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To Costa Rickford
Operator's Signature

10/16/03
Date

2003 HOUSE NATURAL RESOURCES
HB 1465

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10/16/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1465

House Natural Resources Committee

☐ Conference Committee

Hearing Date February 6, 2003

Tape Number	Side A	Side B	Meter #
1	xx		all
1		xx	0-1825
Committee Clerk Signature <i>Eric M...</i>			

Minutes:

Chair Nelson called the hearing on HB 1465 relating to a game and fish commission to order.

Rep. Drovedahl: Introduced HB 1465. I was asked to sponsor this bill. I introduced this bill to try and get public input to the Game and Fish Department. Commissions have been tried in other states. Game and fish has been successful at wildlife management. There has been problems with people management. I would like to hear a lot of testimony on this bill to come up with some solutions.

Eric Aasmundstad: North Dakota Farm Bureau. (See Attached Testimony)

Jerry Jeffers: District 8 Representative to the North Dakota Game and Fish advisory Board.

(See Attached Testimony)

Rep. Keiser: This is based on a Geographic basis. Would you support a change on a proportional basis.

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10/16/03
Date

Page 2

House Natural Resources Committee

Bill/Resolution Number 1465

Hearing Date February 6, 2003

Jerry Jeffers: I would come at from another representative from each district. One from sportsman, the other from landowners.

Rep. Keiser: Would you prefer a geographic basis or population?

Jerry Jeffers: Geographic.

Rep. Nottestad: Have you spoken out about the half day meetings before. This has been going on for a long time.

Jerry Jeffers: Yes, the director tries to coordinate with the state staff meetings, which is good.

We are invited and encouraged to attend these meetings. There just isn't time to do it all.

Rep. Nottestad: Has the request for more input been conveyed to game and fish?

Jerry Jeffers: We just never get to it.

Rep. Hunsakor: If you had more time would it be ok?

Jerry Jeffers: There still would need to be more changes in the meetings. They are still to informational.

Rep. Hanson: Do you have a president of the advisory board, He can set the agenda for the meeting.

Jerry Jeffers: We do have a president.

Harold Neameyer: Cass County Wildlife Club. (See Attached Testimony)

Rocky Bateman: Testified on behalf of the HB 1465. Expressed concern over the accuracy of the fiscal note.

Paul Thomas: North Dakota Ag Coalition. Support of HB 1465. Testified as to the greater public involvement in the process.

Wes Tosset: Farmer. Proposed an amendment to add 3 businessmen to the committee.

Page 3

House Natural Resources Committee

Bill/Resolution Number 1465

Hearing Date February 6, 2003

Jim Lowman (2782): Testified in favor of HB 1465. Reiterated the need for reform.

Kyle Blanchfield: Guides and Outfitters Association. Supported HB 1465 on the basis of the need for changes to the advisory board.

Merle Jost: (See Attached Testimony)

Bill Pfeifer: ND wildlife Society. (See Attached Testimony)

Dennis Daniel: Sportsman. Opposed to an appointed commission. The commission should be elected.

Tom Abrahamson: ND Sport Fish Congress. (See Attached Testimony)

Larry Kubrick: Sportsman Alliance. Testified that undermining the commissioners authority will not solve anything. The advisory board will need to assert themselves.

Dean Hildebrand: ND Game and Fish Department. Testified against HB 1465. There were three major tasks included in his duties when the governor asked him to fill this job.

1. Communications. I have not missed an advisory board meeting. I have not missed a speaking opportunity yet. We have outreach officials. We have radio programs statewide.
2. Grow the Resource. Some believe we have grown the resource too much.
3. I want balance. We are working hard on this.

I have made every effort to fulfill these duties.

Jack Olson: ND Bow hunters. Testified against HB 1465. (See Attached Testimony)

Paul Shadwell: Testified on technical aspects of the fiscal note. Explained the different role that would be required by the fiscal note.

Rep. Solberg: Is this fiscal note understated?

Page 4

House Natural Resources Committee

Bill/Resolution Number 1465

Hearing Date February 6, 2003

Paul Shadewald: I do not have a good handle on how much time it will take it may be higher, it will not be lower.

Rep. Porter: There is talk of doubling the size of the board. Will that double the size of the fiscal note?

Paul Shadewald: It would more than double it.

