

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/09/2019**

Bill/Resolution No.: SB 2201

- 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.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$437,500		\$437,500
<b>Expenditures</b>				\$30,000		\$0
<b>Appropriations</b>				\$30,000		\$0

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

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 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 nonresident(NR) waterfowl hunting license fees.

- 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 proposed bill is adding 3 periods of four consecutive days for NR waterfowl hunting for \$200 and providing \$50 of the fee to Private Land Open To Sportsmen (PLOTS) program.

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 are approx. 5,000 NR waterfowl hunters that made multiple trips last season. If we assume 50% (2,500 hunters) of them will choose to purchase the proposed 3 periods of four consecutive days and if 25% (625 hunters) choose to hunt statewide and 75% (1,875 hunters) choose to hunt zoned, the net result would be an increase revenue of \$218,750/year. [(625 x \$50) + (1,875 x \$100)] Total for biennium \$437,500. This proposed amendment would give the PLOTS program an additional \$10 per hunter (\$50 - \$40). Based on the above, PLOTS would receive an additional \$25,000/year (2,500 x \$10). Total for biennium \$50,000.

- 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 programming costs are estimated at \$30,000. We have to change programming to allow for another date range (3 four day periods). There would be some significant programming to make this happen.

- 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.*

Increase operating expenditures for \$30,000.

**Name:** Kim Kary

**Agency:** ND Game & Fish Dept

**Telephone:** 328-6605

**Date Prepared:** 01/15/2019

**2019 SENATE ENERGY AND NATURAL RESOURCES**

**SB 2201**

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2201  
1/17/2019  
Job Number 30961

- Subcommittee  
 Conference Committee

Committee Clerk: Marne Johnson

### Explanation or reason for introduction of bill/resolution:

A bill relating to nonresident waterfowl hunting licenses.

### Minutes:

3 attachments

**Senator Jerry Klein, District 14 (0:30-5:50) Introduced the bill.** Currently we have a hunting period of a 14-day period or two 7-day periods. This bill proposes to use three 4-day periods, reducing the time they can hunt from 14 days to 12 days. I guess what resurrected this when we were talking about Main Street Initiative last session. We were in Robinson, ND discussing what we could do to provide more opportunities for these small communities, and waterfowl hunting came up. They asked us to bring the bill back. I ran into the Director of Tourism and asked him to provide information relating to the relative economic impact of waterfowl hunting. **(please see attachment #1)** Between the study done in 2011-2012 and 2017-2018, you can see in the language, out-of-state hunting has provided an additional 6% increase, while in-state hunting has decreased 29%. We're losing our young people, they're not participating in hunting and fishing like we once did. Which I think is a problem; nevertheless, because the discussion has always been, we have so much pressure out there. In the 90s, the pressure was for the upland game, not the waterfowl. You can see the relative value, the economic impact of these out of state hunters. My thought would be and certainly the economics of suggesting they stay for three weeks, that's three more weeks of gas, restaurants, hotels. There are homes being bought up in our small communities by hunters, so they're back on tax rolls. There's a true economic impact for some of the small communities. It does not allow them to hunt that 1<sup>st</sup> week, that's still limited to in-state hunters. I visited with Rep. Weiss, who lives in the middle of all these potholes. It's unfortunate, but the 1<sup>st</sup> weekend, there's no one out there anymore. I encourage a favorable recommendation. I know we have folks who are concerned about the hunting impact. I understand there are organizations that believe this will create a lot more hunting pressure. I don't believe we are creating any additional pressure, but it would create an opportunity spend more time here in state.

**Chair Unruh:** Thank you for addressing the in-state hunting pressure.

**Senator Schaible:** With that option, they go down to 12 days, but the increased pressure would be mostly on weekends?

**Senator Klein:** I am speculating that there will be folks who will provide that thought. As you look at those numbers, statistically, the pressure is going down. You are correct, the thought is there would be additional pressure. A last comment, if you read in the synopsis, where it says, "The Outdoor Promotion Manager with the Department of Tourism reports, that he was asked at every travel and sports show he's done across the upper Midwest for the past 7 years about a three 4-day waterfowl license." It's not something that folks aren't talking about. It's out there, the tourism folks know about it. It's time we address that. Things are different today than they were twenty years ago.

**Senator Cook:** I got a call a couple years ago, from a Minneapolis duck hunter. He flew out to Carrington, he had 10,000 acres out there. His argument was, why are you restricting me, no one's going to hunt on that land anyway. Do you know of any studies on how much land gets tied up by out-of-state hunters?

