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2003 HOUSE NATURAL RESOURCES

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1307

House Natural Resources Committee

☐ Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter #
1	XX	XX	All
2	XX	XX	All

Minutes:

Chairman Porter called the meeting to order.

Rep. Nelson: Introduced the HB 1307. This bill is a product of the interim committee. This is one of a series of issues related to access. (see Waterfowl Graph Handout). This bill will attempt to spread out hunters through the season.

Rep. Hunskor: Proposed a friendly amendment accepted by Rep. Nelson.

Rep. Clark: Asked about Bio Management.

Rep. Nelson: Drought cycle will take care of nonresident hunters. If we do not have wetland conditions we will not have a problem with out of state hunters. The numbers have rising with the wet cycle.

Sen. Every: Introduced the positive points behind HB 1307.

Rep. Porter: What model do people around the state think we should use.

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Page 2 House Natural Resources Committee Bill/Resolution Number 1307 Hearing Date January 24, 2003

Sen. Every: Moving hunters from area to area is a good idea. US Fish and Wildlife is managing this already.

Chair Opens Testimony:

Ted Mertz (1600): (See Attached Testimony).

Rep. Solberg: What is your business?

Ted Mertz: Hunting lodge. The customers are primarily waterfowl.

Rep. Nelson: The problem with your proposal is that is removes the controls. The point of this

bill is to try and deal with the concerns by resident sports groups dealing with waterfowl issues.

Jim Nagel: Guide and outfitter. Testified that he agreed with the concept of a cap and preferred

HB 1358.

Connie Craft: Northern Plains Electric Coop. (See Attached Testimony)

Rep. Porter: You are not in favor of either bill.

Connie Craft: Mother nature should be left to take care of it. The Legislation is subject to

manipulation.

Debra Roppel: Owner operator of hunting lodge north of devils lake. Testified to the danger of

losing her business and the economic impact on her area.

Rep. Porter: How many competitors do you have?

Debra Roppel: One Motel 23 miles from me.

Rep. Kelsh: Can you predict a turn around in your area?

Debra Roppel: It is hard to know with uncertainty in where we stand.

Rep. Kelsh: What would happen with ten years of drought?

Debra Roppel: It is hard to say.

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Page 3 House Natural Resources Committee Bill/Resolution Number 1307 Hearing Date January 24, 2003

Rep. Solberg: I'm not getting a clear message from you. Are you opposed to the entire bill.

Debra Roppel: I understand the need to place a cap. But it should be for both sides.

Rep. Porter: What happened with the 30,000 cap.

Debra Roppel: I lost some business.

Rep. Solberg: I do not think this would affect your business one bit. The peak is at the beginning of it.

Ken Tupuer: Towner County Commissioner. We give residents a week without competition.

People do not have a problem finding ducks. We should let kids come back to North Dakota to

shoot a few ducks.

Rep. Porter: Do you have a fee hunting operation?

Ken Tupuer: No, I am starting to post it due to liability problems.

Chair Nelson: What will the reaction be by the land owners in your are if the policy went this

way?

Ken Tupuer: The landowners that post land would increase. There are already signs posted nonresidents welcome residents are not.

Rep. Hunskor: Will mother nature take care of it.

Ken Tupuer: That has always been my opinion.

Warren Ropp (2900): Testified on HB 1307. Testified that 90% of clients came from Georgia.

Ted Mertz: Owner Sheyenne Valley Lodge. (See Attached Testimony).

Eric Asmundson: North Dakota Farm Bureau. Testified in opposition to HB 1307. (See

Attached Testimony).

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Page 4
House Natural Resources Committee
Bill/Resolution Number 1307
Hearing Date January 24, 2003

John French: Ducks Unlimited. Testified in opposition to HB 1307. (See Attached

Testimony). Do we want to treat this as a precious natural resource or to use the Nelson plan, which would sell this to the highest bidder.

Rep. Nelson: I am curious of your examples of over harvesting. You should be talking about fisheries instead of waterfowl. You have shown no example of over harvesting waterfowl. We have a resident canadian geese population that has the legislature looking to authorize a spring season. We have more snow geese in North America. They are eating themselves out of house and home. The breeding duck population is all time highs in this country. So where is the biological problem.

John French: I do not consider myself a wildlife expert. I am a hunter and sportsman.

Rep. Nelson: The problem is there are people living in these areas trying to make a living. We have to make policy for as well. We will be thinking of them as well.

Scott Lindgren: Small business owner. (See Attached Testimony).

Rep. Nelson: What is your business?

Scott Lindgren: Sell packaging supplies.

Rep. Nelson: What percentage of your business is out of state. Because I would expect if someone was trying to limit your business you would testifying against it your self.

Mike Donahue: We urge a do not pass on HB 1307. (See Attached Testimony) We feel SB 2058 is better.

Rep. Nelson: The "lucky" numbers came from game and fish.

Rep. Keiser: What is your groups position regarding have unlimited hunting at the tail end of the season.

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Page 5 House Natural Resources Committee Bill/Resolution Number 1307 Hearing Date January 24, 2003

Mike Donahue: Would probably not make much difference. I leave that for you to decide.

Dick Monson: Addressed the concern he had regarding the issue turning into an urban/rural issue.

CI I D I (2400) CD 2050

Chuck Damschen (3490): SB 2058 really stinks. This bill is better, but not great.

Dan Buelde: Testified that landowners ultimately decide the availability and access to sportsman.

Ron Reynolds: Testified on the proliferation of guides and outfitters which restrict access to the land they do not own. They are trying to take control of the state. He also expressed concern over the purchasing of land by nonresidents for the purposes of hunting.

Kyle Blanchfield: North Dakota guides and outfitters. (See Astached Testimony)

Roger Rosvitt: North Dakota game and fish. (See Attached Testimony)

Chair Porter closes the hearing on HB 1307. Chair appoints Johnson, Clark, Hanson, and Hunskor to the subcommittee on HB 1307.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1307

House Natural Resources Committee

☐ Conference Committee

Hearing Date February 7, 2003

Tape Number	Side A	Side B	Meter #
1	XX		338-3794
	(11		
mmittee Clerk Signature	e (1) /1/4,	7	

Minutes:

Chair Nelson called the meeting to order on HB 1307 and explained the bill briefly to visiting students. In addition the chair discussed the need to move this bill today in order to meet the fiscal note deadline.

Roger Rosvitt: Explained changes in the fiscal impact would cause the costs to go down, maybe even to zero.

Rep. Johnson made a motion for an amendment. (See Attached Amendment #1) seconded by Rep. Klein.

Chair Nelson pointed out the zone language will be added on line 18 (See Attached amendment).

Rep. Hanson pointed out that there will be sections that need to be repealed to keep the code up to date.

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Page 2 House Natural Resources Committee Bill/Resolution Number 1307 Hearing Date February 7, 2003

The motion passed by a voice vote.

Chair Nelson motioned for a Amendment #2. Rep. Drovdal seconded it.

Chair Nelson: This would allow someone to come back for a second block.

Rep. Nottestad: I will support this for the purposes of economic development. There will only by a few hunters that take this up. I think it would be good publicity for them.

Rep. Porter: I will resist this because of the \$85 from oct 28 to middle December this is in the middle of the central flyway area. Giving it away sets the wrong precedent.