Mike Donahue (1336): United Sportsman and ND Wildlife Federation. (See Attached Testimony)

Chair Nelson closes the hearing on HB 1465.

Chair Nelson called the House Natural Resources Committee back to order.

Rep. Keiser moved the adoption of the amendment to HB 1465. Seconded by **Rep. Nottestad**.

The amendment passed by voice vote.

Rep. Keiser moved a **Do Not Pass with amendment** on HB 1465.

Rep. Nottestad seconded the motion.

Rep. DeKrey: Commented on how understated the fiscal note seemed.

Rep. Keiser: Commented on how the intention of de politicizing the Game and Fish department would not be served by this bill. In fact he said this process would dramatically politicize the process.

The motion passed by a vote of 9-4-1. Rep. Clark will carry.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1465

House Natural Resources Committee

☐ Conference Committee

Hearing Date February 6, 2003

Tape Number	Side A	Side B	Meter #
3	xx		5184-5730
Committee Clerk Signature <i>Jan Myer</i>			

Minutes:

Chair Nelson recalled HB 1465.

Rep. Drovdal: The point of this bill was to point out the problems with this system. This board has no authority.

Rep. Kelser Moves a **Do Not Pass with Amendments**. **Rep. Porter** Seconded. The motion passed by a roll call vote of 11-3-0.

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10/16/03
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FISCAL NOTE
Requested by Legislative Council
01/21/2003

Bill/Resolution No.: HB 1465

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		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$50,000		\$50,000
Appropriations						

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
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.

It is anticipated that as a policy making board, this commission would have to meet at least monthly to handle the many challenging game and fish issues. This would increase costs for per diem and expenses.

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.

There would be additional costs for per diem and expenses of the commission members.

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:	01/22/2003

La Costa Richard
Operator's Signature

10/16/03
Date

30687.0101
Title.0200

Adopted by the Natural Resources
Committee
February 6, 2003

VK
2/7/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1465 NAT RES 2-07-03

Page 1, line 2, replace the first "and" with a comma and after "20.1-02-25" insert ", and subdivision 1 of subsection 1 of section 54-07-01.2"

Page 3, after line 12, insert: HOUSE AMENDMENTS TO HB 1465 NAT RES 2-07-03

"SECTION 5. AMENDMENT. Subdivision 1 of subsection 1 of section 54-07-01.2 of the North Dakota Century Code is amended and reenacted as follows:

- I. The state game and fish ~~advisory board~~ commission."

Renumber accordingly

Page No. 1

30687.0101

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10/16/03
Date

Date: 2/6/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1465

House House Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass with Amendment

Motion Made By Keiser Seconded By Nottestad

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 Hunsakor	✓				
Rep. Dennis Johnson	✓				
Rep. George Keiser	✓				
Rep. Scott Kelsh					
Rep. Frank Klein	✓				
Rep. Mike Norland					
Rep. Darrell Nottestad	✓				
Rep. Doreen Solberg					

Total (Yes) 9 No 1

Absent 4

Floor Assignment Clark

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

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10/16/03
Date

Date: 2/6/03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1465

House House Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass with Amend.

Motion Made By Keiser Seconded By Porter

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 Hunsakor	✓				
Rep. Dennis Johnson	✓				
Rep. George Keiser	✓				
Rep. Scott Kelsh	✓				
Rep. Frank Klein		✓			
Rep. Mike Norland	✓				
Rep. Darrell Nottestad	✓				
Rep. Dorvan Solberg	✓				

Total (Yes) 11 No 3

Absent 0

Floor Assignment Clark

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

REPORT OF STANDING COMMITTEE (410)
February 7, 2003 1:54 p.m.

Module No: HR-24-2017
Carrier: Clark
Insert LC: 30687.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1465: Natural Resources Committee (Rep. Nelson, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS**
(11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1465 was placed on the
Sixth order on the calendar.

Page 1, line 2, replace the first "and" with a comma and after "20.1-02-25" insert ", and
subdivision 1 of subsection 1 of section 54-07-01.2"

Page 3, after line 12, insert:

"SECTION 5. AMENDMENT. Subdivision 1 of subsection 1 of section
54-07-01.2 of the North Dakota Century Code is amended and reenacted as follows:

- I. The state game and fish ~~advisory board~~ commission."