**Senator Klein:** I don't know, but as a local resident, that has not been an issue. You are talking about District 29, in our District, the folks I represent, the ranchers have gone out of the way to provide a place for the non-residents to stay, to supplement their farm income. Those folks understand the value of out-of-state hunters. They aren't leasing up all their property. I've found that there are many farms in the Kidder County are providing those opportunities. I don't know if Game and Fish would know. I don't believe this person owns 10,000 acres, he probably has an opportunity to visit with landowners and tie it up for his own use. I don't know any folks personally.

**Mike McEnroe, North Dakota Chapter of the Wildlife Society (10:50-15:00) testified in opposition, please see attachment #2.** Currently if you're taking two 7-day periods, only one of those 7-day periods can be in one of the preferred zones.

Although I'm not aware of any studies as suggested by Sen. Klein, about what the difference in hunting pressure between resident hunters and non-resident hunters, personal experience as a non-resident water fowl hunter in North Dakota and as a host of non-resident waterfowl hunters, non-resident hunters hunt differently than North Dakota residents. At my advance age my schedule is that I hunt a half a day and take a nap on the off day. When I was here as a non-resident, you're here for a limited time, you hunt hard all day every day. It's a much different pressure situation. Resident hunters typically hunt on Saturday or Sunday and let the birds rest during the week.

In regards to the land leasing by non-residents; a long time ago, South Dakota allowed unlimited waterfowl hunting, they finally changed their law, to outlaw non-resident hunting, because there was an extreme amount of leasing land to non-resident South Dakota hunting.

**Chair Unruh:** Early in your testimony, you talk about how this should be based on waterfowl numbers rather than economics. We've got some economic numbers in front of us, but we do not have any waterfowl data to support either side of this, do you have any waterfowl information you used to prepare your testimony?

**Mike McEnroe:** I don't have any hard waterfowl data with me today; the Game and Fish Department is here; I would defer to them.

**Vice Chair Kreun:** There's a pressure for waterfowl, what pressure do we have for pheasant hunting and anything of that nature? Are there comparisons?

**Mike McEnron:** Historically, when I first moved back to North Dakota in 1975 the number of resident waterfowl hunters was 50,000 to 60,000. We had between 5,000 and 7,000 non-resident waterfowl hunters in the state. As North Dakota's waterfowl hunting has gained notoriety, our access issue is part of that, those numbers have equalized to 30,000 resident and 30,000 non-resident hunters. In some years we have more non-resident waterfowl hunters. Upland game has made that shift also, North Dakota has had some excellent sharp-tail grouse and pheasant hunting in recent years. We've certainly grown the number of non-resident hunters who come here.

**Vice Chair Kreun:** Why aren't we having the same question about pheasant hunting, why isn't this in the same category if this is an issue, why isn't the other one an issue?

**Mike McEnroe:** I think the reason is waterfowl are migratory and they move. We see geese that used congregate in the national wildlife refuge on the northern border of the state; the geese are still there later in the fall, but when they get up in the morning they fly to Canada, where there's less pressure, I've got friends in North Dakota who put in for the limited South Dakota waterfowl season, because the ducks on the South Dakota side of the line are more plentiful, and a lot less disturbed. Pheasants don't move as much, pheasants are limited to their habitat, they're got to be in the shelterbelt, or whatever, that small local area is, they won't move miles away. Waterfowl will move.

**John Grabele, Executive Director of the North Dakota Wildlife Federation (19:22) Testified in opposition.** Most of what I have to say has been said. The North Dakota Wildlife Federation opposes SB 2201. It was mentioned that this could be a bill to increase hunter recruitment in a time where we're seen hunter number drop. While that might be true for Minnesota hunters, that won't help the resident North Dakota hunter; the 11-year old kid who goes out with his dad, maybe on a Sunday morning or free time the field they've been planning on using has already been hit by a non-resident on their third weekend. The North Dakota Wildlife Federation opposes this bill, we support the Game and Fish Department and believe that they should be in charge of season setting and license allocations based on waterfowl habitat and the numbers of those birds, what that resource can support.

**Chair Unruh:** We've got the Wildlife Society and the Wildlife Federation; could you explain the difference?

**John Grabele:** The Wildlife Federation is the sportsman's club side of things, so we were created 1937 by hunters, anglers, landowners who came together, saw the resource dwindling and started the Federation, we're the sportsman, hunters and anglers, boots on the ground; the Wildlife Society are the professionals, the biologists, the scientists.

