

FISCAL NOTE
Requested by Legislative Council
01/14/2017

Bill/Resolution No.: SB 2227

- 1 A. **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.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$150,000		\$150,000
Expenditures				\$15,000		
Appropriations				\$15,000		

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

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

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

The bill amends 2 sections of the NDCC relating to fees for nonresident (NR) waterfowl hunting licenses age sixty-five or older.

- 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.*

The bill allows NR age 65 or older to purchase up to 2 NR waterfowl hunting licenses per year. Also \$100 of the \$150 fee for the 2nd license must be used for PLOTS.

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.*

We do not know how many NR waterfowl hunters will take advantage of purchasing a 2nd license. For example, if 500 NR age 65 or older purchase the 2nd license we would have an increased revenue of \$75,000 (500 x \$150) per year; total for the biennium is \$150,000. One hundred dollars of the fee, must be used for PLOTS.

- 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.*

Expenditures would be estimated at \$15,000 in programming costs. We would need to add an additional license, and include validation to ensure only those 65 or older would be able to apply for it.

- 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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

This bill increases operating expenditures by \$15,000.

Name: Kim Kary

Agency: ND Game and Fish Dept

Telephone: 328-6605

Date Prepared: 01/20/2017

2017 SENATE ENERGY AND NATURAL RESOURCES

SB 2227

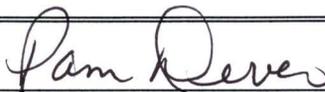
2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2227
1/26/2017
Job # 27428

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution: Relating to nonresident waterfowl hunting licenses.

Minutes:

Attch#1=Jeb Williams Attch#2=Mark Mazaheri(email),
Attch#3=Michael McEnroe-left on table by each Senator

Chairwoman Unruh: Called the committee to order. All committee members present. Any testimony in favor of SB 2227?

Sen Jerry Klein, Dist 14: (.55) : We are in that great fly way in Pierce County, Wells County, Sheridan County, and Kidder County; we find we have a lot of new friends that come every Fall. They stay in our communities, live in older homes they have bought, some stay in hotels. We get to know them every year. This gentleman is now retired and spends some time in Esmond. ND. He has grandkids who come from across the county and spend time with him. Being forced into his 2 – sevens or 14-day hunting period, he would like to hunt with the kids. I told him I would try this bill. What I have is an additional license for additional \$150 with part of the fee going to PLOTS program and you also have to be 65 years old. Simple bill. Ideas is to attempt to create more economic development out in the rural areas where we live. We keep spending money for tourism and the other things in ND. This does not cost us anything but brings money into the state.

Vice Chair Kreun: Anyone else in favor of SB2227? Those opposed?

Gary Masching, Bismarck, ND: I have a couple of things. I am 64 years old. I do not see that as a reason to put more pressure on a limited resource. The destruction of waterfowl habitat continues and if we really want to do something, it should be to help the habitat issue so there is a more stable resource. I think what you have now works. You have 2 – 7-day periods and 2 -14-day periods. It bothers me that it is always for the money. Not enough is said for conservation and the resource and the stopping the drainage of wetlands.

Vice Chair Kreun: Any more opposing testimony? (6.09)

Foster R. Hager, Cass County Wildlife Club: (6.13) out of Casselton, ND: There are about 200 members in the club. We educate about 80 students in hunter education. We are

opposed to this bill. Two 14-day periods are about the total ND duck season. This gives a person 28 days. This means that the high school kids that only hunt Saturday and Sunday, will be competing against the non-resident. What we have now works. The only time to hunt if you work is weekends. So now you are going to give someone, just because he is 65 and non-resident, you give him preference. I moved back to ND, so I solved that problem. Please do not pass. (8.03)

Vice Chair Kreun: Any agency?

Jeb Williams, Wildlife Division Chief, Game and Fish Dept.: (9.03) see Att #1. I mailed you some data and stats.

Sen. Armstrong:(10.1) Can you reschedule, if you have a non-resident license and have the two 7-day periods and you do not go? How do you pick the two 7-day period?

Jeb: Yes, the department does give flexibility to non-residence to changing those dates.