Renumber accordingly

Volcosta Rickford

10/16/03

2003 TESTIMONY

HB 1465

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10/6/03
Date

Executive Summary

Evaluation of the North Dakota Game and Fish Department 2002 Public Opinion Survey

Larry Mark Gigliotti, Ph.D.
Human Dimensions Consulting

The purpose of this report is to evaluate the North Dakota Game and Fish Department (NDGFD) from the perspective of its customers (North Dakota residents).

What do our customers think of us? [Agency Image]

- Overall, most respondents agreed with the six evaluation statements, meaning that the Department was doing a good job in all areas measured, with few disagreeing with the statements. Agreement ranged from 50% to 72% and disagreement ranged from 8% to 16%.
- A cluster analysis (market segmentation) identified a 4-cluster solution (continuum model) based on the six evaluation variables: 1) high positive evaluation (39.5%), 2) low positive evaluation (48%), 3) low negative evaluation (9%) and 4) high negative evaluation (3.5%).
- A single-item question that measured the Department's overall performance was highly correlated with six-item evaluation scale, meaning that this measurement is a good substitute for evaluating the Department's performance when space is an issue on future survey questionnaires.

What is important to our customers? [An evaluation of the value/importance of the services provided by the Department]

- Most of the public rated the importance of the Department's mission very high.
- The percentage of people giving the highest rating (very valuable) to each service ranged from about 27% to 52% and the percentage of people ranking each service number 1 (most important) ranged from 5% to 19%. Thus, each of the eight categories of services measured has some degree of importance to some segment of the public.
- The cluster analysis (market segmentation) based on the rating and ranking of the eight categories of services measured provides an understanding of the Department's customers based on the value/importance of the services to each segmentation group.
- Most of the sample (57.5%) fell into the group named "strong supporters" because they rated all eight of the services and the Department's mission relatively high. However, this is good news for the Department because it says that a large part of the public sees the value of the entire package of services provided by the Department as opposed to the public being comprised of a large number of small special interest groups.

**Governance of State Game and Fish Agencies
Commissions or Directors?¹
Background**

Game and fish agencies in the United States are governed under a wide range of organizational structures and authorities. Many have commissions or advisory boards associated with them. In the Plains states and interior west game and fish agencies are generally independent agencies. In Midwestern states to the east, game and fish agencies are often parts of a larger agency, such as a Department of Natural Resources. For the game and fish departments that function as independent agencies, some report directly to a governor and some report directly to a commission. The bottom line is that given the wide variety in terms of organizational structure, governing bodies, and a host of other complex factors, whether a game and fish agency is governed by a commission cannot be used as a simple criteria to characterize or measure a game and fish agency in terms of function, authority, or success (Wildlife Management Institute 1997).

Resource management is generally thought of as a professional endeavor. As a rule of thumb it is generally thought that the management efficacy of game and fish is enhanced as the continuity in professionalism is enhanced.

Origins of the North Dakota Game and Fish Advisory Board

The ND Game and Fish Advisory Board arose out of legislation passed by the ND legislature in 1963. In 1963 the bill that led to the creation of the advisory board was proposed by four farm legislators. As first proposed the bill would have mandated the creation of a six member advisory board, one from each judicial district of the state, appointed by the governor. The bill required that no less 3 (half) of the advisory board members be bona fide farmers and ranchers and no more than 3 (half) of the members could belong to the same political party. Terms on the advisory board were staggered, with terms lasting six years. Once appointed, a member could be removed from the board by the governor only for cause. As initially proposed the advisory board had the power to appoint the head of the Game and Fish Department, officially advise the head of the Department regarding any policy regarding hunting, fishing, and trapping regulations, and could make general policy decisions regarding the operation of the Game and Fish Department, which the head of the Game and Fish Department was mandated to carry out. As originally proposed the head of the Game and Fish Department could be dismissed without cause by the will of the board.