Rep. Nottestad: If we want dollars we should scrap the whole thing and go unlimited.

Chair Nelson: If we had snow they would be out of here already weather the waterways were open or not. Some years can be really good in areas like Devils Lake.

The motioned passed by a vote of 10-3-1.

Rep. Johnson moved a Do Pass with Amendments. Rep. Klein seconded.

Rep. Drovdal: I will resist this bill it sends a bad message for economic development and a bad message for those we want to stay.

Motion passed by a vote of 10-3-1.

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Requested by Legislative Council 02/11/2003

Amendment to:

HB 1307

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 Blenniur		
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds	
Revenues							
Expenditures							
Appropriations							

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

2001-2003 Biennium			2003-2005 Blennium			2005	5-2007 Bien	nium
Countles	Cities	School Districts	Countles	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.

The impact of this bill on nonresident waterfowl license sales is difficult to predict. Our best estimate is that it will have little or no impact on license sales.

- 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.
 - 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:	328-6328	Date Prepared:	02/13/2003

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10/3/03 Date

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FISCAL NOTE

Requested by Legislative Council 01/14/2003

Bill/Resolution No.:

HB 1307

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				(\$600,000)		(\$600,000)	
Expenditures							
Appropriations							

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

į	2001-2003 Biennium 2003-2005 I			2003-2005 Blennium			200	5-2007 Blenr	lum
	Counties	Cities	School Districts	Countles	Cities	School Districts	Counties	Cities	School Districts
ĺ									

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

While it is possible that a large number of nonresident waterfowl hunters could come to North Dakota after the two 10 day periods, early freezes and poor conditions will often negatively impact this. It is expected that on an average, and based upon 2002 conditions and license numbers, there would be a reduction of 3,000 or more nonresident hunters per year.

- 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.

A reduction in sales of 3,000 nonresident waterfowl licenses would result in a revenue decrease of about \$300,000 per year.

- 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.
- 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:	328-6328	Date Prepared:	01/14/2003

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0/2/03 Date

30457.____ Title .____ February 7, 2003 #/

Proposed Amendment to House Bill 1307

PAGE 1

Line 14, overstrike 20, insert 30

Line 15, overstrike twentieth, insert 30

Line 16, remove overstrike

Line 16, remove "two 7", insert 10

Line 17, remove overstrike

Line 17, remove overstrike

Line 18, remove overstrike

Line 19, remove overstrike

Line 19, after "issued" insert "in each zone", remove "and the manner in which"

Line 21, replace "two" with "three", replace "twenty" with "thirty"

Line 22, replace "twentieth" with "thirtieth"

PAGE 2

Line 2, replace "per year" with "in the first thrity days. A nonresident may purchase a second license on the thirty-first day and zones do not apply such licenses."

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STATE OF

Date: 2/7/07
Roll Call Vote #: #/

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 1307

House House Natural Resources			.	Comi	mittee
Check here for Conference Com	mittee				
Legislative Council Amendment Nun	ıber _	4			
Action Taken Amendment	井	2			
Action Taken Arrendment Motion Made By Velson		Seco	onded By Drovdal		
Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson					
Vice-Chairman Todd Porter		V			
Rep. Byron Clark					
Rep. Duane DeKrey	1/				
Rep. David Drovdal					
Rep. Lyle Hanson		V			
Rep. Bob Hunskor	V/				
Rep. Dennis Johnson					
Rep. George Keiser					
Rep. Scott Kelsh		V			
Rep. Frank Klein					
Rep. Mike Norland				<u> </u>	
Rep. Darrell Nottestad					
Rep. Dorvan Solberg					
Total (Yes)(()		No	3		
Absent					
Floor Assignment				· · · · · · · · · · · · · · · · · · ·	
If the vote is on an amendment, briefly	y indica	e intent:			
Nelson Amenda	ant-				

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10/2/03 Date

Date: 2/7/03 Roll Call Vote #: #2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 1307

House House Natural Resources			_ Com	nittee
Check here for Conference Com	mittee			
Legislative Council Amendment Nun			···	· • • • • • • • • • • • • • • • • • • •
Action Taken Do la	ss hith	Angelyents		.
Action Taken Do la. Motion Made By Johnson	Secon	nded By 11/eig		
Representatives	Yes No	Representatives	Yes	No
Chairman Jon O. Nelson				
Vice-Chairman Todd Porter				
Rep. Byron Clark				
Rep. Duane DeKrey				
Rep. David Drovdal				
Rep. Lyle Hanson				
Rep. Bob Hunskor				
Rep. Dennis Johnson	V			
Rep. George Keiser				
Rep. Scott Kelsh				
Rep. Frank Klein				
Rep. Mike Norland				
Rep. Darrell Nottestad				
Rep. Dorvan Solberg				
Total (Yes)	No _	3		
Absent			······································	· <u>-</u>
Floor Assignment // e/504				
If the vote is on an amendment, briefl	y indicate intent:			

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PANEMA

REPORT OF STANDING COMMITTEE (410) February 10, 2003 8:33 a.m.

Module No: HR-25-2071 Carrier: Nelson Insert LC: 30457.0102 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1307: Natural Resources Committee (Rep. Nelson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1307 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "two" with "three"

Page 1, line 14, remove "ten-day periods in the first twenty days of"

Page 1, remove line 15

- Page 1, line 16, overstrike "statewide" and insert immediately thereafter "ten-day periods in the first thirty days of the season or a period anytime after the thirtieth day of the season", remove the overstrike over "A license authorizing", after "7 day" insert "three 10-day", and remove the overstrike over "hunting periods allows hunting in a specified zone"
- Page 1, line 17, remove the overstrike over "during-each period." and insert immediately thereafter "Licenses are valid within specified zones as follows: the first zone is established as that portion of the state north of a line beginning at the intersection of the Red River and state highway 200, proceeding west along state highway 200 to the intersection of United States interstate 29, north along United States interstate 29 to state highway 200, and proceeding west along state highway 200 to the intersection with United States highway 52, proceeding along United States highway 52 until its intersection with United States highway 2, proceeding along United States highway 2 to its intersection with the Montana border; the second zone is that area south and east of a line beginning at the intersection of state highway 200 and the Red River, proceeding west along state highway 200 to the intersection of United States interstate 29. proceeding north along United States interstate 29 to state highway 200, and proceeding west along state highway 200 to the intersection with United States highway 281, and proceeding south along United States highway 281 to the South Dakota border. The third zone is the remainder of the state as excluded by the first and second zones." and remove the overstrike over "various"
- Page 1, remove the overstrike over line 18
- Page 1, line 19, remove the overstrike over "may-specify" and remove the overstrike over "in each zone"
- Page 1, line 20, after "issued" insert "in each season"
- Page 1, line 21, replace "two" with "three" and replace "twenty" with "thirty"
- Page 1, line 22, replace "twentieth" with "thirtieth"
- Page 2, line 2, overstrike "per year" and insert immediately thereafter "in the first thirty days. A nonresident is not required to purchase a second license on the thirty-first day and zones do not apply to those licenses"

Renumber accordingly

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Page No. 1

HR-25-2071

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2003 TESTIMONY

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ZONES in HB 1307

The first zone is established as that portion of the state north of a line beginning at intersection of the Red River and state highway 200 proceeding west along highway 200 to the intersection of U.S. interstate 29 proceeding north on interstate 29 to state highway 200 and proceeding west along highway 200 to the intersection with U.S. highway 52 proceeding along highway 52 until its intersection with U.S. highway 52, proceeding along highway 52 until its intersection with U.S. highway 2, proceeding to its intersection with the Montana border.

