

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3022

2001 HOUSE NATURAL RESOURCES

HCR 3022

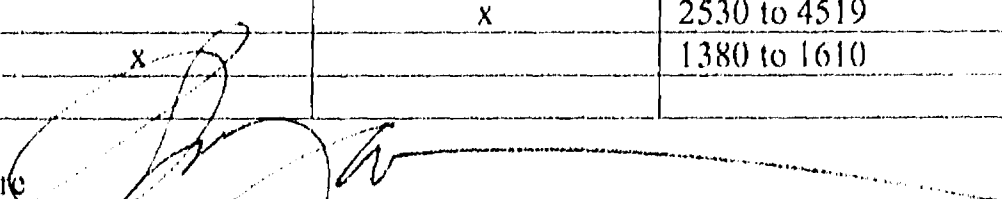
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3022

House Natural Resources Committee

☐ Conference Committee

Hearing Date February 8, 2001

Tape Number	Side A	Side B	Meter #
1		x	2530 to 4519
2	x		1380 to 1610
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich,

Chairman Rennerfeldt: I will open the hearing on HCR 3022.

Rep. Droydal: HCR 3022 is actually a study resolution. It comes at the request of a number of hunters and landowners and deals with the Elk population in western ND. I am sure you are aware that our National Park System has a surplus of Elk because there is no natural way to kill Elk. Their only enemy in ND right now is the hunter. They do flourish and grow in numbers and Elk, unlike deer, don't slow down or jump over fences, but go right through them. They do really tear up alfalfa fields, hay yards and they cause a lot of damage. As those Elk continue to grow, they get out more often, because the park cannot sustain that large herd of Elk, so they are called

surplus. Every once in a while they round them up and ship them off to some other area for whatever use. We in North Dakota have a lot of hunters that would love the opportunity to hunt. It is a once in a lifetime opportunity in North Dakota because we have such a limited number of licenses and this resolution is going to try and put forward some way that we can resolve the surplus Elk, the depredation they cause and all the hunters we have that would love to hunt them. Again there are a lot of possibilities that could go into this study, a lottery for the licenses going into the school trust fund, or nursing program. It would raise a lot of money and that is only one possibility. I ask that the committee give a favorable recommendation. I have good faith in this committee.

Chairman Rennerfeldt: Does anyone have any questions?

Rep. Solberg: The Elk go through this 10 foot fence they have around the park?

Rep. Droydal: Apparently they do? We do get complaints from that area, because of depredation problems caused there. I suppose if they get too many of them, they are a herd and they are big creatures and I think they go where they want to go.

Rep. Nottestad: When you talk about the depredation problem with these Elk coming out of the park, are they marked in some way so they know that these are the Elk coming out of the park causing the problems and not the local Elk?

Rep. Droydal: That is a good question, and no they are not tagged individually. The herd is growing and we do need to manage not only the parks surplus, but we need to manage the surplus that we seem to be getting in the rest of North Dakota. I think this study will address that also. I may be a perceived problem too, but that is the idea around the study.

Chairman Rennerfeldt: I am a long way from the park, but I have had Elk move into my area in the last three years, where they came from I have no idea.

Rep. Droydal: I guarantee that from the park to your area they would have to go through my back yard and if I could help them out I would help reduce that number.

Chairman Rennerfeldt: Anyone else care to speak in favor of HCR 3022? Is there any opposition to HCR 3022?

Craig Dvirnak - KMEULA: We as an association have been in touch with the grazing associations and we are in opposition to this. (See written testimony).

Chairman Rennerfeldt: So, you are speaking in opposition to this study? You don't think it would be beneficial to study a way to control these Elk?

Dvirnak: I am speaking from the perspective of the ranchers in the Killdeer area pertaining to what Game and Fish call Elk Unit No. 2. What we have done with Game and Fish in that area, we feel that it is working in our area. So there are tools out there that we are addressing some of the issues with. Some of the issues we have yet to address.

