. A notice is sent to adjacent landowners and subdivisions with that area.

Sheyna Strommen, North Dakota Stockmen's Assn: (See attachment #1)

Representative Headland: What are "essential purposes"?

Sheyna Strommen: I can't detail that. It would be something for the legislature to answer.

Tom Bodine, North Dakota Farm Bureau: Also in support of HB 1322. This bill would help communications. It gives landowners the ability to weigh in when competing with a state agency.

Representative Kiefert: I think it is a good idea to let people know what is going on. What caught my attention is line 14 where they can bid up to 200%

of the appraised value. It looks like they are set up with the intention of having to outbid farmers that have an interest in the land.

Chairman Dennis Johnson: There is land in our area that has gone over 200% between farmers.

Representative Kiefert: In Barnes County we have Hershey Co. buying land for investment purposes. They bid up to \$5,200 per acre.

Terry Steinwand, Game and Fish Dept. Director: To respond to Representative Kiefert that is less than 40 acres. It was a Devils Lake area for boat ramps. We can only go up to appraised value.

Representative Headland: I think you just explained what an "essential purpose" would be.

Chairman Dennis Johnson: Closed the hearing

Vice Chair John Wall: Moved Do Pass

Representative Belter: Seconded the motion

Chairman Dennis Johnson: This gives the community the ability to know what is happening. It is a good neighbor policy.

Representative Larson: We received an email from United Sportsman. (See attachment #2) They were opposed to this bill. I was surprised to not hear any other sporting groups here to give us more information.

Representative Boschee: I wonder if their interpretation is wrong.

Representative Larson: Yes, it says a landowner should be able to sell to whomever he wants to. This doesn't prevent that.

A Roll Call vote was taken:

Yes 12, No 0, Absent 1. (Rep. M. Nelson)

Do Pass carries.

Representative Larson will carry the bill.

Date: 1/31/13

Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1322**

House **Agriculture** Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Consent Calendar
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Wall Seconded By Rep. Belter

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	X		Rep. Joshua Boschee	X	
Vice Chairman John Wall	X		Rep. Jessica Haak	X	
Rep. Wesley Belter	X		Rep. Marvin Nelson	AB	
Rep. Alan Fehr	X				
Rep. Craig Headland	X				
Rep. Joe Heilman	X				
Rep. Dwight Kiefert	X				
Rep. Diane Larson	X				
Rep. David Rust	X				
Rep. Wayne Trottier	X				

Total Yes 12 No 0

Absent 1

Floor Assignment Representative Larson

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

REPORT OF STANDING COMMITTEE

HB 1322: Agriculture Committee (Rep. D. Johnson, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1322 was placed on the
Eleventh order on the calendar.

2013 SENATE NATURAL RESOURCES


HB 1322

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee Fort Lincoln Room, State Capitol

HB 1322
March 29, 2013
Job Number 20687

Conference Committee



Explanation or reason for introduction of bill/resolution:

Relating to game and fish department land purchases

Minutes:

No attachments

Roll call was taken and all committee members were present except for Senator Burckhard.

Chairman Lyson opened the hearing for HB 1322.

Representative Curt Hofstad, District 15, introduced the bill. The bill is about transparency, not about impeding the process. The public would like to have an opportunity for input.

There was discussion about the need for transparency, why others would care about a sale between a willing seller and a willing buyer, and the perceived problems caused by the State buying the land rather than an individual buying it.

There was also discussion about what use the Game and Fish would put the land to. It would be going from production agriculture to habitat. A comparison was made between the acquisition of land by Game and Fish and the acquisition of land for a water project. When a water project is being done, the surrounding users are notified.

Senator Triplett felt the presentation was somewhat disingenuous to mention that there would be one less family in the local church and in the local school. This is not the case when it involves an absentee landowner. She has heard that the issue is the desire to give beginning farmers a chance. She feels it is really about the nearby landowners wanting to increase their holdings as farms increase in size. They don't want Game and Fish to buy up the land or to drive up the prices.