**Foster Ray Hager, Cass County Wildlife Club (22:00) Testified against.** It's the same story. Three 4-day periods equal three weekends. The young people in our schools, the guy that works 8-5 Monday through Friday, get upset battling the non-residents for a place to hunt. We have the best duck hunting of any state in the union on average. I'm concerned, why the three periods? They get three weekends. These young people in school, they have

to compete three weekends to find a place to hunt instead of two weekends. In the session before this, Senator Klein had the same speech. The Grand Forks paper, there was a gentleman from Minnesota that says, "you know, I buy by shells from Home of Economy, I pick up three or four Pugsley sandwiches, fill my pickup with gas, I spend nothing in North Dakota. I leave at 2AM, I drive 200 miles, I hunt, and come back to Minnesota, and do it again the next day. The duck hunter is the most avid hunter you'll find. The ones that go out at 3AM and set up 200 decoys and freeze half to death just to shoot a goose. We are opposed to this because you have another one coming for the whole season. Think of the high school kid and his dad that want to hunt this weekend and they can't. Because the potholes are taken up. These people from out of state, they have a little cash, they tie up these potholes.

**Chair Unruh:** In the example you gave of the Minnesota gentleman coming over to North Dakota, driving over and driving back, why do they choose North Dakota potholes over Minnesota potholes?

**Foster Ray Hager:** The potholes in North Dakota are small. I have hunted ducks for 74 years, 10 in Minnesota. It's big water and (inaudible) shooting. It's a lot different. When my dad took me out, we sat on a 5-gallon pail, in 1944. We'd watch the sun come up over our decoys in a little pothole slew no bigger than this. There's nothing better than that. It's getting to the point that money talks. That's the problem we have. The only reason it's three 4-days is it's three weekends. You can't get three weekends in, in two 7-day periods.

**Mike Szymanski, Migratory Game Bird Management Supervisor, North Dakota Game and Fish Department (26:35-27:50) Neutral agency testimony, please see attachment #3.** Most of the details have been hashed out, we do currently regulate non-resident waterfowl license purchasers with a 14-day total on their license. Those 14 days can be split into two 7-day periods, with other options running in zones. Statewide or options to run the 7-days concurrently amongst multiple zones. Non-resident waterfowl hunters currently average about 5 days of field hunting waterfowl in North Dakota. Based on our waterfowl harvest survey information, we show that about 20-25% of non-resident hunters make multiple trips to hunt waterfowl. A point of clarification on a previous question, it was asked about how many waterfowl hunters we have in the state. We've been fairly stable for the last 10 or so year with about 22,000-24,000 non-resident waterfowl hunters, and very similar numbers of resident waterfowl hunters.

**Senator Piepkorn:** We had a question earlier about a hunter from Chicago coming in. When you talk about these non-resident hunters; what percentage are from neighboring states versus flying in for the week?

**Mike Szymanski:** A large majority of our non-resident waterfowl hunters are coming from Minnesota followed by Wisconsin, Illinois and Iowa. The Minnesota non-resident waterfowl hunters make up about half of the non-residents.

**Senator Cook:** The 20-25% of non-residents make multiple trips, you're telling me that 75-80% come here once and that's it?

**Mike Szymanski:** Yes, approximately 16-17% make two trips, a couple of percent who somehow manage to make 3 trips, I suppose they live near the border.

**Mike Jenson, Outdoor Promotions Manager, Department of Commerce, Tourism Division (29:35-) Provided neutral agency testimony.** I am the person Sen. Klein was talking about when he handed out his attachment. The other question I wanted to answer is; why isn't this such a big deal to upland game hunters? I know Rep. Porter has said in the past, the potholes freeze up in November, we're given a very definitive period of time where hunters can hunt. We can get people out here into December to hunt upland game. But hunting waterfowl is a different story when potholes freeze up, it really limits the number of people that we can bring in for that site. The number of resident and non-resident licenses has remained consistent, the expenditures of non-residents are increasing, while residents are decreasing. I did call our major waterfowl hunting guides, the ones that we work with most closely, they didn't see this as a benefit to them, because few of their customers actually use both periods, most of them only use one period.

**Chair Unruh:** Closed the meeting.

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2201  
1/25/2019  
Job Number 31481

- Subcommittee  
 Conference Committee

Committee Clerk: Marne Johnson

### Explanation or reason for introduction of bill/resolution:

A bill relating to nonresident waterfowl hunting licenses.

### Minutes:

No Attachments

**Chair Unruh:** Opened committee work. We heard about this this morning, and a couple of weeks ago, this is three periods of four consecutive days, basically three weekends to allow for waterfowl hunting for out of state hunters. I was taking a look at the fiscal note, We've got additional revenues of \$437,000, expenditures and an appropriation of \$30,000 which are for IT costs for the website. But it's under \$50,000 in expenditures, so this doesn't have to go to Appropriations.

**Senator Roers:** I move do pass.

**Vice Chair Kreun:** I second.

**Senator Piepkorn:** I will oppose; protecting opportunities for our resident hunters who are quite united in opposition.

**Chair Unruh:** I'll be supporting the bill, I have a history of supporting the bill, it's a good tenet of the main street initiative.

A roll call vote was taken.