The second zone is that area south and east of a line beginning at the intersection of state highway 200 and the Red River proceeding west along highway 200 to the intersection of U.S. interstate 29 proceeding north on interstate 29 to state highway 200 and proceeding west along highway 200 to the intersection with U.S. highway 281 and proceeding south along U.S. highway 281 to the South Dakota border.

The third zone is the remainder of the state excluded by the first and second zones.

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Testimony to:

ND House of Representatives Natural Resources Committee on:

HB 1307

John L. French 1213 Belmont Rd Grand Forks, ND

Thank you for the opportunity to address this hearing today. My name is John French. I'm a life-long North Dakotan, small business owner, and have hunted and fished in our state for over 40 years. I've been active in Ducks Unlimited, Delta Waterfowl, Pheasants Forever, and I'm currently President of the Grand Forks County Wildlife Federation. I've taken two days off work to come to Bismarck to testify, because I feel so strongly about this issue and it's implications for the future of our state. In the past 12 months I've helped organize forums on this issue, spoken to literally hundreds of sports men and women, numerous professionals from ND Game & Fish, dozens of Legislators, and Governor Hoven. I've been interviewed on the subject by T.V. and newpaper reporters, and even had my life threatened following a radio talk show concerning this matter. But through it all my main focus has been to see this contentious issue brought to it's logical conclusion through discussion, research, education and finally a democratic vote in the Legislature. So here goes, I'll say my piece, let you people do your job, and I'll go home and back to just being a sportman. There's an old saying that if you throw a rock into a pack of wolves, the one that gets hit will howl the loudest. And that's exactly what's happened on this issue: Guides and outfitters, the hospitality association, and chambers of commerce cried foul when North Dakota hunters and waterfowl biologists at the ND Game and Fish Department indicated that our policy of allowing unlimited access to North Dakota's precious wildlife resources by out-of-state hunters had to be re-thought. These special interest groups said "Wait a minute, we can manage our waterfowl on our own. Afterall, it's in our best interest to do so, too". But this claim is patently false.

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I'll sight you a few examples. Just 90 miles from my home in Grand Forks the Red Lake Fishery, left to their own devices, harvested the walleye population to the point where the lake had to be shut down to walleye fishing for atleast five years while the Minnesota Department of Natural Resources restocked the lake. The salmon fishing in Idaho and the cod industry on the east coast are two more examples of special interests controlling a resource. In all these cases it took a disaster to recognize we must trust our wildlife professionals and sound biological science. Two years ago the Legislature could not reach consensus on out-of-state waterfowl hunters because lacking professional input, the debate dissolved into a battle of emotion and retoric. Fortunetly, in the intervening months two critical events took place. First, the Legislature wisely directed an interim study of the problem. The Judiciary B Committee traveled the state seeking input from all interested parties. And I might add, under Rep. Lois Delmore's leadership they did a darn fine job. Second, sensing a looming crisis, the North Dakota Game and Fish Department spent countless hours last winter developing sound biological solutions to the problem. Nationally recognized waterfowl biologists Mike Johnson, Randy Kriel and others from Game and Fish came up with several well thought out scientific concepts which were then displayed, discussed and surveyed at all eight Game and Fish Department Advisory District meetings throughout the state. The overwhelming choice among North Dakota Waterfowlers was the Hunter Pressure Concept. Even though it called from substantially more out-of-state hunter pressure than most wildlife groups wanted to see. The wisdom of the plan, and our wildlife groups willingness to compromise so impressed the Judiciary B Committee that they passed the plan, which is now Senate Bill 2048 by a resounding 15 to 2. While the alternative Nelson Plan, now House Bill 1307 recieved only an 8 to 6 endorsement. Why did all the major wildlife groups and the Judiciary Committee so overwhelmingly endorse the Hunter Pressure Concept over the HB 1307? Because it dealt first and foremost with the resource...our ducks and geese.

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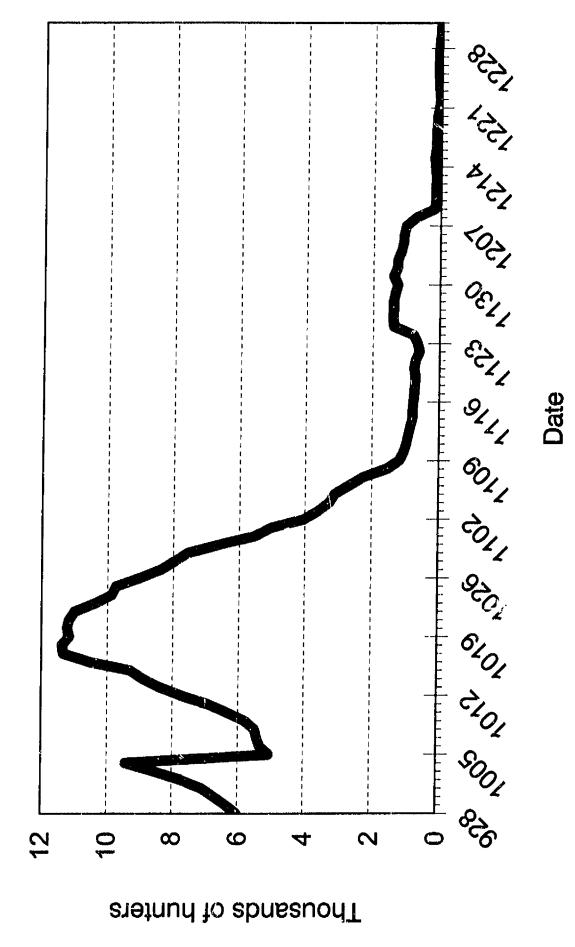
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and geese! Second, it factored in water conditions the spring before hunting season. Using the same 'dry-moderate-wet' index the U.S. Fish and Wildlife Service uses. And third, it put North Dakotan's first! Using the number of North Dakota hunters from the previous season to help determine the number of out-of-state hunters allowable. The idea being to keep a static number of waterfowlers afield, thereby maximizing the resource and the number of hunters spending money in rural North Dakota. It is a brilliant plan...a perfect compromise. And best of all, once it's in place, all the contenticusness we've seen in recent years will go away...permenantly. Because the Senate Bill, unlike HB 1307 works year in and year out. Wet cycle or dry. It's a plan for all seasons, and all the right biological reasons. And thousands of North Dakota sports men and women are firmly behind it.

Now you are going to hear alot of talk about the economic development out-of-state hunters would bring to our state. But make no mistake, selling North Dakota's precious wildlife resources to the highest bidder is not economic development. What these folks are really talking about is economic impact. And let's not forget about the economic impact resident hunters contribute. According to a comprehensive 116 page report just released by the Department of Agribusiness and Applied Economics at NDSU, and commissioned by the North Dakota Game and Fish Department, in 2001-2002 North Dakota Hunters spent \$132,421,000 in direct expenditures in North Dakota. Out-of-state hunters spent \$33,962,000. We spent almost 80% of the dollars generated by hunting in North Dakota, and yet you are being asked to support a bill that gives carte blanche to out-of-state hunters. Before you vote on HB 1307 ask yourself one simple question: Do you want our precious wildlife resource legislation created by Mr. Nelson or by the dedicated professionals at the North Dakota Game & Fish Department?