Rep. Droydal: I am surprised to your opposition to this study resolution. You mentioned the McKenzie Grazing Association and I have visited with those people quite often concerning hunting and landowner problems and how we plan to resolve them, this study resolution is not dictating anything, it is only saying we need to take a look at things. Its incentive actually starts from the South Unit of the park which is a long way from you. I am totally surprised that you are objecting to this study.

Dvirnak: What it says here, is to increase incentives and opportunities for ranchers and the incentive programs and opportunities, the rancher feel in that area that any incentives or benefits that would come out of this for more Elk being out there, they are not willing to put up with more Elk out there. They feel they are having enough problems with them. What this resolution is saying is we want to look at a study to get more Elk out there and more opportunities for

hunters to harvest them. When you start to put more Elk out there, the ranchers in this area are not for that. The problems they are having now, they don't want to see more Elk out there.

Rep. Droydal: This resolution came from a meeting in Dickinson actually. I don't know if you were in attendance at that Elk meeting or not. This is actually trying to control the surplus already out there, that was the intent of it and how we can address it. It was that particular group that asked us to do this. I am trying to work with the group to solve the problems not to create them.

Dvirnak: Are you referring to the group called AMEND.

Rep. Droydal: Rep. Hanson, is that the name of the group?

Rep. Hanson: Yes, it is.

Dvirnak: I have been in two meetings with AMEND. One with the Game and Fish officials here in Bismarck. I was at the one in Dickinson and the whole intent behind this is the animals the park service will ship out in years to come. The last time there was 120 Elk shipped out of the park and they went to the Game and Fish Department of Kentucky. This group AMEND (Alliance to Manage Elk in North Dakota) the sole purpose behind them and their cause is to not ship Elk out of the state but to find some place to put them in the state. In another 7 years they intend to take another 120 Elk out of that park and put them somewhere in North Dakota. I am just stating that with the Elk population we have out there now, we cannot accept any more Elk. One thing I will say is Elk are very migratory, if they are not happy in one area, they will leave and move to another area. As it was stated earlier that it becomes a management situation. They are a unique animal, a very large animal, they become very hard to manage. They are not like your big horn sheep or deer or species like that. They stay in a general area. Elk, if pressured

from hunting or the general public, they will move. Elk run in herds. The devastation problems coming from them are magnitude.

Rep. Hanson: This is just a study, and I don't think if your area wants anymore Elk they aren't going to put anymore there. I think the Southern part of the Badlands, there are ranchers there that would like some. This basically is asking to study the problem. It is just a study.

Dvirnak: I see where you are coming from, but I am looking at it from another aspect. Teddy Roosevelt Park is 50 miles from us and the Game and Fish Department has already told us that we are seeing Elk from the park in the Killdeer Mountains. The Game and Fish also told us there are Elk coming from the Ft. Peck area into our area also. No matter where you put these animals in the state, they are very migratory. They can travel great distances in a very short time. So it becomes a management problem.

Rep. Hanson: We didn't know they were coming in from Montana, so that is why if we get this study to manage those things. I would like them to see them drive those 200 Elk out and open the season for 300 hunters and close the season when 200 are harvested, so the population stays at 0.

Dvirnak: That becomes very hard to do. Because of the area you are dealing with. One of the things we have seen in the past, certain hunters are not willing to put an honest effort forward.

Chairman Rennerfeldt: Any further questions from the committee? Anyone else opposed to this HCR?

Silas Counts: I have been hunting Elk for over 12 years and I am all for this study. I just recently completed an Elk hunt. As for the Elk Study, it would be an excellent idea. Many people have never had the experience of an Elk hunt. I do agree with the member who just spoke, but it is just a study and it would not hurt anyone. Another possibility, they are migratory, but they always

come back to where their main territory is. There is no reason why, with or without pressure that they will not stay in their general area. I would really hope to see this study go through.

Chairman Rennerfeldt: Anyone else care to speak in opposition to the resolution. I will close the hearing on HCR 3022.