The bill itself can be best described as having nine lives. In the House, the bill was amended to limit appointments to three year terms and require that appointments by the Governor come from a list of three nominations submitted by sportsmen's organizations in each judicial district. Once this amended version passed the House, the bill was indefinitely postponed in Senate committee. In a subsequent effort to salvage the bill and make it palatable to legislators, the bill was hog-housed in the Senate with all language

¹ State by state comparisons principally drawn from "Organization, Authority and Programs of State Fish and Wildlife Agencies" by the Wildlife Management Institute (1997)

after the words "A. BILL" deleted and new wording inserted, with much of the original bill (as introduced) incorporated into the new. According to legislative records the major difference between the original bill and the new is that the new bill is simply the old bill with all the teeth removed. This legislative effort led to the creation of a six-member game and fish advisory board that acted in strictly an advisory capacity to the head of the Game and Fish Department. In this capacity the board was given the authority to advise the head of the game and fish department regarding any policy of hunting, fishing, and trapping regulations and make general recommendations in regard to the operation of the state game and fish department and its programs.

Since creation of the advisory board in 1963, the laws governing the board have been amended on a number of occasions, first in 1965, then in 1979, and then again in 1991. In 1965, each advisory board member was required to hold at least two public meetings each year in their respective districts to make presentations and determine the needs and opinions of those interested in game and fish activities in addition to the two regularly scheduled meetings of the advisory board.

In 1979, the size of the advisory board was increased from six to eight, with no less than four (half) members of the advisory board bona fide farmers or ranchers. Appointment terms were reduced to 4 years and members of the board limited to a maximum of two full terms. Eight districts were defined by the legislature and advisory board members were to come from these districts rather than judicial districts as in the past. In another change from the past, the board was directed to forward copies of its recommendations to the governor. The provision requiring a minimum of 4 advisory board members to constitute a quorum was also dropped.

In 1991, selection of the advisory board members was further refined requiring that four members must be bona fide farmers and ranchers and four members must be bona fide sportsmen; with each farmer or rancher appointment made from a list of three names submitted by agricultural organizations requested by the governor to submit the list and each sportsman appointment made from a list of three names submitted by outdoor, sportsmen, wildlife and conservation organizations requested by the governor to submit the list.

In addition to the above changes it is worth noting that in 1967, the legislature passed a bill which mandated that before a proclamation could be submitted to the governor by the Department it had to be approved by the advisory board. Although passed by the legislature, this law was vetoed by the governor for a number of reasons.

Notes on the Current Advisory Board Structure With Reference to Other States

As mentioned in the previous section, half of the advisory board must be bona fide ranchers or farmers and half must be bona fide sportsmen. Terms are staggered, and there are no limitations on party affiliation. There is no representation at large or on a statewide basis. Advisory board members are distributed in a proscriptive manner which insures geographic representation. In terms of populace however, Districts are grossly

Salvatore Riccardi
Operator's Signature

10/16/03
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disproportionate in size, and thus do not insure representation in terms of number of citizens.

Advisory District	# Counties	Population ²	% of Total Population
District 1	3	27,781	4.3
District 2	7	88,089	13.7
District 3	6	43,168	6.7
District 4	4	90,798	14.1
District 5	6	162,127	25.3
District 6	9	61,454	9.6
District 7	10	130,418	20.3
District 8	8	38,365	6.0
		Total 642,200	

Two smallest Districts (District 1 and District 8) in terms of population contain 10.3% of the state's residents, while the two largest Districts (District 5 and District 7) contain 45.6% of the population or more than 4 times as many residents. The net effect is that the most rural portions of the state have disproportionate representation.

Eight of the 21 Midwestern/interior western states with commissions/advisory boards have requirements for commodity interest representation. North Dakota is relatively unique in that a high proportion (half) of its advisory board must be farmers or ranchers. The large representation of agricultural interests goes back to the very origins of North Dakota advisory board in 1963 and perhaps the composition of the legislature itself. (In 1963, 81 of the 113 representatives in the North Dakota legislature listed their principal or secondary occupation as farmer or rancher.)

Other than North Dakota and South Dakota, statutory mandates for commodity interest representation are generally nominal. Nebraska requires that 2 of 7 commissioners, Ohio requires 2 commissioners be farmers, Montana requires one member to be a rancher, Nevada requires one represent ranching and one represent farming, and Colorado requires one of eight members to be a livestock producer and one to be in agriculture.