Motion passes 4-2-0.

**Senator Roers will carry.**



**REPORT OF STANDING COMMITTEE**

**SB 2201: Energy and Natural Resources Committee (Sen. Unruh, Chairman)**  
recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2201 was placed on the Eleventh order on the calendar.

**2019 HOUSE ENERGY AND NATURAL RESOURCES**

**SB 2201**

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau A Room, State Capitol

SB 2201  
2/28/2019  
33019

- Subcommittee  
 Conference Committee

Committee Clerk, Kathleen Davis by Marjorie Conley

### Explanation or reason for introduction of bill/resolution:

Relating to nonresident waterfowl hunting licenses

### Minutes:

Attachment 1, 2, 3

**Sen. Jerry Klein, District 14:** presented (Attachment 1). Asking for an addition \$100 and \$50 to go into the PLOTS program.

**Chairman Porter:** questions? Further support? Opposition?

**Foster Ray Hager, Cass County Wildlife Club, Casselton:** we oppose this bill. The only reason, it's 3-4 days is that you can get 3 weekends. You can't get 3 weekends in 7. 2 seven day periods. I understand because we're trying to get the youth to hunt. Dad and the youth has to put up with nonresidents for three weekends in a row.

**Chairman Porter:** Mr. Hager, we've opened up the crane and snow goose. Canadian geese are getting to the depredation point also. What would their view be on the Canadian goose? I understand their concerns, 3 periods of 4 consecutive would be Mon-Thurs.

**Rep. Keiser:** What's happened to the membership of your group over the last 5 years.

**Hager:** it stays pretty consistent. Runs about 250 and they're very active in the community, sponsor scholarship, hunter safety, stayed consistent the last 6 years.

**Rep. Anderson:** Part of the question, in my area, the Canadian goose population is getting to be a problem, eating soybeans, and no one wants to hunt in our area.

**Chairman Porter:** further opposition?

**John Bradley, ND Wildlife Federation:** presented (Attachment 2) and requested a Do Not Pass.

**Rep. Keiser:** Statistics can be real problematic. The average out of state hunter hunts over 5 days, so if you can only hunt a 7 day or 14 hunt permit, does that really surprise you?

**Bradley:** You can hunt two 7 day periods.

**Rep. Keiser:** I understand that, but if I am coming from a distance to hunt, I am going to spend 5, 6, 7 days because I can.

**Bradley:** Still I think that those that hunt one weekend will come back and hunt that second weekend. There is a difference in that hunting style of a resident and nonresident. A resident will go out hunting in the morning, go back later in the afternoon. When I go hunting out of state, I hunt all day, I get my money's worth.

**Vice Chairman Damschen:** I was thinking along the same line, will this make a difference?

**Bradley:** yes I think it will. I think you will see an impact to resident hunters.

**Mike McEnroe, ND Chapter of The Wildlife Society:** presented (Attachment 3). Urged a Do Not Pass.

**Rep Heinert:** Are there any states around us two states away that offer a three time frame water fowl hunting for our residents to participate in.

**McEnroe:** I don't know. I know South Dakota is much more restrictive than North Dakota. They have about 4,000 probably 2 five day periods or 10 day periods for nonresident water fowl hunters. They limit their nonresident water fowl hunters primarily to 4,000 per year.

**Chairman Porter:** further opposition? Who from the F&G will come up to answer questions.

**Mike Szymanski, ND Game and Fish Dept.:** Will answer questions that you have.

**Chairman Porter:** If you can get us the information on Rep. Heinert's question. What do the touching states have for three time frame water fowl for our residents to participate in.

**Szymanski:** The most comparable state, that would be South Dakota. They have 7 different types of nonresident water fowl licenses of several degrees of complexities. Six thousand total and you have to put in for a lottery. Your lottery has to be done by early July. Our numbers have been pretty stable. We have about 45,000 water fowl hunters.

**Rep. Anderson:** the changes in the migratory fall flight. Does that change the way people hunt in that narrower time frame?

**Szymanski:** That is certainly what we see happening, especially over the last 20 years.

**Rep. Anderson:** Are the number of ducks in Canada changing over the last few years?

**Szymanski:** The numbers of nesting that's throughout the entire prairie pot hole region fluctuate on an annual basis, where they are based on wetland conditions. Numbers in Canada have been fairly stable over the last 10 years. Our numbers in North Dakota have declined. We have roughly half as many breeding ducks in the state as we did in 2002.