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NUMBER OF NONRESIDENT WATERFOWL HUNTERS LICENSED BY DAY, 2002 SEASON

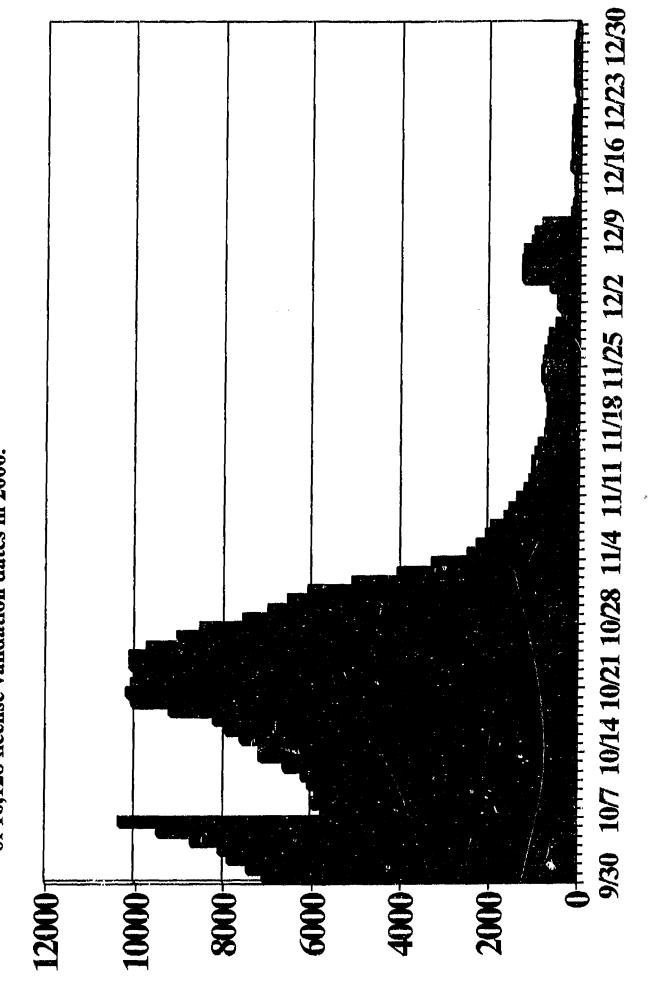


Does not reflect changes made to dates after initial purchase

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hunters in the field in North Dakota. Based on 25,165 licenses sold and a sample Figure . Estimated potential number of licensed non-resident waterfowl of 16,128 license validation dates in 2000.

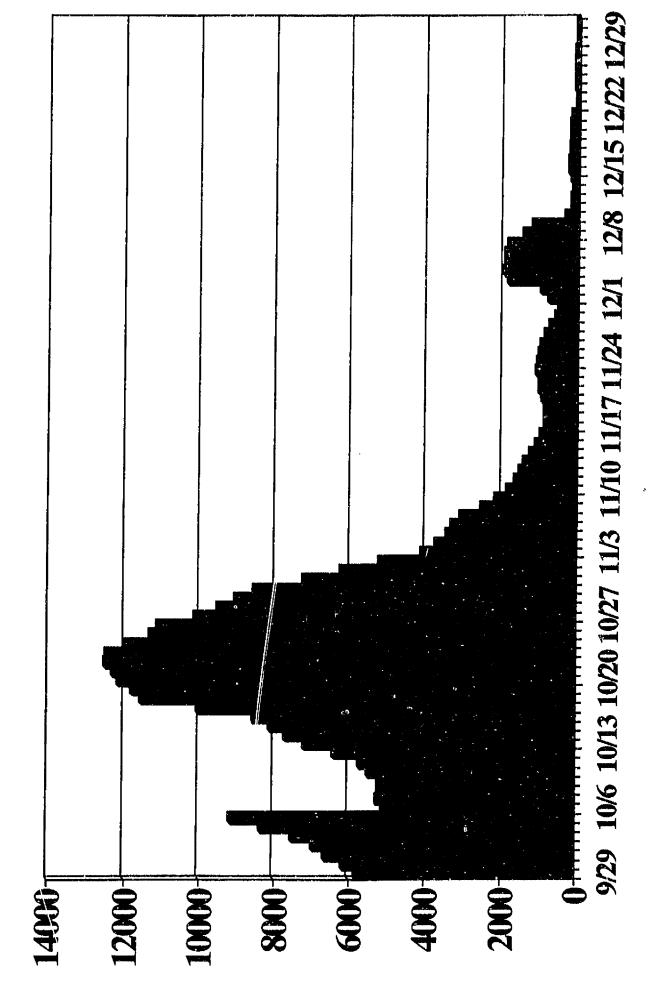


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Figure. Estimated potential number of licensed non-resident waterfowl hunters in the field in North Dakota. Based on 30,029 licenses sold and a sample of 19,767 license validation dates in 2001.



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Northern Plains Electric Cooperative

2002 Resolutions

Resolution 10. Hunting and Tourism

Tourism is the number two industry in North Dakota, which makes it very important to the economy of the small rural communities in the Northern Plains service area. Tourism from both resident and non-resident hunters adds significantly to rural economies. Access to private land is rightfully and ultimately decided by private landowners, and the opportunity to entertain both residents and non-residents alike, on private land, is a private decision. Therefore, we support our small communities, landowners and entrepreneurs by promoting tourism and economic development, and discouraging the placement of artificial limits or caps on non-resident hunters.

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North Dakota Game and Fish: Final Report of Surveys of North Dakota's Landowners and Resident Hunters

Conclusions:

"The 1996 survey shows that nearly 60% of land controlled by ND Landowners is NOT posted. In addition, the posting of private land does not appear to be increasing statewide."

"Since posting land is a right of property ownership and is related to landowner perception of hunters, the only means of influencing a landowner's decision to post land is by hunters displaying the highest ethical standards. The Hunter Education program sponsored by the Department should continue to provide hunter ethics training and information. This should be partnered with strong enforcement of hunter trespass laws."

"If hunters wish to hunt in counties where populations of game and habitat are plentiful, advance contact with landowners is necessary to successfully gain access to private land. The traditional means of hunting on unposted land which requires little advance planning is unrealistic..."

"North Dakota hunters have also voiced concerns about the effects and impacts of fee hunting on access to private property. In 1996, very few landowners leased land to or received payments from hunters for hunting access. Also, the number of landowners who lease land to or require payments from hunters does not appear to be increasing."