Sen. Armstrong: Do we ever figure out how many average days a non-resident actually at field in the 14 days? Any data?

Jeb: Yes. Currently, non-residence spends an average of 5.1 days a field in ND.

Sen. Roers: (12.08) How would a person go about changing their date? They must have to fill in an anticipated time they will be here hunting. Do they call the office?

Jeb: Yes, it is a combination of call or on line. We do not allow if that period has already started.

Vice Chair Kreun : Any more questions. Hearing on SB 2227 is closed. Discussion.

Sen. Roers: Just an observation. Surprising that over 10% of the people who do apply for license are over 65 years of age.

Vice Chair Kreun: They have more time. We will recess and hold it over.

(see Attch#2 by e mail to committee) (Attch#3 – left on table by each Senator)

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2227
1/26/2017
Job # 27490

- Subcommittee
 Conference Committee

Committee Clerk Signature *Pam Dever*

Explanation or reason for introduction of bill/resolution: Relating to nonresident waterfowl hunting licenses

Minutes:

Chairwoman Unruh: Reconvene from this morning. Take up SB 2227. I missed this hearing this morning. I will take committee feedback.

Sen. Armstrong: I move a DO NOT PASS on SB 2227.

Sen. Schaible: I SECOND.

Chairwoman Unruh: Committee discussion.

A roll call was taken on a Do Not Pass. YES 7 NO -0- -0-Absent

DO NOT PASS - passed **Sen. Armstrong** will carry the bill.

Date: 1/26/17
 Roll Call Vote #: 1

**2017 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2227**

Senate Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Sen. Armstrong Seconded By Sen. Schaible

Senators	Yes	No	Senators	Yes	No
Chair Jessica Unruh	✓		Sen. Erin Oban	✓	
Vice Chair Curt Kreun	✓				
Sen. Kelly Armstrong	✓				
Sen. Dwight Cook	✓				
Sen. Jim Roers	✓				
Sen. Don Schaible	✓				

Total (Yes) 7 No -0-

Absent -0-

Floor Assignment Sen. Armstrong

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

Do Not Pass = Passed

REPORT OF STANDING COMMITTEE

SB 2227: Energy and Natural Resources Committee (Sen. Unruh, Chairman)
recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
SB 2227 was placed on the Eleventh order on the calendar.

2017 TESTIMONY

SB 2227

Jeb Williams

*SB 2227
1-26-17
Attch #1
pg 1*

**65th LEGISLATIVE ASSEMBLY
Senate Energy and Natural Resource Committee
Senator Jessica Unruh, Chair**

Senate Bill 2227/2259 - Relating to non-resident waterfowl hunting

9:00 a.m., Thursday, January 26, 2017

Testimony Submitted by: Jeb Williams, Wildlife Division Chief
North Dakota Game and Fish Department

Good morning Chair Unruh and Committee Members,

Below are the current regulations and license fee structure which currently exist – and below that, is some information relating to the bills.

1) A statewide license, allows hunting statewide for two 7-day periods or one 14-day period.	\$150
2) A zone-restricted license that requires selection of hunting zones (zone map https://gf.nd.gov/gnf/maps/management/nrwtrf.pdf) according to the following restrictions:	\$100
<p>A nonresident must select Zone 1 or Zone 2 for one seven-day period and Zone 3 for the other seven-day period or</p> <p>Zone 3 for the full 14 days or two seven-day periods or</p> <p>Zones 1 and 3 concurrently for the same 7-day period or zones 2 and 3 concurrently for the same 7-day period. This option effectively reduces the license to seven days only, as the two 7-day periods are run at the same time.</p>	

SB 2227
1-26-17
Attch #1
pg 2

SB 2227

Non-resident license sales and the number of 65 and older who have purchased non-resident licenses over the last five years:

Year	Licenses Sold	65-older
2016	23,024	2,663
2015	24,236	2,689
2014	24,251	2,679
2013	24,295	2,561
2012	23,766	2,420