South Dakota has had a commission in place since the 1920's. In terms of representation, South Dakota requires that at least half of its commission consist of landowners, the highest level of commodity representation found in any of the 21 Midwestern/interior state commissions and which at face value appears similar to North Dakota. Significant and fundamental differences between the North Dakota Game and Fish advisory board and the South Dakota Game, Fish and Parks Commission however include the following: limits are set on party affiliations; unlike North Dakota which is broken into Districts, representation is at at-large with the only requirement that 5 commissioners come from east of the Missouri River and 3 commissioners west river; the Commission approves the budget of the Department rather than the legislature; the Commission sets the seasons rather than the Governor; commission appointments are made by the Governor, however the Governor is not required to select from a slate of nominees chosen by interest groups;

² Population figures based on data from U.S. Census Bureau data from the 2000 census

Commissioners are approved by the legislature; and, the Commission meets at frequent regularly scheduled intervals and although not elected are accountable to the public.

Regarding sportsmen representation on the advisory board (a more recent requirement in North Dakota law) required representation on the advisory board is also relatively large. Five of the Midwestern/interior west states mandate representation of other interests on their associated commissions; sixteen do not. Of the five Nevada and North Dakota have the most stringent requirements. Nevada has a nine member commission: of the nine one must represent the general public, one must represent conservation of wildlife, and five must represent sportsmen. North Dakota's requirement does not appear to differentiate between wildlife, conservation, outdoor and sportsmen's groups however requires that advisory board candidates considered by the Governor must come from lists of nominees supplied by these groups. Mandates relating to sportsmen or other conservation representation appear to be relatively nominal in the other three states.

Aside from its comparatively proscriptive composition, other factors that make North Dakota's advisory board relatively unique is that no legislative approval is necessary for appointment to the board, and there are no limits set on how many members can belong to a given political party,

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Administration:
1101 1st 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 1465
Presented by
Eric Aasmundstad, President**

Good morning Chairman Nelson and Natural Resource Committee members. My name is Eric Aasmundstad; I am the President of North Dakota Farm Bureau and a farmer from the Devils Lake area. I am here this morning on behalf of North Dakota Farm Bureau in support of House Bill 1465.

North Dakota Farm Bureau, for the last year has been studying the current structure of the North Dakota Game and Fish Advisory Committee. Our internal committee, made up of sportsmen, landowners, and current advisory board members, concluded that the current system does not adequately address the needs and concerns of either landowners or sportsmen. It is our conclusion that the department and the director enjoy a level of autonomy not necessarily in the best interest of the citizens. North Dakota Farm Bureau believes many of the problems you have to deal with, as legislators on this committee, would not be an issue if there were more over-sight given to the department's operations.

It is not the intent of this legislation to dismantle or destroy the committee. Rather this legislation will enhance the role of this body. Every sitting member of the current advisory board will be allowed to complete his or her term. Also, the Governor will continue to make the appointments as under current statute. This commission if established could act as a buffer between non-partisan Departmental staff and the executive and legislative branches of State Government in North Dakota, as well as city, county, and other local political subdivisions. This commission would serve for the benefit of natural resources in North Dakota in a manner conducive to ensuring that

One future. One voice.

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Eric Aasmundstad
Operator's Signature

10/16/03
Date

policies and regulations are biologically correct and in the best interest of sportsmen and landowners of North Dakota.

This commission will help provide the people of North Dakota with the direction of management, conservation, and well-being of the states wildlife resources, while serving the public interest, both from the point of view of sportsmen and of landowners. Hopefully this commission will help avoid some of the areas of contention that exist between the Department and the citizens of North Dakota. Thank you for your time.

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**STATEMENT OF JERRY JEFFERS
ON HOUSE BILL 1465
BEFORE THE
HOUSE NATURAL RESOURCES COMMITTEE
THURSDAY, FEBRUARY 6, 2003**

Good morning, Chairman Nelson and members of the House Natural Resources Committee. My name is Jerry Jeffers and I'm from Rhame, North Dakota. I currently serve as the District 8 representative on the North Dakota Game & Fish Advisory Board. I was appointed to this position by the Governor in March of 1998 and was reappointed for a second term in July 2000. In this capacity, I represent the counties of Bowman, Slope, Adams, Hettinger, Stark, Dunn, Billings and Golden Valley.

I support a "Do Pass" recommendation by your committee on House Bill 1465. I feel that the current system is not working very well for the landowners and sportsmen of my district. We, as advisors, are required to hold at least two meetings per year in our districts to determine the needs and obtain opinions from our constituents interested in game and fish activities. We then, in turn, have two meetings composed of all the eight advisory members in order to discuss what was brought forth in our respective district meetings. That is the process described in the current North Dakota Century Code.