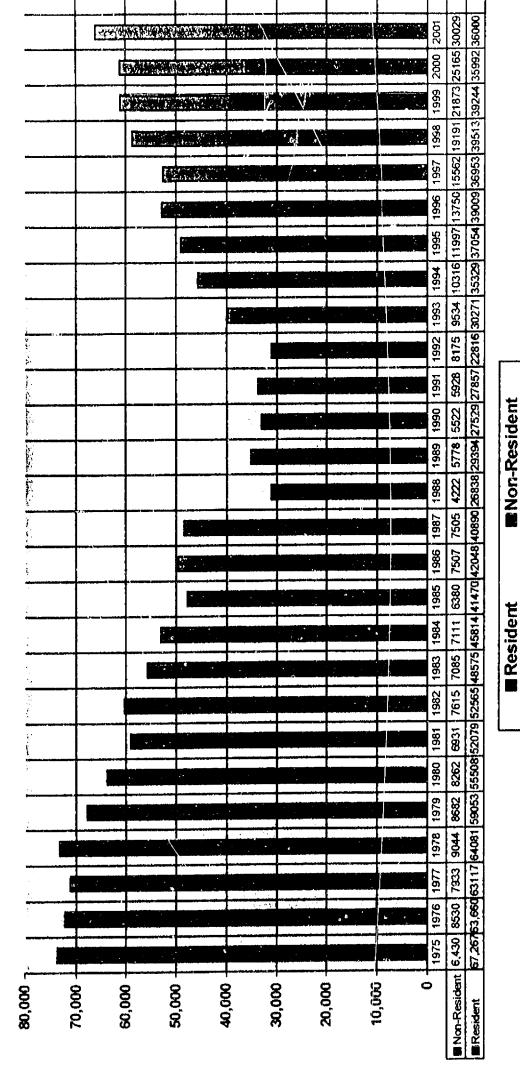
"Information derived from these surveys and future surveys should be provided to the hunting public so they can be aware of hunting conditions and their attitudes may change as a result."

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Waterfowl Licenses Issued in North Dakota

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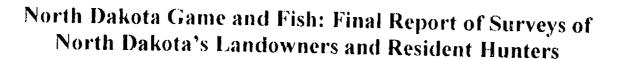
(Data courtesy of North Dakota State Game and Fish)

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10/2/03 Date ₩,



Intent of Survey:

- > Accurately access the hunting-related experiences of a random, representative sample of resident hunters, landowners and nonresident hunters.
- Determine the extent to which the concerns heard are representative of the experiences of most resident hunters and landowners.
- Measure how hunting related experiences have changed since the 1991 season.
- Make informed recommendations and/or decisions about policy changes that would be most likely to improve both landowners' and hunters' overall hunting experiences.

Profiles of 1996 Survey Groups

Resident:

Average number of days hunted decreased from 22 in 1991 to 13.9 in 1996 Average number of times hunted on private land decreased from 14.6 to 10 Average number of times hunted on posted private land after getting permission:

Decreased from 7.1 in 1991 to 4.7 in 1996 Average Age of Hunter: 1990: 31.7% were 35 to 44 1996: 34.1% were 35 to 44

Non-Resident:

Average days hunted: 7 (not changed from 1976 through 1996)

Average age of hunter: 1990: 1/2 to 2/3 were 19-45 years

Posting of Private Land: Both landowners and hunters were asked how much land is posted:

What Landowners Said: Statewide, 31.6% of landowners said they posted at least three-fourths of their land.

What Hunters Said: In answer to "How much of 'huntable' land is posted?

> Big Game, Bow: 65.4%; Big game, rifle: 62.8%; Upland game: 69%; Waterfowl 44.8%; Furbearing 53.5%

Posting of Private Land: How do hunters PERCEIVE the amount of land posted?

1991: 67% believed it had increased

1996: 56.9 % believed it had increased (63.4% of waterfowl hunters believe posting has increased)

Granting permission to hunt on private land:

Landowners were asked how often they gave permission to hunt their posted land:

> Percentage of landowners who gave permission when asked:

Big game hunters: 71.7% Upland game hunters: 68.6% Waterfowl hunters: 83.9%

> Landowners who have leased land or been paid to hunt:

Pay Hunt: .2 percent Leased: .1 percent

Hunters were asked if they receive permission when they ask to hunt posted land?

Resident hunters: 83.6% of those who asked received permission a majority of the time in 1996.

76.9% received permission in 1991...

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House Bill 1307 House Natural Resources Committee Hearing January 24, 2003

My name is Ted Mertz. I am here to testify in favor of House Bill No. 1307 with some revisions. The first change would be to make the two periods 12 day periods instead of 10. The reason for this change would be for my business that books on a three day four night stay. With such a short season we must be able to maximize our time and fill every day possible. The other reason would be for the possibility for sales of property to hunters. If I personally have a chance to sell a piece of property for 1 1/2 to 2 times the average rate to a non-resident I do not want to loose the sale because of him not being able to have time to hunt on his land. The twelve day periods still reduce the amount of time non-residents could hunt in the state.

The second change I would need to see in this bill is not giving anyone not even the Governor of our fare state the opportunity to reduce the numbers any lower than what is agreed upon in this bill. We as business owners need to have stability from year to year in order to operate our business. It is my personal opinion after operating a lodge for the past 11 years that mother nature will handle any hunter pressure that may occur. In the early 90's I had had a tough time convincing anyone to come to North Dakota to duck hunt but on wet years since 94 it seems to be a whole lot easier. I have a concept that I very much believe in and would like to share with you today. Water creates ducks which draws hunters. If the water goes away so do the ducks and in turn so do the hunters. With all the numbers which you will here today and for the next two or three months I would like you to pay close attention to the dates when the influx of non resident hunters started. It seems to coincide with the beginning of the wet cycle that we were in from 93 till last year. Already last year 1/2 of the clients that called me asked (do you have any water up there) If the dry cycle that started last year continues they probably won't even call to ask. Because with today's technology hunters know how many ducks are in or going to be in North Dakota before most of the North Dakotans. So if it is dry and there are no ducks the hunters will not come.

The third area that needs some revision are the number of licenses that are to be issued in the two twelve day blocks. For the past two years we have had early snow storms and freeze up. I believe that a number more in the neighborhood of 15,000 per period is appropriate. To further ensure the future of my business and others like it in the state. I need to see an assurance that Outfitters and possibly the Hospitality industry would be provided with at least 1/2 of the licenses available in the two twelve day periods.

This testimony is given on my own behalf in order to provide you, Our fine Legislative assembly with some alternatives.

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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 1307, JANUARY 24, 2003

Mr. Chairman and Members of the Committee:

I am Harold Neameyer speaking on behalf of the Cass County Wildlife
Club. Cass County Wildlife Club is opposed to HB 1307 based on the following:

- 1. There are no zones, thus allowing for over crowding in the best areas.
- 2. This plan is built on numbers apparently without any statistical basis.
- 3. This plan will probably need to be reworked every two years because it lacks any biological support.
- 4. When the duck season opens can affect the feasibility of the plan.

HB 1307 is a short-term fix that may benefit a few hunters and some businesses, but is not a long-range solution to the problem.

Because there doesn't seem to be any concern for the resources in this bill, it is not the proper solution to the non-resident problem.

We have the best hunting of all the surrounding states. In order to keep it so, we need better controls on hunting numbers and where they hunt. This bill does not provide these controls. We urge a DO NOT PASS of HB 1307.



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TESTIMONY

TO

NATURAL RESOURCES COMMITTEE

ON

州乃 136つ -SB 2048- HUNTER PRESSURE CONCEPT

BY

SCOTT LINDGREN GRAND FORKS, ND 24 JANUARY 23, 2003

I would appreciate the committee's support on SB 2048 regarding the Hunter Pressure Concept.