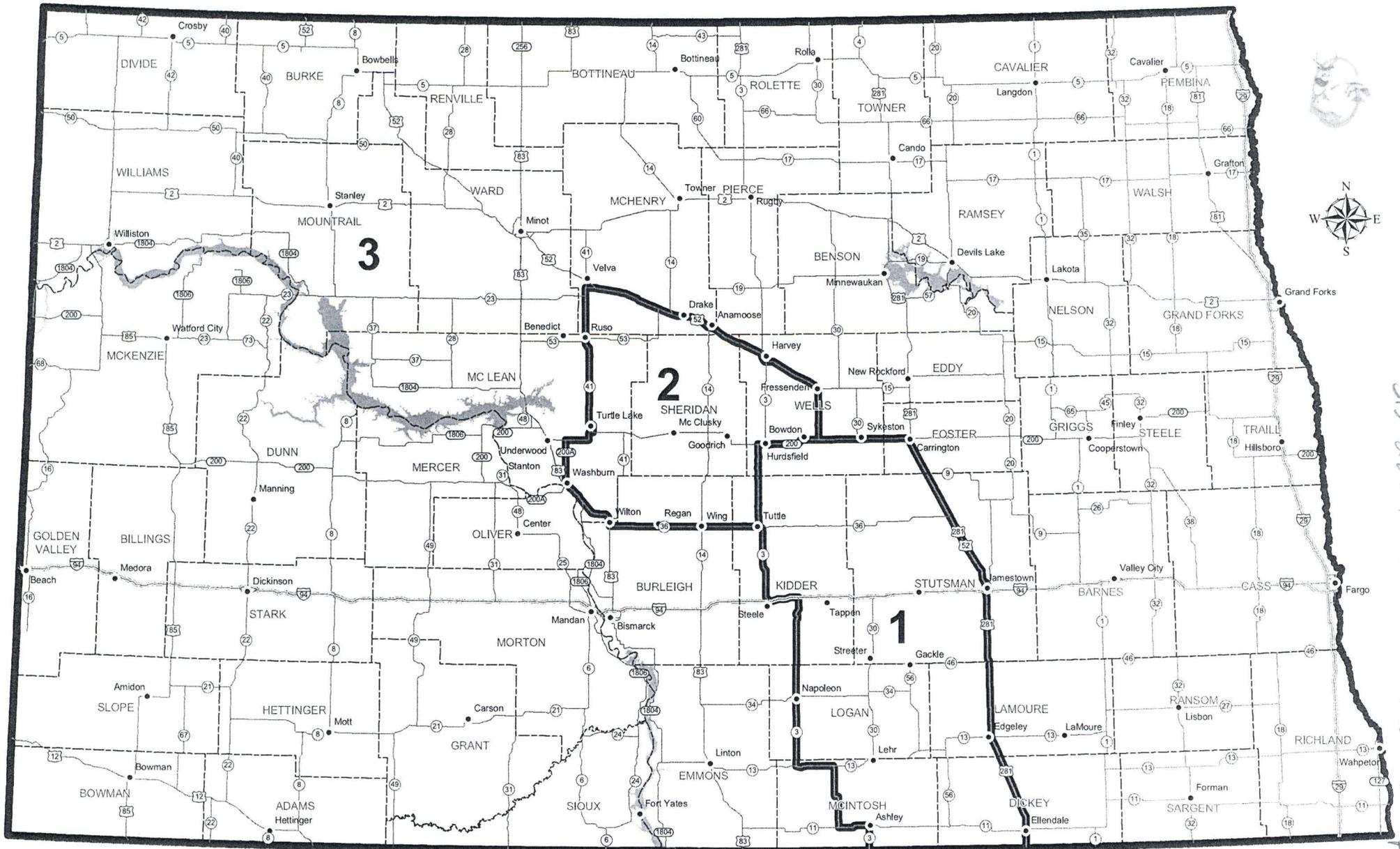
SB 2259

--Current regulations allow a non-resident to spend 14 days hunting waterfowl in North Dakota. Those fourteen days can be split in two, seven-day periods

--Non-residents currently average 5.1 days afield waterfowl hunting in North Dakota

--Approximately 6,000 (20-25%) non-resident waterfowl hunters currently make multiple trips to ND

North Dakota Game & Fish Department Non-Resident Waterfowl Zones



SB 2227
Att # 2
1-26-17
pg 1

by email

Good morning Senators,

On Thursday you will be considering Senate bills 2227 and 2259, both of which relate to expansion of nonresident waterfowl hunting in our state. Unfortunately, family circumstances will prevent me from testifying before your committee. In lieu of a personal appearance, please accept this email as my formal request for a DO NOT PASS recommendation on both these bills.