In Favor: None
Opposition: None
Neutral: None

Senator Laffen asked what Game and Fish Dept. thinks of this bill. Will giving public notice create a hornet's nest?

Terry Steinwand, Director of ND Game and Fish, said they have no problem with this bill. It is a more transparent process.

Senator Hogue asked how many acres Game and Fish owns and how many have they acquired in the 2 years. What does their comprehensive plan look like?

Mr. Steinwand said they manage approximately 206,000 acres of land in ND. Of that, they own about 104,000 acres. In the past two years they have purchased 1800 acres. (This is based solely on his memory.) As far as their plan, every time they go in front of Appropriations they have a listing of what willing sellers have come to them in the past two years that would qualify for a purchase. Not every area is a unique area that fits in to their plan. The 1800 acres qualified because it is a very nice hunting destination and there are very few tracts of land in the area that are open to sportsmen and no other public hunting areas near there.

Mr. Steinwand said as far as he knows they are the only state agency that pays full taxes on the land that they own and on the land they lease.

Chairman Lyson closed the hearing for HB 1322.

Senator Triplett asked for an opportunity to research the history of this. She does not like that the budget section gets this policy thing. She thinks it should be a plan that is presented to the legislature. Why should a comprehensive plan be approved by a small segment of the legislature?

Senator Hogue concurred. There are too many decisions concentrated in the interim in the budget section. It is not good policy.

Senator Triplett and Senator Hogue will work on this.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1322
April 5, 2013
Job Number 20920 (20:00 to 22:37)

Conference Committee

Veronica Spaulding

Explanation or reason for introduction of bill/resolution:

Relating to game and fish department land purchases

Minutes:

No attachments

Chairman Lyson opened the discussion for HB 1322.

Senator Triplett explained the concern she and Senator Hogue had about why they would need budget section approval. (20:00 to 21:40)

Senator Triplett: Do Pass

Senator Burckhard: Second

Roll Call Vote: 7, 0, 0

Carrier: Senator Burckhard

Date: 4-5-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1322

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Triplett Seconded By Burckhard.

Senators	Yes	No	Senators	Yes	No
Senator Lyson	✓		Senator Triplett	✓	
Senator Burckhard	✓		Senator Murphy	✓	
Senator Hogue	✓				
Senator Laffen	✓				
Senator Unruh	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Burckhard

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

REPORT OF STANDING COMMITTEE

HB 1322: Natural Resources Committee (Sen. Lyson, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1322 was placed on the
Fourteenth order on the calendar.

2013 TESTIMONY

HB 1322

HB 1322

House Agriculture Committee

10 a.m.

#1
1/31/13

Good morning Chairman Johnson and members of the House Agriculture Committee

For the record, my name is Sheyna Strommen and I am representing the North Dakota Stockmen's Association as we stand in support of House Bill 1322.

Our association has long standing policy opposing the ownership of agricultural lands by any state, federal or non-profit tax-exempt organization, except when such ownership is needed for absolutely essential purposes.

In the rare instance that an absolutely essential purpose arises, we believe that transparency is a must. Therefore, we can support HB 1322 and its notification requirements.

Thank you.

Johnson, Dennis E.

#2

From: Sheldon & Joni Cieslak <sjjkas@beu.midco.net>
Sent: Wednesday, January 30, 2013 5:49 PM
To: Johnson, Dennis E.
Subject: HB1322

1/31/13

1322

Mr. Dennis Johnson,

My name is Sheldon Cieslak and I am currently the State Chairman of the United Sportsmen of North Dakota. Last night we had a conference call and discussed HB 1322 in length. Because as a group we believe a landowner should have the right to sell his land at his price to whom ever he chooses, and because we believe North Dakota could use more State land for the residents of North Dakota we oppose this bill.

We would like to be present to testify against HB 1322 but for serious personal reason our lobbyist cannot attend. Work schedules prevent any of the board from making an appearance. In light of these facts, we the United Sportsmen of North Dakota would appreciate it if you would share this email with the rest of the Agriculture Committee.

Thank you,
Sheldon Cieslak
State Chairman, United Sportsmen of North Dakota