I'm a small business owner and lifelong resident of North Dakota. In addition to North Dakota, I've enjoyed many hunting and fishing trips in many states and Canadian Provinces. But you know what - I still live in North Dakota with the main reason being the Quality of Life I have had here. I think you know what my definition of Quality of Life is. It's the quality of hunting, fishing and outdoor opportunity of I have in North Dakota. It used to be the Best. That's the Quality of Life I seek and why I currently still live here.

If you're not a waterfowl hunter, I can see why you would think that there would not need to be any limits on the total number of hunters. My analogy is that the stadium is only so big. If you sell more seats than the stadium holds - you're gate and concessions revenues are greater - but the quality of viewing the event is less do to overcrowding and paying customers will be less likely to attend again.

The Hunter Pressure Concept, developed by the North Dakota Game and Fish waterfowl professionals, based on many years of data, addresses how big the stadium is and what the capacity is. That's the beauty of it. It protects the resource first and foremost while providing for quality hunting experiences for all -both resident and nonresident.

I've attached comments also from my brother - currently not a resident of North Dakota - and he also favors the Hunter Pressure Concept, because in his experiences, the stadium is oversold. He is willing to take his chances if a lottery is the end result in obtaining a nonresident waterfowl license.

Limiting nonresidents is not a new concept. It's done in many states for many types of wild game. I wonder why that is and what were the reasons there needed to be limits on the number of hunters? Please don't allow the exploitation of our resources and the depreciation of the quality of the hunting experiences.

I would again appreciate your support on \$\frac{\text{5B}}{2048}\$ and endorse the Hunter Pressure Concept thereby protecting our valuable resources, providing for quality hunting experiences and ensuring that we keep a full stadium. That's the Quality of Life that many North Dakota Sportsman seek and why a lot of us choose to live here and raise our families here.

Thank you very much for your consideration.

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10/3/03 Date ***

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Scott Lindgren

From:

"Greg & Kim Lindgren"

To: Sent: "Scott Lindgren" <scottl@nspack.com> Tuesday, January 21, 2003 11:29 PM

Subject:

Fw: hunter pressure concept

---- Orlginal Message -----From: Greg & Kim Lindgren

To: Scott Lindgren

Sent: Monday, January 20, 2003 6:51 PM Subject: Fw: hunter pressure concept

---- Original Message -----From: Greg & Kim Lindgren

To: Scott Lindgren

Sent: Monday, January 20, 2003 6:04 PM

Subject: hunter pressure concept

Good morning:

I would like to respond concerning the growing problem of out of state hunter pressure in North Dakota. My comment is based upon many years of being in the field both as a resident and non-resident. I was bom/raised in Grand Forks and began hunting their as a child and have returned their annually for waterfowl hunting since 1976.

Since the early 90s the quality of the experience has drastically been reduced due to over crowding of the non-resident hunter. This influx of non-residents have created numerous problems from leasing, birds staying in Canada or leaving ND early due to hunter pressure, and just trying to find a place to hunt. It seems you go out in the evening to spot for a good place to place your decoys and there are hunters everywhere doing the same thing. This really creates a problem and discourages you from returning to North Dakota to hunt in the future.

I do not have the solution but I am willing to do just about anything to stop this overcrowding of the resource. Whether this means a lottery for limited licenses or some other regulating device such as the hunter pressure concept, I'm all for it. I do know for sure that if nothing is done and the non-resident hunter population doesn't decrease, I will be hunting in Canada.

Concerned hunter,

Greg Lindgren Anch., Ak.

1/22/2003

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10/3/03 Date Supre-



Administration: 1101 1" Ave N P.O. Box 2064 Fargo, ND 58107 701-298-2200 • 1-800-367-9668 Fax: 701-298-2210

State Headquarters: 4023 State St P.O. Box 2793 Bismarck, ND 58502 701-224-0330 • 1-800-932-8869 Fax: 701-224-9485

North Dakota Farm Bureau

www.ndfb.org

Testimony of North Dakota Farm Bureau
On
House Bill 1307
Presented by
Eric Aasmundstad, president

Good morning, Chairman Nelson and members of the House Natural Resources Committee. My name is Eric Aasmundstad. I am here representing North Dakota Farm Bureau and our policy opposing restrictions on the number of nonresident waterfowl hunters in North Dakota. I must say with all honesty that HB 1307 is the least objectionable of all the restrictive hunting bills that we have seen. In spite of that, we must oppose the bill.

Limiting nonresident waterfowl hunters will stifle opportunities for economic growth in our rural communities, and limit farmers and ranchers' ability to augment much needed incomes. Limiting the number of nonresident hunters will do nothing to improve the perceived access problem. As we have heard through the interim and in the testimony offered in the Senate yesterday, access is the issue. It seems unfortunate to me that a budding and vitally needed industry in rural North Dakota must suffer because of false perceptions.

"There is nowhere left to hunt." or "The quality of the hunt is much diminished." These are two of the most often used phrases of some resident hunters. I disagree with both of these statements. There is adequate ground to hunt on in North Dakota, ground with an excellent quality of hunt.

North Dakota Farm Bureau initiated a program to match sportsmen with landowners. The program is called Private L.A.N.D.S. (Land Access for North Dakota Sportsmen). We developed this program as a positive response to the

One future. One voice.

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problems brought to light in the last legislative session surrounding access to hunting ground. North Dakota Farm Bureau thought best to limit this program only to members in the first year. This was done to make sure any technical and logistical problems could be worked out before taking it to the public. I am going to attempt to explain some of data gathered relating to acres enrolled, property location, origin of sportsmen, and species available.

First a brief overview of the program: Attachment A

Acres enrolled: Attachment B
Property location: Attachment C
Origin of sportsmen: Attachment D
Species available: Attachment E

One of the greatest benefits of the program aside from getting landowners and hunters together was the ability to distribute hunters to areas of the state with less hunter pressure. Hunters who went to parts of the state they had not experienced before were surprised and satisfied to find a quality hunt in an area they never may have thought of on their own. Furthermore, we were successful in matching hunters with landowners who had depredation problems.

We certainly are pleased with the first year results and have found many ways to improve this service. North Dakota Farm Bureau will continue to move ahead with this program despite some of the negative comments made to the press.

In summary, through the data gathered we cannot see that there is an access problem, especially in waterfowl hunting. Possibly a communication problem exists between sportsmen and landowners. Sportsmen have to get out and do the homework, meet the landowners, get to know a community, and develop the relationships that go beyond hunting. As the North Dakota Landowner/Sportsman Council says: "Ask and the gates may open". Remember, ultimately it is the

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landowner who will decide if the hunt is available, and who will have the privilege of hunting on private lands.

Thank you for your time and I would be happy to answer any questions you may have.