However, I believe this process hasn't been working very successfully. The meetings in my district have become more of an informational meeting conducted by the Game & Fish Department Administrator and department heads rather than being a "needs assessment and opinion" gathering session. Our follow-up state

meetings have also become more "informational" on policies already in place rather than a discussion of the needs within our respective districts.

Our two state advisory meetings are usually each a one-half day session in the morning. With all the information that is brought before us, there is usually very little time for questions, discussion, and development of solutions to the problems and issues brought forth by the constituents in our districts. Although I was unable to attend the last state board meeting, according to the minutes, our summer meeting will be comprised of two half-day sessions. This will be one of the few meetings, since I was appointed as an advisor, that will be longer than a single one-half day meeting. In order to serve our districts' needs properly, we as board members need this and many more changes.

I feel HB 1465 will change the current structure and allow the district advisors to do what concerned constituents want and need us to do to improve the situation of landowners and sportsmen. If this board is charged with developing policy and make general recommendations concerning the operation and programs of the department, then I believe we will accomplish what the constituents in our districts want us to do.

The term "advisor" gives the sense that advice is given, and I believe we all know advice is only good if it is used. It doesn't carry much weight and can easily be overlooked, which is normally the case. With the changes required in this bill, that scenario is removed. We would have a group of individuals that is "commissioned" to do the duties entrusted to them.

I believe passage of this bill will result in a great deal of positive assistance to the administrator of the North Dakota Game & Fish Department. We as commissioners will have to do our prescribed duties more successfully at our

district meetings. We will have to gather more and better information from the landowners and sportsmen concerned with actions and policies of the department. Then, in turn, we will have to provide the department with this information so that the policies and operations of the Game & Fish Department truly reflect the desires of landowners and sportsmen across the state. This places the burden of decision-making on the commission and not so heavily on administration, which should make their jobs less stressful, at the very least.

You as legislators, particularly those of you serving on this committee, have been drawn into the fray over a number of issues related to hunting and fishing access for residents and non-residents alike. I truly believe that if the Advisory Board was instead a "commission" that many of these issues would have been resolved without requiring legislation, or at least the issues wouldn't be nearly as confrontational and controversial. I believe many of these issues have festered because the Advisory Board has not had much influence on implementing policies.

The appointment of commissioners and the current structure of the present Advisory Board are unchanged by this bill. That is, there will remain a balance between landowners and sportsmen. There also would be no need to reappoint commissioners. The members currently serving could and should remain in place.

Passage of this bill does, however, address the concern raised by landowners and sportsmen of the need for a stronger voice and hand in determining the future policies and operations of our Game & Fish Department. Again, I ask that you support a "Do Pass" recommendation on this bill.

Thank you for your attention, Mr. Chairman and members of the Committee. I will attempt to answer any questions you may have.

TR



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 1465, FEBRUARY 6, 2003

Mr. Chairman and Members of the Committee:

I am Harold Neameyer speaking on behalf of the Cass County Wildlife Club. The Cass County Wildlife Club is in support of HB 1465.

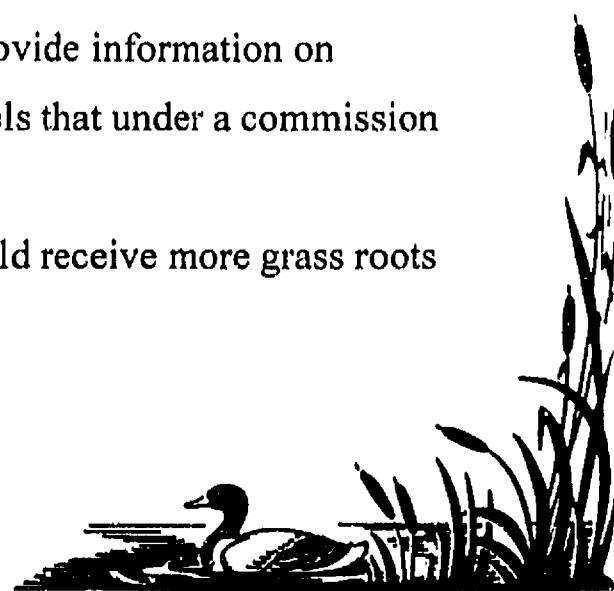
We feel it is a step in the right direction for the public to have a stronger voice in the policy making and delivery of services of the North Dakota State Game and Fish Department. Having policy making input would tend to allow district commissioners to bring local citizen's interests to the table. The club feels that this bill would bring more local issues to a commissioner and thus to the department. Many farm groups are supportive for the above reasons.