**Chairman Porter:** further questions? Closed the hearing.

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau A Room, State Capitol

SB 2201  
3/21/2019  
34098

- Subcommittee  
 Conference Committee

Committee Clerk, Kathleen Davis

### Explanation or reason for introduction of bill/resolution:

Relating to nonresident waterfowl hunting licenses

### Minutes:

**Chairman Porter:** opened the hearing on SB 2201.

This is an old old friend of this committee that's been here ever since I've been on the committee in 1999. We've had sessions where we've had 10 bills that dealt with resident and nonresident, back and forth. I still feel that both sides gave in about 10 years ago and struck the balance. The bill sponsor doesn't agree with me that we struck a balance and that breaking it down so nonresidents can hunt in 3 weekends out of the year, basically the last 5 years of our duck season, would mean they're here for the entire season. One of the complaints and problems we heard dating back to the 50s and 60s was where the restriction came from in the first place was that nonresidents were leasing up all the land in the prairie pothole region and basically had a landlock and didn't have any availability for resident hunting. That's where the premise of the bill came from in the 50s-60s-70s. It's been dealt with and gone back and forth.

Rep. Ruby: I don't like the bill either way. 2 for 7 or 3 for 4. I think it gets confusing. If you're only here a day or two does that count for one of your three weekends or one of your two. I think we struck a balance and that's where it should stay. If it's going to go forward I think we jumble the system.

**Rep. Keiser:** Move a Do Not Pass.

**Rep. Zubke:** second.

**Chairman Porter:** We have a motion and a second for a Do Not Pass to SB 2210. Discussion?

**Rep. Anderson:** I know how you feel about this and my name on here, but my big concern is we have a Canadian goose problem and I'm looking at any way to get rid of them. It's getting to the point hardly anyone hunts them. I know what will eventually happen if the hunters don't take care of the problem.

**Vice Chairman Damschen:** I'm going to support Rep. Anderson on this bill. I don't like to think that our slogan for tourism is to stay out. I feel like we say that with these. I know we have a pretty good working relationship but I don't think we hurt ourselves by making one more weekend available to out of state hunters. They bring in a lot of money. I think some of the concern over the aquatic nuisance species I heard was that the higher fee to out of state boats is going to hurt their business. I think

House Energy and Natural Resources Committee

SB 2201

3/21/2019

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limiting out of state hunters does cut down on some potential business. I'm not going to support the motion.

**Chairman Porter:** further discussion? Roll call vote on a Do Not Pass on SB 2201.

11 yes, 3 no, 0 absent. Motion carried. Rep. Ruby is carrier.

Date: 3-21-19  
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2201**

House 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 Keiser Seconded By Zubke

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep. Lefor	✓	
Vice Chairman Damschen		✓	Rep. Marschall	✓	
Rep. Anderson		✓	Rep. Roers Jones	✓	
Rep Bosch	✓		Rep. Ruby	✓	
Rep. Devlin		✓	Rep. Zubke	✓	
Rep. Heinert	✓				
Rep. Keiser	✓		Rep. Mitskog	✓	
			Rep. Eidson	✓	

Total (Yes) 11 No 3

Absent 0

Floor Assignment Ruby

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

**REPORT OF STANDING COMMITTEE**

**SB 2201: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2201 was placed on the Fourteenth order on the calendar.

**2019 TESTIMONY**

**SB 2201**

Terry Steinwand was able to provide us a copy of the new research Game and Fish did on the impacts of outdoor activities in North Dakota. The report is not complete and without the narrative, but he said we could share the numbers with you- so they are attached. Good data to illustrate the importance of nonresident spending, especially in our rural areas. In North Dakota's 2017-2018 hunting season, ND Game & Fish reports nonresidents directly spent \$52.3 million on hunting. This represents an increase of 6% since their last economic impact study of the 2011-2012 season. Over that same period, resident hunting expenditures have decreased 29%.

I asked our Outdoor Promotion Manager, Mike Jensen about the need. He reports he is asked at every travel and sport show he has done across the upper Midwest for the past 7 years about a three, four day waterfowl license. The largest number of those inquiries coming from Minnesota and Wisconsin markets.

In North Dakota Tourism's most recent visitor study, 8% of North Dakota's overnight visitors participated in hunting.

Comparison of total direct expenditures by hunters and anglers in North Dakota during the 2011-12 and 2017-18 hunting and fishing seasons.