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2002 Summary

Prepared by North Dakota Farm Bureau



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10/2/03 Date



2002 Summary

Acres Enrolled (Acres enrolled from a single request to our producer-members)

Total Acres Enrolled = 301,619 Avg Acres Per Landowner = 1457

Attachment A

Enrolled in Database:

207 Landowners Enrolled 169 Sportsmen Enrolled - CANZO

Total # Hunters Serviced (including entire hunting party) = 413

Total Referrals Made by Species

Pheasant	59%	
Deer	17%	
Grouse	3%	
Grouse	8% \	1 0-14
Ducks	7% /	10%
Turkey	4%	
Partridge	.5%	
Antelope		
Fur Rearers	5%	

Species Available by Location

Antelope 1	9	Locations
Moose		
Mule Deer1	7	Locations
Ducks15		
Partridge 7	3	Locations
Elk	2	Locations
Fur Bearers 6	2	Locations
Pheasant 14	9	Locations -
Geese15	1	Locations—
Prairie Dogs1	1	Locations
Sandhill Crane 4	4	Locations
Grouse 9	4	Locations
Turkeys 3	6	Locations
Whitetail Deer 20	6	Locations

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301,619 Acres Enrolled 1,457 Avg Acres Per Landowner

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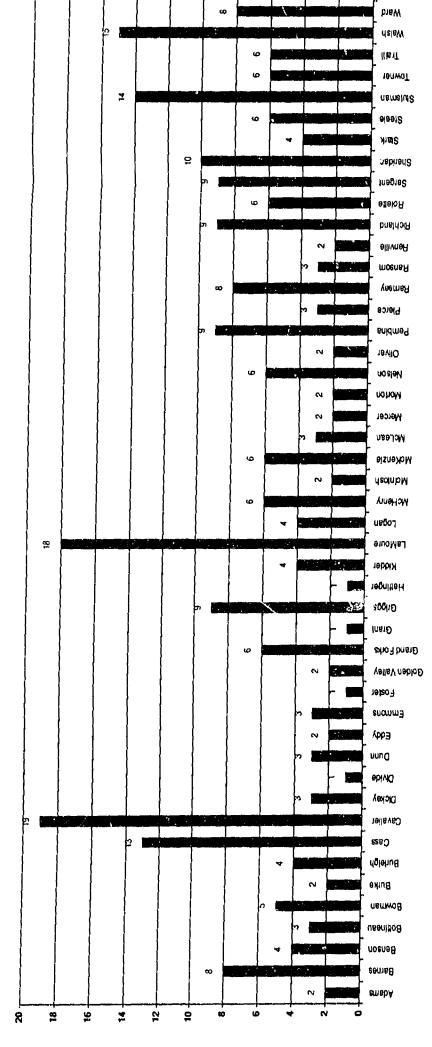
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NDFB Private LANDS Acres Enrolled

Attachment B

NDFB Private LANDS Location of Landowners

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207 Total Landowners Enrolled

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Where Sportsmen Come From moens R NDFB Private LANDS Attachment D Barnes

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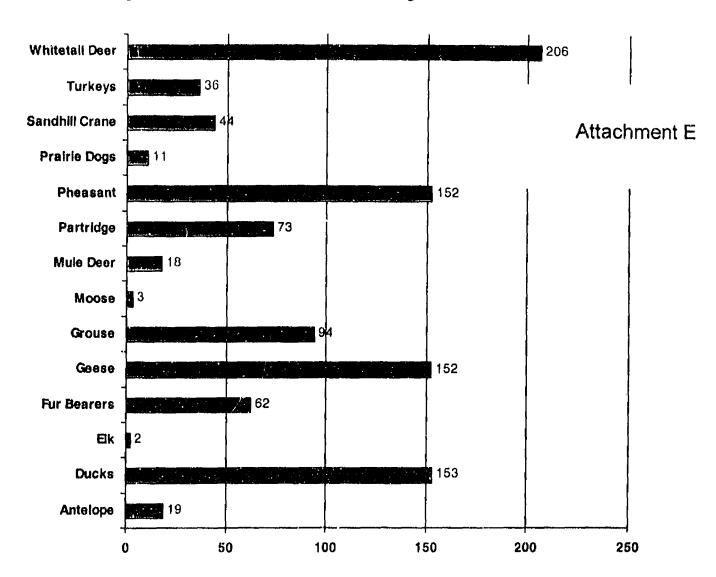
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Species Available by Location



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TESTIMONY REFERENCING HB 1307 By Mike Donahue, Lobbyist #215 January 24. 2003

角語 (基本)

House Natural Resources Committee

United Sportsmen of North Dakota and the N.D. Wildlife Federation would like to thank Judiciary B for reporting out HB 1307 – to give us something else to look at.

We applaud Representative Nelson's desire to help manage the waterfowl resource and pressure on that resource. However, we urge a **DO NOT PASS** for HB 1307.

We see the numbers in the bill as merely another guess; and it removes the ability of the Governor's Proclamation to use zones when needed in the overall management program.

We sympathize with those in the rural areas and the effects they have from economic downturn. We have landowners that are members. We feel for all in the economy matter; but we urge you to not manage the resource for just commercial endeavors.

We support SB 2048 for the hunter pressure concept – its management system and the compromises it gained. Additionally we support license fee increases for residents and non-residents and we thank the North Dakota Farm Bureau for its efforts.

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January 22, 2003

Testimony on HB 1307

The last time we tred knowing in the vicinity of the last Prairie ladge in the NE most of the land was black on

I'm Ray Greenwood and I live at 3755 87th Ave SE, Jamestown. I retired a couple of years ago.

I've been an avid duck hunter for over 40 years. Annually for those years I've taken 1-2 trips to the northwest corner of the state for duck hunting. I also hunt in the vicinity of Jamestown. On hunting trips my partner and I have spent hundreds of dollars a year in small towns for motels, groceries, supplies, and gas. We used to hunt in the Goodrich-McClusky area, but got squeezed out around there about 10 years ago when a large outlitter tied up most of the places we used to hunt. Now even the places we hunt in remote Burke and Divide county are full of hunters. Granted, these hunters bring some revenue to the state, but it's not all new money. Part of it just replaces what we used to spend there. For the last 2 years we've taken our trips to Canada.

I'm not opposed to non-resident hunters. I know they bring needed revenue to our rural areas. But don't squeeze us residents out. We live here 12 months a year. I support regulating numbers of non-resident hunters, but do not believe that HB 1307 provides the best way to do it. I think we need a method that takes into account annual changes in weather conditions and duck numbers, such as the hunter pressure concept laid out in SB 2048. If I can't find places to get satisfying hunting in the state, there is a lot less incentive for me to keep residency here now that I'm retired. My children have already left to find jobs elsewhere. North Dakota needs ways to attract people here and keep its residents, not drive them away.

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Mr. Chairmen and Committee members

My name is Conrad Carlson and I live here in Bismarck

Thank you for your committment to North Dakota and our natural resources. Congratulations for the work done in the interm on limiting nonresident waterfowl hunters.

There should be restrictions on nonresident waterfowl hunters.

The perception I have is there are better ways than 1307 to achieve nonresident waterfowl license restrictions.

The long term shortfall of MONEY being the #1 priority is that there will not be consistent and "quality" harvest.

I perceive these restrictions as necessary so the #1 priority is a consistent and "quality" harvest.

The NDSU Ag Econ report 507s, indicates on page 8 that all participation in hunting activities accounts for about \$166 million in "Total Direct Expenditures" for the states economy. About 80% comes from residents. Because nonresident restrictions provide a more consistent and "quality harvest", I perceive this total will increase and be sustained.

Hopefully the sponsors of 1307 and the House will decide that 2048 provides a flexible and less ridged method of restricting nonresidents.

