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Operator's Signature

2003 HOUSE NATURAL RESOURCES

HB 1048

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1048

House Natural Resources Committee

☐ Conference Committee

Hearing Date January 16, 2003

Tape Number	Side A	Side B	Meter # 3073-end	
1	XX			
mmittee Clerk Signatur	e ·			

Minutes:

Rep. Delamr: Chair of Judiciary B committee. Gave an overview of HB 1048, 1049, and 1050.

Tim Dawson: Legislative Council. Gave a Further overview of HB 1048, 1049, and 1050.

Kyle Blanchfield: North Dakota Professional Guides and Outfitters. (see attached testimony).

Roger Rosvitt: North Dakota Game and Fish Department. Testified in Support of 1048.

However, had concerns concerning frequency of testing.

Chair Nelson: You prefer that only one test be given and no retesting afterwords.

Roger Rosvitt: After 5 years maybe enough time. Annual testing is overkill.

Rep. Keiser: This bill has a minor fiscal note why are we not charging a fee for taking this test.

Roger Rosvitt: The costs have increased for licensing from \$100 to \$200. I would assume

those costs have been built in to that fee.

Rep. Kelsh: Continuing education.

Roger Rosvitt: That could be rolled into the testing.

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House Natural Resources Committee
Bill/Resolution Number 1048
Hearing Date January 16, 2003

Rep. Nottestad: Could continuing education be preferable to testing?

Roger Rosvitt: It is always preferable, however there are significant logistical difficulties in doing so in a state this size.

Rep. Porter: What kind of continuing education does your organization do?

Kyle Blanchfield: Nothing at this time.

Rep. Porter: Is your organization prepared to become a professional organization.

Kyle Blanchfield: Most states have no liscensing required. We would love to team up with

game and fish to further education.

Rep. Hunskor: Testing does not indicate knowledge. Continuing education would better

guarantee knowledge.

Kyle Blanchfield: I agree with you 100%.

Mike Donahue: Spoke in support of 1048.

Harold Neumeyer: Spoke in support of HB 1049. (See Attached Testimony)

Chair Nelson: closed hearing on HB 1048.

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10/2/03 Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1048

House Natural Resources subcommittee 1048,1049,1050

☐ Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter#

Minutes:

Chairman Porter called the meeting to order.

Rep. Porter: Explained that the fishing provision which had caused concern in the hearing is explained in regulations already. A fishing outfitter is already a guide.

Rep. DeKrey: Change the fee to \$100.

Rep. Porter: Changing the owns or leases for primary persuit of agriculture.

Rep. DeKrey: We need to change this so landowners showing where hunters can hunt would

not violate the law.

Rep. Froelich: We give an outfitter a liscense on a sliding scale of increasing rate for expansion.

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Roger Rosvit: We should put a penalty in this for guiding without a liscense.

Rep. Porter: On a sliding scale. Depending on the severity of the crime.

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House Natural Resources Committee
Bill/Resolution Number 1050 1048
Hearing Date January 23, 2003

Roger Rosvit: We should change the and's to or's. This fixes the problem of someone recieving money under the table for guiding. They cannot just say they were doing it out of the goodness of thier hearts. That way we do not have to go through bank records.

Rep. Porter: Rep. Froelich would change the scale from number of employees to number of acres.

Adjourned.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1048

House Natural Resources Committee

☐ Conference Committee

Hearing Date February, 13, 200

Tape Number	Side A	Side B	Meter # 5940-end	
1		XX		
2	XX		0-171	

Minutes:

Chair Nelson reopens HB 1048.

Rep. Porter moves a Do Pass on HB 1048. Seconded by Rep. Keiser.

Motion failed by a vote of 6-7-1.

Rep. DeKrey motioned a Do Not Pass on HB 1048. Seconded by Rep. Johnson.

Motion passes by a vote of 6-7-1. Rep. Norland will carry.

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10/2/03 Date

FISCAL NOTE

Requested by Legislative Council 12/16/2002

Bill/Resolution No.:

HB 1048

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.