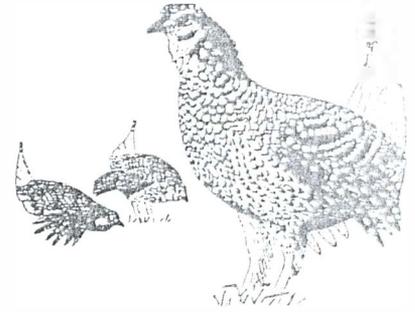
	MILLIONS OF DOLLARS (\$)		DIFFERENCE	
	2011-12	2017-18	DOLLARS (\$)	PERCENT (%)
Total Expenditures	707.1	974.4	267.3	37.8
Residents	612.5	846.8	234.3	38.3
Nonresidents	94.6	127.6	33.0	34.0
Hunting	239.3	186.6	-52.7	-22.0
Residents	190.0	134.3	-55.7	-29.0
Nonresidents	49.3	52.3	3.0	6.0
Fishing	467.8	787.8	320.3	68.4
Residents	422.5	712.5	290.0	68.6
Nonresidents	45.3	75.3	30.0	66.3



North Dakota Chapter

# THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MICHAEL McENROE  
ND CHAPTER OF THE WILDLIFE SOCIETY  
SENATE BILL 2201  
ENERGY AND NATURAL RESOURCES COMMITTEE  
JANUARY 17, 2019**

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

For the record, I am Mike McEnroe representing the North Dakota Chapter of The Wildlife Society, comprised of some 350 wildlife biologists, land managers, educators, students, law enforcement officers, and administrators in the State.

SB 2201 offers a option of a three 4-day period waterfowl license for non-residents, another option in the current menu of non-resident waterfowl licenses. SB 2201 is a repeat of SB 2259 from last session, and from several sessions before that. This bill primarily benefits Minnesota residents who live close enough to North Dakota to be able to hunt in North Dakota for a third weekend.

The Chapter opposes SB 2201 for a variety of reasons.

We recommend that the North Dakota Game and Fish Department be the entity to determine the number and specifics of non-resident licenses, and for resident licenses as well, based on waterfowl numbers, other biological and natural resource factors and on behalf of the resident

sportsmen and women of North Dakota, rather than the needs of non-resident hunters, the hospitality industry, or the wishes of an individual constituent. While we recognize and proclaim the economic benefits of hunting and fishing to local economies in North Dakota, we do not manage hunting and fishing seasons to promote economics at the expense of the wildlife resource and our residents.

Second, we already have several options for non-residents (copy attached); a \$ 100 license with two 7-day periods and three options on zone restrictions, and a \$ 150 non-resident license for two 7-day periods allowing hunting statewide. SB 2201 would provide for three 4-day periods, allowing the Governor through Proclamation to determine the zone restrictions.

Currently, the fourteen-day and two 7-day hunting period restrictions do not apply to non-residents hunting in the early Canada goose season. We assume this would be the intention of the three 4-day option but SB 2201 does not address this issue.

Although I am not aware of any scientific reports on the difference between resident and non-resident hunters, anecdotally and from personal experience, non-resident hunters hunt more actively and more intensively than residents. Any action to increase the opportunity and access for non-resident hunters comes at a cost to our resident hunters.

If SB 2201 is given consideration, one suggested amendment would be that one hundred dollars of the proposed two hundred dollar license fee must be used in the Private Lands Open to Sportsmen (PLOTS) program

In spite of the suggested amendment and other needed corrections, the North Dakota Chapter of the Wildlife Society respectfully asks for a Do Not Pass vote on SB 2201.

Thank you for the opportunity to address the Committee and I will stand for any questions.

below. Beginning December 1, waterfowl rest areas will open to fishing, and small game and furbearer hunting, but not goose or waterfowl hunting, and remain open through the end of the respective seasons. In addition, waterfowl rest areas may be used for ice fishing prior to December 1 if ice conditions are suitable.

**BURKE COUNTY:**

(1) 5 E and 6 N of Columbus

**DIVIDE COUNTY:**

(1) 3 N of Noonan.

**LAMOURE COUNTY:**

(1) Cottonwood Lake – 4 S and 6 W of LaMoire. Closed to all hunting.

**MCLEAN COUNTY:**

(1) Along Missouri River – 2 SE of Washburn to Garrison Dam. Closed to goose hunting only.

**MERCER COUNTY:**

Missouri River – see McLean County.

**OLIVER COUNTY:**

Missouri River – see McLean County

**PEMBINA COUNTY:**

North Salt Lake – see Walsh County.

**ROLETTE COUNTY:**

See Towner County.

**SHERIDAN COUNTY:**

(1) Sheyenne Lake - 15 N and 4 W of Goodrich

**STEELE COUNTY:**

(1) North Golden Lake – 9 E and 5 N of Finley.

**STUTSMAN COUNTY:**

(1) 7 N of Cleveland. Closed to waterfowl hunting only.