I'm hopeful the legislature will provide us with a restriction that will give a "quality harvest" desired by both residents and nonresidents. My perception is that to achieve this you will need to include zones. You might even need to provide "favored former residents" some exemptions from restrictions and large license fees. I'm hopeful new regulations won't give my son an excuse for not visiting me in the fall or kill all of his desire to return to this great state.

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January 24, 2003

House Natural Resources Committee

Hearing on HB 1307

Position: Opposed

Chairman Nelson, and members of the Committee:

I speak for myself and my farmer friends, who own and operate land in the central flyway. We do not post our land, except around our buildings and facilities.

We all live, or have lived, in towns of 2,500 or less and know that all dollars that flow into those towns from all hunters are important, but to "cap" the livelihood of small businesses in small towns is short sighted!

I am opposed to "caps" for the following reasons:

- There is enough birds and land for all hunters
- Rainfall determines bird numbers and bird numbers determine hunter numbers in the long run.
- Limiting out of state numbers may increase the amount of land purchased by them, and decrease the amount of land available for resident hunters.
- We should not limit dollars that want to be spent in North Dakota from being spent in North Dakota! I.e. Eight or ten Iowa hunters who were hunting in Saskatchewan and got frozen out decided to hunt in ND for three or four days on their way back to Iowa, but were unable to purchase licenses because all were sold out! (A farmer friend talked to them at Jamestown on their way home.) These were dollars WANTING TO BE SPENT in ND, that COULDN'T BE SPENT!
- Limitations are detrimental to rural ND.

SB 2048 is worse than arbitrary caps! It is based on "arbitrary" numbers determined by questionable surveys, and is susceptible to manipulation!

Yours truly,

Atan Butts Butts

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The Hunting Parachute Concept

A Safe Landing and Survival for all Interests

On a Collision Course - For decades, North Dakota's hunting economy expanded to its present status without much notice. Sportsmen hunted, landowners accommodated them and rural businesses, many on the brink of failure, caught a fortuitous money fallout. At some point, the three interests found themselves at a crossroads where their self-interests diverged. In recent months it's become increasingly apparent that the three groups, joined by a fourth-the guides and outfitters, are a new economic interest-and that we're not only at a crossroads, but in each others crosshairs.

It seems that the only way forward, the only way to ensure that sportsmen, landowners, rural businesses and guides and outfitters can all land safely, is to approach from a new perspective the matter of hunting as part of North Dakota's economy. It's time for new thinking. New thinking will provide the parachute that everyone needs to maintain their own self-interests and allow all parts of the hunting economy to flourish, most especially the wildlife itself.

New Thinking and Survival – Financial incentives are critical. One way to insure that land to hunt on is available to sportsmen is to provide money and incentives to the men and women who own and operate the land. In some cases, this is already happening in a system whereby hunters simply pay a gate fee to landowners. In other cases, hunters pay fees that buy them multiple services, including land to hunt on, guides and host services. In some cases, hunters buy their own private hunting grounds. Not everyone is comfortable with a fee arrangement. Yet, there is no question that people who are financially rewarded for producing more wildlife will produce more wildlife. A hunting cooperative in southwestern North Dakota is a case in point! In 1993, the business harvested 500 pheasants. In 2003, in a system that rewarded landowners for encouraging growth of more pheasants, hunters harvested 3,500 birds, because landowners adapted their operations and management practices to cause the birds to flourish. At the same time, the economies of the many struggling rural communities saw the same kind of growth.

Financial Reward Proposal – Here's how to bring a financial reward philosophy into play. Voluntarily double fees on resident, nonresident hunting, fishing and guide licenses and also restaurant and hospitality industry licenses. Take the money and allocate it to a new wildlife extension service, the nation's first. The service, like an agricultural extension service and serving two counties, will be constructed to reward landowners who want to manage their land to improve production of wildlife. Landowners would be paid from this special fund per acre on contract, up to five years, to participate in programs promoted by the wildlife extension service. This is how landowners can financial benefit and by benefiting themselves, benefit wildlife. Land enrolled in programs managed by the nation's first wildlife extension service would be open to hunters, on a no-fee basis, perhaps to resident hunters only, or to resident hunters only on specific dates. Another important job of the wildlife extension service, which has wildlife agents assigned to counties, is to act as a liaison between hunters and landowners. The service could be managed by a political subdivision state agency, non-profit, or private sector.

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Under this dramatic vision, policy makers can simply throw away the controversial and nonproductive idea of caps on nonresident hunters and let the forces of a free market economy work their magic. When landowners are rewarded for opening their land to public hunting, North Dakota sportsmen will be guaranteed a quality hunting experience. The way to reward landowners is to pay them in proportion to the number of birds and animals harvested on their land, in conjunction with wildlife extension service programs.

Survival – The idea is to ensure that everyone survives in North Dakota's hunting economy. There is no need for casualties, not in a state with so much land, so much wildlife and where so many have a fragile existence and depend heavily on the surge of money that comes hand in hand with recreational hunting. This is not a time to wreck what is working for so many.

This new thinking-the idea that landowners can finally be rewarded for producing wildlife and for accommodating resident hunters-still leaves plenty of room for those who prefer other hunting business plans.

Some hunters, especially those from other states, prefer the hosted hunt on pre-identified land. A substantial business niche has already developed to accommodate that type of hunter, which is still a minority. Some landowners prefer this arrangement and likely always will because they are more comfortable with a hunting situation that is managed and controlled.

Under no circumstances should North Dakota effect or enact policies that harm any interest. Instead, it is imperative that the state look for ways to enhance all interest, keeping in mind that hunters are a diverse as wildlife in the services and kind of hunt they desire. Above all, policy makers must be mindful that recreational hunting offers a huge opportunity for everyone and ought no be restricted in the interest of a few.

The Parachute has Opened — Here's how it hits the ground: Resident hunters enjoy a paradise of hunting opportunities on land managed by owners and operators who are rewarded for encouraging wildlife and welcoming hunters. These landowners are enrolled wildlife extension programs and their wildlife agent helps them inventory their land, identify ways to grow more birds and animals and gives each of them an ideal, but voluntary hunting plan. This plan is specific to the number of people that ought to be allowed on each hunting day to maximize the experience. Landowners get money to be in the program. Additionally, they get money based on animals and birds harvested. This creates a double incentive that forces them to want to maximize the harvest.

Nonresident hunters have unrestricted access to hunting licenses. Under this vision, hosted hunt facilities are allowed some incentives through the wildlife extension service however at a reduced rate, since they are already compensated by hunting fees.

A Safe Landing for Everyone – Within a decade after the nation's first wildlife extension service is launched, North Dakota will be the most advanced, forward thinking state in the union when it comes to hunting-landowner-wildlife issues. We will not be fighting among ourselves, endangering the survival and rights of some. We will no longer be in the crosshairs. Instead, we will be in the forefront. Landowners will be financially encouraged to participate to be in the business of growing wildlife, wildlife will flourish,

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and sportsmen who prefer non-pay hunting will have ample and generous opportunity. At the same time, hosted hunting business can continue unabated and nonresidents will continue to feel welcome and wanted in North Dakota, where they are truly needed. Small town economies, perhaps the most important part of the equation in many aspects, will not be threatened, nor will relationships among all groups continue to spin on this important dynamic. This parachute is golden, for everyone.

For further information, contact Terri Thiel at the Dickinson Convention and Visitor's Bureau, 1-800-279-7391.

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