-	2001-2003 Biennium		2003-200	5 Biennium	2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$0	\$0	\$(
Expenditures				\$1,000	\$0	\$500
Appropriations						

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

200	2001-2003 Blennium			2003-2005 Biennium 2005-2007 Biennium			nium	
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

Initial test development may cost up to \$1,000. There will be some ongoing modification costs.

- 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.
 - 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.

The main costs will be for developing and printing the test.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Paul Schadewald	Agency:	ND Game and Fish Department
Phone Number:	701-328-6328	Date Prepared:	12/19/2002

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Date: Z/6/03 Roll Call Vote #: /

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 1049

House House Natural Resource	es	<u> </u>		Com	nittee
Check here for Conference C	ommittee				
Legislative Council Amendment N	lumber <u>.</u>				
Action Taken Do 145	<u> </u>				
Motion Made By		Seco	nded By Keiser		
Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson		V			
Vice-Chairman Todd Porter	1				
Rep. Byron Clark	V				
Rep. Duane DeKrey		1/			<u> </u>
Rep. David Drovdal					
Rep. Lyle Hanson	V				
Rep. Bob Hunskor					<u></u>
Rep. Dennis Johnson					<u></u>
Rep. George Keiser					
Rep. Scott Kelsh					
Rep. Frank Klein					
Rep. Mike Norland					
Rep. Darrell Nottestad		V			
Rep. Dorvan Solberg					
Total (Yes)		No _	7		
Absent		. <u></u>			, <u>.</u>
If the vote is on an amendment, bri	efly indica	te intent:			

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Date: 2/1/63 Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 6 75

House Natural Resources	3			Com	mittee
Check here for Conference Conference	mmittee				
Legislative Council Amendment Nu	ımb er				
Action Taken Vo Not Motion Made By Dellary	- Pau				
Motion Made By De Krey	· · · · · · · · · · · · · · · · · · ·	Seco	nded By Johnson		 ,-
Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	1 1/				
Vice-Chairman Todd Porter		1/			
Rep. Byron Clark		1/			
Rep. Duane DeKrey	V				
Rep. David Drovdal	1/		· · · · · · · · · · · · · · · · · · ·		
Rep. Lyle Hanson		<u></u>			
Rep. Bob Hunskor		<u> </u>			
Rep. Dennis Johnson	10				
Rep. George Keiser		1/			
Rep. Scott Kelsh					
Rep. Frank Klein	1				
Rep. Mike Norland	V				
Rep. Darrell Nottestad					
Rep. Dorvan Solberg					
Total (Yes)		No _	6		
Absent					
Floor Assignment Norla	nd	مراط فرین خاند ن <u>نی خ</u> اد			
If the vote is on an amendment, brief	ly indicate	e intent:			

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REPORT OF STANDING COMMITTEE (410) February 13, 2003 2:16 p.m.

Module No: HR-28-2616 Carrier: Norland Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1048: Natural Resources Committee (Rep. Nelson, Chairman) recommends DO NOT PASS (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1048 was placed on the Eleventh order on the calendar.

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Page No. 1

HR-28-2818

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2003 TESTIMONY

HB 1048

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Cass County WILDLIFE CLUB

Box 336 Casselton, ND 58012



TESTIMONY OF HAROLD NEAMEYER CASS COUNTY WILDLIFE CLUB PRESENTED TO THE HOUSE NATURAL RESOURCE COMMITTEE ON HB 1048, JANUARY 16, 2003

Mr. Chairman and Members of the Committee:

I'm Harold Neameyer speaking on behalf of the Cass County Wildlife Club. The Cass County Wildlife Club supports HB 1048 because it forces credibility on the guides and outfitters to be licensed. Those being licensed to operate this business need to be knowledgeable of the laws that apply to them and their customers. This bill places the responsibility of developing and testing on the department.

Implementing this system will ensure our state of higher quality guides and outfitters. It should also result in few game violations.

The Cass County Wildlife Club supports HB 1048 and requests a unanimous "DO PASS".