COMMITTEE WORK

Chairman Rennerfeldt: Let's take up HCR 3022.

Rep. DeKrey: I would like to make some amendments. On page 2, line 11 following and include "study disease concerns associated with trans-location of free ranging wildlife and". I amend that after speaking to the State Veterinarian. He requested we do that. I move the amendment.

Rep. Porter: I second.

Chairman Rennerfeldt: Any discussion on the amendment, if not, all in favor of the amendment signify by saying aye. Opposed? Okay. Everyone in favor of HCR 3022 as amended say Aye. Opposed? Motion Carries.

MOTION FOR A DO PASS

YES, 15 NO, 0

CARRIED BY REP. KLEIN

18338.0101
Title 0200

Adopted by the Natural Resources
Committee

February 8, 2001

VR
2/9/01

HOUSE AMENDMENTS TO HCR 3022
Page 2, line 9, remove "and"

HOUSE NATURAL RESOURCES 02/09/01

Page 2, line 11, after "efforts" insert ", and disease concerns associated with the translocation
of free ranging wildlife"

Renumber accordingly

Date: 2/8/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3022

House Natural Resources Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS as amended

Motion Made By Rep Drovda Seconded By Rep Keiser

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman			Lyle Hanson		
Jon O. Nelson - Vice Chairman			Scot Kelsh		
Curtis E. Brekke			Lonnie B. Winrich		
Duane DeKrey			Dorvan Solberg		
David Drovda					
Pat Galvin					
George Keiser					
Frank Klein					
Darrell D. Nottestad					
Todd Porter					
Dave Weiler					

Total (Yes) 15 No 0

Absent _____

Floor Assignment Rep. Klein

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

Consent
Calendar

REPORT OF STANDING COMMITTEE (410)
February 9, 2001 11:58 a.m.

Module No: HR-24-2849
Carrier: F. Klein
Insert LC: 18338.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HCR 3022: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). HCR 3022 was placed on the Sixth order on the calendar.

Page 2, line 9, remove "and"

Page 2, line 11, after "efforts" insert ", and disease concerns associated with the translocation of free ranging wildlife"

Renumber accordingly

2001 SENATE NATURAL RESOURCES

HCR 3022

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3022

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 3-15-01

Tape Number	Side A	Side B	Meter #
1		X	Start - 21.0
Committee Clerk Signature <i>Janet Jensen</i>			

Minutes:

SENATOR FISCHER opened the hearing on HCR 3022.

REPRESENTATIVE DAVID DROVDAL of District 39 cosponsor of HCR 3022 introduced the RESOLUTION TO STUDY THE USE OF INCENTIVE PROGRAMS IN NORTH DAKOTA AS A WAY OF KEEPING ELK IN THE STATE. The history behind the resolution is that many hunters and landowners are concerned with the rising number of the elk population. An elk hunting license is very difficult to get yet the state is spending alot of money shipping the excess elk out of state. Although the resolution is a general study and does mention elk, it is to look at incentive programs to enhance landowners and their tolerance and problems with wildlife and provide economic benefits or opportunities. This could help foster a spirit of cooperation between landowners and hunters.

REPRESENTATIVE LYLE HANSON of District 48 cosponsor of HCR 3022 testified he signed onto the resolution to get the landowners, hunters, Game and Fish Department and the Park Services together to discuss the elk problem in western North Dakota.

WADE MOZIER representing the North Dakota Stockman's Association testified in support of HCR 3022. He found it interesting that is was the sportsmen could not agree if whether there should be compensation package if 200 elk were released.

PAUL CRARY representing the Cass County Wildlife Club testified in support of HCR 3022.

MIKE DONAHUE representing the United Sportsmen's Club and the North Dakota Wildlife Federation testified in support of HCR 3022.