**TOWNER COUNTY:**

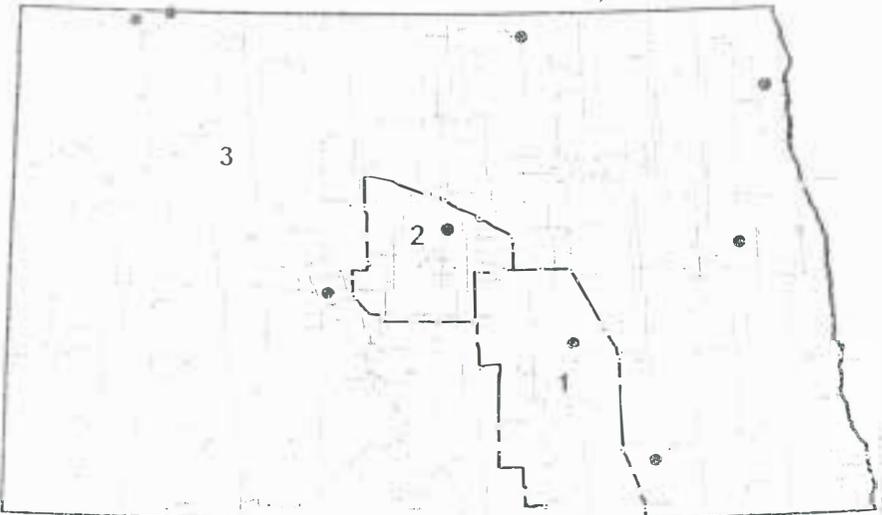
(1) McLaughlin Lake – 4 E of Rolla.

**WALSH COUNTY:**

(1) North Salt Lake – 4 E and 8 N of Grafton

**WATERFOWL ZONE MAP**

(The black circles on the map represent locations of waterfowl rest areas.)



**WATERFOWL**

Waterfowl – required for duck, goose, swan, mergansers and coots. May purchase only one waterfowl license per year. Nonresidents under age 16 can purchase license at resident prices if their state has youth reciprocity licensing with North Dakota.

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 (see zone map) according to the following restrictions:	\$100

- A nonresident must select Zone 1 or Zone 2 for one 7-day period and Zone 3 for the other 7-day period or
- Zone 3 for the full 14 days or two 7-day periods or
- 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.

**FEDERAL WATERFOWL STAMP (DUCK STAMP)**

Required beginning September 1 for all hunters ages 16 and older to hunt ducks, geese, swans, mergansers, brant and coot. <i>Exception: Not required to hunt during spring light goose conservation order.</i>	\$25
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**HARVEST INFORMATION PROGRAM (HIP) REGISTRATION**

All hunters regardless of age must obtain a new Harvest Information Program registration number each year for each state in which they hunt ducks, geese, swans, mergansers, coots, cranes, snipe, doves and woodcock.	Free
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**REPORT ALL BANDS**  
[www.reportband.gov](http://www.reportband.gov)



**RAP (REPORT ALL POACHERS) PROGRAM.** This program encourages people to report wildlife violations, remain anonymous if they prefer, and receive monetary rewards for convictions based on their information. Anonymous callers will be given a special code number and are not required to give their name. Rewards range from \$100 to \$1,000 depending on the nature and seriousness of the crime. **Call 701-328-9921.** Call this number only to report game and fish violations. The reward fund is supported by private donations. If you wish to donate to the RAP program, tax deductible contributions can be sent to RAP, Box 1091, Bismarck, ND, 58502-1091.

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**66th LEGISLATIVE ASSEMBLY  
Senate Energy and Natural Resource Committee  
Senator Jessica Unruh, Chair**

**Senate Bill 2201 - Relating to non-resident waterfowl hunting**

**10:00 a.m., Thursday, January 17<sup>th</sup>, 2019**

Information Submitted by: Mike Szymanski, Migratory Game Bird Supervisor  
North Dakota Game and Fish Department

Good morning Madam Chair Unruh and Committee Members,

SB 2201

--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 5,000 (20-25%) non-resident waterfowl hunters currently make multiple trips to ND

Terry Steinwand was able to provide us a copy of the new research Game and Fish did on the impacts of outdoor activities in North Dakota. The report is not complete and without the narrative, but he said we could share the numbers with you- so they are attached. Good data to illustrate the importance of nonresident spending, especially in our rural areas. In North Dakota's 2017-2018 hunting season, ND Game & Fish reports nonresidents directly spent \$52.3 million on hunting. This ~~represent an increase of 6% since their last economic impact study of the 2011-2012 season.~~ Over that same period, resident hunting expenditures have decreased 29%.

I asked our Outdoor Promotion Manager, Mike Jensen about the need. He reports he is asked at every travel and sport show he has done across the upper Midwest for the past 7 years about a three, four day waterfowl license. The largest number of those inquiries coming from Minnesota and Wisconsin markets.

In North Dakota Tourism's most recent visitor study, 8% of North Dakota's overnight visitors participated in hunting.

Comparison of total direct expenditures by hunters and anglers in North Dakota during the 2011-12 and 2017-18 hunting and fishing seasons.