SB2227 *A nonresident age 65 or older would be entitled to purchase up to two nonresident waterfowl hunting licenses per year, with \$100 of the fee for the nonresident's second license must be used for the private land open to sportsmen program. The second license would cost \$150.*

1. Discriminates against young hunters. Next session will the age be lowered to 60? Maybe 55? Why should age be a factor?
2. Essentially allows nonresident to hunt the entire season. This will increase leasing and purchase of ND land by nonresidents, thereby creating additional competition for land and driving up land prices. This is not something our farmers and ranchers need during a very difficult/delicate time for agriculture.
3. The additional money dedicated to PLOTS is almost irrelevant because ND currently lacks quality acres to enroll in the PLOTS program. Funding is not the main obstacle to increasing PLOTS acres.
4. Available habitat for hunting has decreased substantially in the last decade creating more competition for what's left and putting additional pressure on a delicate resource. This bill would further exacerbate those problems by putting more people in the field.

SB2259 *Would allow a nonresident to buy a waterfowl license that is valid for three periods of four consecutive days. The fee for this license would be \$200, and \$50 must be used for the private land open to sportsmen program.*

1. This is essentially the same proposal that was defeated in previous legislative sessions. It further expands nonresident hunting in a time of decreasing resources/habitat.
2. As with 2227, the additional money offered to PLOTS is almost irrelevant because ND lacks the quality habitat for the program, not the money to pay for it. The revenue from one additional license would barely cover one acre of PLOTS.
3. Nonresidents would have the ability to hunt most of the waterfowl season, leading to increased leasing and purchase of land by nonresidents and increased land prices for our farmers and ranchers.

I am quite concerned that the Legislature is taking a very "anti resident hunter" theme during the current session. It has been said that this may be retribution for some sportsmen supporting Measure 5 in 2015. When coupled with SB2225, bills 2227 and 2259 will help expedite the loss of resident hunters in ND. These bills, if passed into law, will forever change the face of hunting in ND for the worse. You would be forcing out the little guys, the working people, the average ND hunter. Is that what you want?

Please recommend a DO NOT PASS on bills SB2227 and SB2259. North Dakota's outdoor heritage is at stake.

Your time and consideration on these issues are appreciated, as is your service to the people of North Dakota. If you have any questions, please feel free to call me.

Mark Mazaheri
2709 N. 10th St. Fargo-701-799-2525

original

North Dakota Wildlife Federation

Ensuring abundant wildlife, wildlife habitat, and access to wildlife recreational opportunities

Michael McEnroe left for each Sen.



TESTIMONY OF MICHAEL McENROE NORTH DAKOTA WILDLIFE FEDERATION SENATE BILL 2227 ENERGY AND NATURAL RESOURCES COMMITTEE JANUARY 26, 2017

Chairman Unruh and Members of the Senate Energy and Natural Resources Committee:

For the record, I am Mike McEnroe and I am representing the North Dakota Wildlife Federation. The Federation has 1,400 members in eighteen affiliated clubs and organizations across the State..

The Wildlife Federation has had a long history of opposing additional hunting licenses or less restricted licenses for non-resident hunters. SB 2227 proposes that a non-resident who is sixty-five years old may purchase a second non-resident waterfowl license.

Surveys of waterfowl hunters indicate that most waterfowl hunters retire from waterfowl hunting by the age of 65; it's too hard, their hunting buddies quit, or their hunting buddies have died. We believe the number of non-residents over the age of 65 coming back for a second license period would be minimal, While that may suggest the impact of addition 65-year old non-residents would be minimal, we would respond there are few people to take advantage of this license change.

I would stand for any questions the Committee may have.



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