DEAN HILDABRAND, the director of the North Dakota Game and Fish Department testified in support of HCR 3022. He has attended several meeting of the "AMENDS", the association for maintaining elks in North Dakota. This group is looking to preserving as many elk in the state as possible. The director of the Game and Fish has control of the elk herds and he gets alot of complaints as to the damage done by the elk. The department organized an elk hunt with the cooperation of land owners giving them 1/4 of the licenses. The sportsmen would help repair any fences damaged by the elk during the hunt. He opposes release of the elk into the grasslands and feels the best would be a hunt held in the park.

SENATOR TRAYNOR asked how many elk have been exported from the state.

DEAN HILDABRAND confirmed that about 400 elk have been exported in the last 10 years by the Federal US Forest Service.

There was no neutral or opposing testimony of HCR 3022.

SENATOR FISCHER closed the hearing on HCR 3022.

Page 3
Senate Natural Resources Committee
Bill/Resolution Number HCR 3022
Hearing Date 3-15-01

SENATOR TRAYNOR made a motion for a "DO PASS and on the consent calendar" of HCR 3022.

SENATOR EVERY second the motion.

SENATOR FISCHER called for a roll vote of HCR 3022 indicating 7 YAYS, 0 NAYS, AND 0 ABSENT OR NOT VOTING.

SENATOR TRAYNOR will carry HCR 3022.

Date:

Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 3022

Senate NATURAL RESOURCES

Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass 177 Consent Calendar

Motion Made By Traynor Seconded By Enery

[illegible]

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Wagner

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

REPORT OF STANDING COMMITTEE (410)
March 15, 2001 1:01 p.m.

Module No: SR-45-5709
Carrier: Traynor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3022, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman)
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS,
0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3022 was placed on li
Tenth order on the calendar.

2001 TESTIMONY

HCR 3022

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House Natural Resource Committee

February 7, 2001

Mr. Chairman and Members of the Committee,

The North Dakota Wildlife Federation Inc. and the United Sportsman of North Dakota support HCR 3022.

We ask for a do pass.

Thank you.

Mike Donahue
Lobbyist # 258
Telephone number: 701-222-3899

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Killdeer Mountain Elk Unit Landholders Association
Craig & Rhonda Dvirnak
11129 Main St. NW
Killdeer, ND 58640

February 7, 2001

Re: HCR3022 A concurrent resolution directing the Legislative Council to study the use of incentive programs in North Dakota as a way of keeping elk in the state and providing increased opportunities for landowners, hunters, and the general public.

Dear Representatives:

We are not in favor of the above mentioned resolution (HCR3022). We feel that any incentive plan that would come from this resolution would not be sufficient. Before any cash payments and harvest bonuses would be available, the elk herd would need to grow 2 to 3 times what it currently is and this would take 3 to 4 years, minimum. As a landowner in the E2 elk unit and having dealt with the elk since the early 80's, I have experienced the good as well as the bad. We, the ranchers in the E2 elk unit feel that there are plenty of elk in our area and we cannot tolerate any more depredation.

We have been in contact with ranchers throughout the McKenzie County Grazing Association as well as the head office and the feeling is mutual.

If such a plan was implemented somewhere in the state, even in central or eastern ND, the elk would not stay there when they felt pressured. There is documented evidence through the Game & Fish Department of ND of a pair of elk, that were radio collared in the Theodore Roosevelt National Park, that traveled into Minnesota and returned to the Park.

Pertaining to increased opportunities for hunters, The ranchers from Medora to Watford City to Killdeer that have dealt with elk and hunters in the past have seen firsthand hunters that are unwilling to put forth an honest effort to harvest an elk (i.e.- road hunter). This does not help to keep the elk herd manageable. It is a very tough hunt in the Killdeer Mountains and in the Badlands. We need to find a way to attract only the most serious hunter, which would increase the chance of getting an elk license.

One final comment I would like to make, as one rancher stated: We chose the ranching way of life. We were not given the choice if we wanted to raise elk and the problems associated with them.

Respectfully submitted,

Craig Dvirnak
President, KMEULA