The governor may lose some influence although the commission must forward all recommendations to the governor. The bill does not restrict the governor's powers.

Currently, the department tends to basically provide information on legislative issues and not take a position. The club feels that under a commission they would be more proactive.

The selection of the director of the agency would receive more grass roots input under a commission system.

We therefore support HB 1465.



La Costa Richard
Operator's Signature

10/6/03
Date

TESTIMONY TO HB 1465 – Merle Jost, Grassy Butte ND

I am Merle Jost, a rancher from Grassy Butte. In the fall of 2001 I was appointed by Governor Hoeven to the Game & Fish Advisory Board as the representative from District 1, the counties of McKenzie, Williams and Divide. I was appointed as a landowner though I also like to hunt and fish.

I would like to speak in support of HB1465 being considered by this committee.

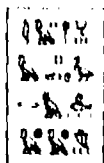
I am sorry to report that the job of Advisory Board member as it currently exists is ineffectual at best. We pick the location for the local advisory board meetings, and also attend two half-day meetings in Bismarck. We do not normally issue any recommendations from these meetings. Unless something changes I certainly do not intend to serve another term on this board.

HB 1465 represents that change. It has become increasingly obvious that there are conflicts building between hunters and landowners in ND over hunting issues. I believe the commission, as outlined by this bill, could be a valuable asset towards resolving those conflicts. There are practical solutions to many of the problems confronting these two groups; they need to sit down and work them out. Carrying on the dispute in the newspapers and on talk radio will not resolve the issues. This commission would also relieve some of the political pressure on Game & Fish employees and allow them to get on with their jobs.

In keeping with this philosophy, I would recommend two changes to this bill. I would recommend that a landowner and a sportsman from each district be appointed to this commission so that both sides are represented from each district. That would give all sides representation on this commission. I would also recommend that commission meetings be held at least quarterly and preferably monthly.

The members of this commission would be doing a lot more work and would require more time to accomplish that work. I would look forward to serving on such a commission.

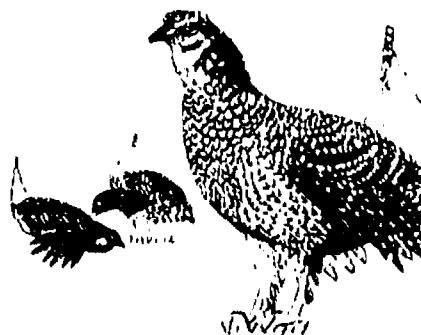
Thank you for your consideration on this matter.



North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF BILL PFEIFER
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
PRESENTED TO THE HOUSE NATURAL RESOURCE COMMITTEE
ON HB 1465, FEBRUARY 6, 2003**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I'm Bill Pfeifer speaking on behalf of the North Dakota Chapter of The Wildlife Society. The Wildlife Society is opposed to HB 1465.

WHAT'S WRONG? WILL THIS BILL FIX IT?

Game and fish commissions, in various forms, are used in many states; successfully in some, unsuccessfully in many.

The states that I contacted which have a commission form of game and fish government all stated that to have any chance of success, a commission (1) must have complete control of the game and fish budget, (2) must control all policy and regulations, and (3) must have the authority to hire and fire the director. These are big orders.

Is the governor and the legislature willing to relinquish authority over the budget or the control of all regulations, including the setting of seasons? We don't think so. Is the governor willing to relinquish the authority to hire or fire the cabinet position of director? We don't think so.

Most commissions are established as the result of a special interest group or groups wanting to have greater special interest input into game management decisions rather than leaving that responsibility to personnel trained and experienced in wildlife management who have ready access to available research, collected data, and routine communications

Dedicated to the wise use of all natural resources

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Operator's Signature

Jo Costa Rickford

Date

10/16/03

with other state game and fish managing agencies. Resource management is generally thought of as a professional endeavor.

The present advisory board system in North Dakota is working well. Everyone has input. Information is collected, a trained staff makes recommendations from scientific data and other sources, and the governor makes the final decision through proclamation based upon those recommendations. No special interest group, including sportsmen, will always get everything they want but recommendations will be made based on the best information available.