	MILLIONS OF DOLLARS (\$)		DIFFERENCE	
	2011-12	2017-18	DOLLARS (\$)	PERCENT (%)
Total Expenditures	707.1	974.4	267.3	37.8
Residents	612.5	846.8	234.3	38.3
Nonresidents	94.6	127.6	33.0	34.0
Hunting	239.3	186.6	-52.7	-22.0
Residents	190.0	134.3	-55.7	-29.0
Nonresidents	49.3	52.3	3.0	6.0
Fishing	467.8	787.8	320.3	68.4
Residents	422.5	712.5	290.0	68.6
Nonresidents	45.3	75.3	30.0	66.3

# North Dakota Wildlife Federation

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

SB 2201

2.28.19

Attachment 2



**TESTIMONY OF JOHN BRADLEY**  
**NORTH DAKOTA WILDLIFE FEDERATION**  
**SENATE BILL 2201**  
**HOUSE ENERGY AND NATURAL RESOURCE**  
**COMMITTEE**  
**February 28, 2019**

Chairman Porter and members of the House Energy and Natural Resource Committee:

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation. I'm here today representing our 1,500 members in 15 affiliated wildlife and sportsmen's clubs across North Dakota that make up the North Dakota Wildlife Federation.

NDWF opposes SB 2201. The Wildlife Federation has had a long history of opposing additional hunting licenses, expanded seasons or less restricted licenses for non-resident hunters. An increase in liberal and favorable non-resident hunting privileges (regardless of a higher non-resident license fee) lessen the opportunity for North Dakota's resident hunters. SB 2201, which is a repeat of a bill from the 2017 session, proposes to change the current non-resident waterfowl license to allow either two-seven day periods (14 days) or three-four day periods (12 days). This allows a third weekend of hunting for non-residents.

In addition, NDWF believes that season setting, license allocation, and bag limits should be based on scientific wildlife management - in this case, what the waterfowl habitat and



numbers can support. Furthermore, data provided from the Game and Fish Department tells us that the average non-resident waterfowl hunter spends five days hunting in North Dakota. There does not seem to be a demand or need for SB 2201.

We request a Do Not Pass vote on SB 2201. Thank you and I would stand for any questions that the Committee may have.

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**TESTIMONY OF MICHAEL McENROE  
ND CHAPTER OF THE WILDLIFE SOCIETY  
SENATE BILL 2201  
ENERGY AND NATURAL RESOURCES COMMITTEE  
FEBRUARY 28, 2019**

Chairman Porter and Members of the House Energy and Natural Resources Committee:

For the record, Mike McEnroe representing the North Dakota Chapter of The Wildlife Society, comprised of some 350 wildlife biologists, land managers, educators, students, law enforcement officers, and natural resource administrators in the State.

SB 2201 provides for a three 4-day period option for non-resident waterfowl licenses, an addition to the current menu of non-resident waterfowl licenses. SB 2201 is a repeat of SB 2259 from last session, and from several sessions before that. This bill primarily benefits Minnesota residents who live close enough to North Dakota to be able to hunt in North Dakota for a third weekend.

The Chapter opposes SB 2201 for a variety of reasons.

North Dakota's resident hunters have long opposed more liberal and favorable non-resident hunting privileges, simply in return for a higher non-resident license fee. Please consider the wishes of the residents of North Dakota who live and work and pay taxes here all year long. Non-residents are welcome to enjoy our State's hunting opportunities, but they do not need special treatment.

While we recognize and proclaim the benefit of hunting and fishing to local economies in North Dakota, we can not manage hunting and fishing seasons to promote economics at the expense of the wildlife resource and our residents.

We already have several options for non-resident waterfowl hunters; a \$ 100 license with two 7-day periods and three options on zone restrictions, and a \$ 150 license for two 7-day periods allowing hunting statewide. SB 2201 would provide for three 4-day periods for \$ 200. Currently, the 14-day and two 7-day hunting period restrictions do not apply to non-residents hunting in the early Canada goose season. We assume this is the intention of the three 4-day option, but SB 2201 does not address this issue.

Although I am not aware of any scientific reports on the difference between resident and non-resident hunters, anecdotally and from personal experience, non-resident hunters hunt more actively and more intensively than residents. Any action to increase the opportunity and access for non-resident hunters comes at a cost to our resident hunters.

On a personal note, I have hosted non-resident waterfowl hunters since 1975 when I returned to North Dakota from college. This includes two brothers who grew up with me in Fargo, a nephew, cousins, and friends from college. They have never had a problem with North Dakota's past and current non-resident waterfowl license fees and hunting regulations.

The North Dakota Chapter of the Wildlife Society respectfully asks for a Do Not Pass vote on SB 2201.

Thank you for the opportunity to address the Committee and I will stand for any questions.