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10/2/03 Date

North Dakota Professional Guides and Outfitters Association

January 16, 2003

House Natural Resource Committee

Positions of the North Dakota Guides and Outfitters Association regarding HB 1048, HB 1049, and HB 1050.

<u>- HB 1048</u>

NDPGOA Supports a do pass recommendation. It is in our belief that additional testing will help ensure that licensed guides are knowledgeable in Game and Fish laws, a significant aspect to conducting a professional guide service.

We do ask, why is fishing guiding not included?

<u>-HB 1049</u>

NDPGOA supports a do pass recommendations. We strongly believe that all records needed with important information regarding the business client list and contract information is private and damaging if able to be viewed by others under the open record laws.

-HB 1050

NDPGOA supports a do pass recomadation, if certain segments of the bill were better defined and amended as follows:

Page 4, line 4, section 23: Better define outfitter as to not include motel owners, etc.

Page 16, line 31: We request Hunting guide annual fee to remain at \$100.00

Page 17, line 1: replace fishing guide, with fishing outfitter.

Page 17, line 8: Replace fee with required.

Page 17, line 15: We believe that this entire bill hinges of the value of becoming an Outfitter. Thus, we strongly oppose not allowing outfitter licenses to be transferable. Establishing a well run profitable outfitting business should have the opportunity to be sold to others. We agree that the buyer must qualify as per rules to become an outfitter.

Page 18, line 9, section 2: Add fishing outfitter.

Page 18, line 19, section 5: Add to section, any one under suspension.

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Page 19, lines 1, section 2: delete or better define "including each transaction" What does the director need this information for?

Page 19, line 12, section 5: Addition of fishing outfitters? Do fishing outfitters need to take a test?

Page 19, line 17, section 6: We request this section deleted, our organization oppose any cap on outfitters.

Page 20, line 6, section 2: Replace "must", with "may".

Page 20, line 14, section 3: remove due to the unfairness and enforcement issues.

Thank you for your time and consideration on these important issues and legislation

I can be reached at 701-739-9616 or 701-662-5996 if the committee members need any assistance from our association.

Kyle Blanchfield President, NDPGOA Lobbyist, NDPGOA

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TESTIMONY REGARDING HB 1048, HB 1049 and HB 1050 By: Mike Donahue (Lobbyist 215) January 16, 2003

ND House Natural Resource Committee

On behalf of the United Sportsmen of North Dakota and the ND Wildlife Federation, we would like to thank the Judiciary Interim B committee for their dedication and hard work on these matters.

HB 1048: The organizations support the objective of HB 1048. Please note that "fishing" must be included. We support a DO PASS.

HB 1049: We support a DO PASS. We agree with the Guides and Outfitters Association.

HB 1050: We generally concur with the Guides and Outfitters support of this bill however, bear in mind that "access" is the umbrella to many of these issues. The more commercialization of the taking of fish and game – the more limiting access to the general (taxpayer) hunting public. The resource belongs to the public.

Exceptions we have with the G&O position are:

- 1. Page 16, line 31: The guide license fee should remain \$200.00 (two hundred).
- 2. Page 17, line 8: We suggested and the G&O's concurred that the word "Fee" should be replaced with the word "Required".
- 3. Page 19, line 17: The two hundred should be reduced to one hundred or one hundred and fifty. We are also willing to re-look at a sliding scale.
- 4. Page 20, lines 14-19: Leave them in the bill. It may be possible to expand this portion so that low-level misdemeanors are excluded.
- 5. Page 20, line 6: Change the word "must" to "may".
- 6. Pages 15 and 16: All license fees should be increased.

Further Comment:

Section States

We believe that capping the number of outfitters and acreage that can be leased is necessary. For example, if 200 outfitters leased 20,000 acres each, the four million acres will be generally locked out of the reach of average income hunters.

Also, last session, there was discussion of G&O's not carrying a weapon when afield with clients. We do not see the necessity of a guide carrying a weapon while afield with a client.

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