A commission style of game and fish administration, by nature, would:

- put biological decisions in lay people's hands rather than the professional's
- be more influenced by interest groups and ulterior agendas
- be less cost-effective and more time-consuming
- be less decisive and slower to address problems or pursue opportunities
- be less accountable

The present system in North Dakota is not perfect, but a 2002 public opinion survey of residents in North Dakota indicated that 88 percent are pleased with the present game and fish department operation. North Dakota is the envy of most states.

So again I ask you, WHAT'S WRONG? WILL THIS BILL FIX IT? We don't think so. Therefore, The Wildlife Society opposes HB 1465.

NORTH DAKOTA SPORT FISH CONGRESS
HOUSE NATURAL RESOURCES COMMITTEE TESTIMONY ON HB1465
February 6, 2003

We believe in the proposed bill that the true understanding of what a commission would have to do is not fully understood.

Most of the advisory board members would have to be able to commit a lot more time and energy into a commission. We believe the Game and Fish Department is more capable of developing any policies for regulations. This is why the people working for the Game and Fish Department were hired, they have the schooling and the knowledge.

The advisory board system is working well, and it does not seem to be broken!

We ask that you give this bill a '**DO NOT PASS**' recommendation.

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Sal Costa Rickford
Operator's Signature

10/16/03
Date

Testimony - HB 1465
Thursday, February 4, 2003

Jack Olson, representing the North Dakota Bowhunters Association

Mr. Chairman, members of the House Natural Resources Committee, there is an old saying that I'm sure you have all heard, "if it ain't broke, don't fix it." House Bill 1465 does nothing to improve a department that isn't broke. Although sportsmen and sportswomen will occasionally have complaints about how the North Dakota Game & Fish Department functions, the current and past directors of the department have always been accessible and available for discussion. Creating an eight-member commission to manage the affairs of the North Dakota Game and Fish department will only remove sportsmen and sportswomen from the decision-making process and result in a more politicized management of some North Dakota wildlife resources.

A review of how game and fish commissions in other states function and how these commissions have tended to disenfranchise a department from its stakeholders and customers should be sufficient to warrant your defeat of this bill. I respectfully request you give House Bill 1465 a **do-not-pass recommendation**.

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Jack Olson
Operator's Signature

10/6/03
Date

TESTIMONY REFERENCING HB 1465

By Mike Donahue, Lobbyist #215

February 6, 2003

House Natural Resources Committee

United Sportsmen of North Dakota and the N.D. Wildlife Federation
strongly urge a DO NOT PASS for this bill.

- This bill's language creates a pseudo-commission, not a "true" commission.
- It is fraught with political overtone.
- It is organization representation.
- It adds a layer of policy making between the cabinet position and the executive.

The fiscal note will be huge ----- at page 3, line 5 the minimum two meetings per fiscal year will likely grow to one hundred. It will have to so as to perform the requirements of page 3, lines 6, 7, 8 and 9.

Please, DO NOT PASS.

North Dakota Professional Guides and Outfitters Association

House Natural Resource Committee

2-6-03

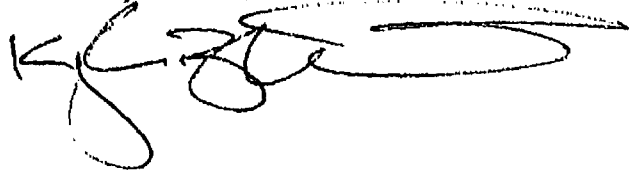
Subject: House Bill 1465

NDPGOA supports HB 1465 and urges the House Natural Resource Committee for a DO PASS recommendation. Our organization believes North Dakota needs a healthy change regarding the direction and impute that is vital to the long term health of the North Dakota Game and Fish Department.

Our organization supports the need for fundamental changes from the current Advisory committee system. A system that has difficulty being effective in providing any real direction. Our organization supports the need for comprehensive reorganization, provided a Commission is built on the ability to make needed changes and provide direction to safeguard a fair and balanced Game and Fish Department.

We hope the Committee will support this legislation and again, urge a DO PASS.

Kyle Blanchfield
President, NDPGOA



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Operator's Signature

La Costa Richardson

10/16/03
Date