MICROFILM DIVIDER

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

ROLL NUMBER

DESCRIPTION

2048

2003 SENATE NATURAL RESOURCES

SB 2048

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Natural Resources Committee

❑ Conference Committee

Hearing Date 1-23-03

Tape Number	Side A	Side B	Meter #
1	X	X	complete
2	X	X	complete
3	X		complete
3		X	0.0 -27.6
Committee Clerk Signature	Janet James		

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2048, relating to a limitation on the number of nonresident waterfowl hunters. Attendance was taken indicating all members of the committee present.

Senator Fischer announced the order of the hearing, that everyone would get a chance to speak, all should respect the speaker and that no out bursts would be allowed.

Tim Dawson (2.4) from the legislative council testified in neither support or opposition to the bill, but merely to explain the bill. At the present time the governor has the authority to set the hunting zones and the number of nonresident hunters allowed in the state. SB 2048 sets a cap on nonresident hunters and this cap is based on total hunting pressure (HPC). This formula is to take the total number of nonresident hunters equals (=) the 25 year floating average for resident and

nonresident waterfowl hunters for the wetland condition minus (-) last seasons number of resident waterfowl hunters divide by 1.36 to get the cap number.

Mike Johnson the Supervisor of the Migratory Game Bird Management for the North Dakota Game & Fish Department testified before the committee. He has worked on waterfowl research and management for 35 years with 21 years in the present position with the department. He presented the Hunter Pressure Concept (HPC), as in what it is and how it works (See attached testimony).

Senator Fischer asked for clarification of the formula.

Mike Johnson responded the formula is HP = residents + nonresidents X 1.36.

Senator John Traynor asked what the difference was between this version and the bill version from the judiciary B Committee.

Mike Johnson explained that they tried to improve it and make it better. The original bill dealt strictly the wetland count off their survey. They developed the wetland index and they expanded it to use the total wetlands in the state.

Representative Lois Delmore from District 43 testified as the chairman of the Judiciary B Committee. Alot of work went into this bill and a compromise was reached based the on biology and not emotion. Hunting is big business in our state. She asked for help in protecting our states wonderful resource and still keep it a quality experience for all hunters.

John French (Tape #1, Side A, 43.4) of Grand Forks testified in support of SB 2048 (See attached testimony).

Senator Traynor asked what he thought about closing the duck hunting day at 1:00 like the goose day is closed.

John French felt he was not qualified to answer and this idea should be addressed by the professionals.

Tim Hayden (Tape 1, Side B, 0.9) testified in support of SB 2048 (See attached testimony).

Mark Nawrot (Tape 1, Side B, 8.3) a resident of North Dakota testified in support of SB 2048 (See attached testimony).

Bill Mitzel (Tape 1, Side B, 13.9) publisher for the Dakota Country Magazine testified in support of SB 2048 (See attached testimony).

Devon Butz (Tape 1, Side B, 19.5) 9 year old grandson of Bill Mitzel testified in support of SB 2048 (See attached testimony).

Dan Bueide (Tape 1, Side B, 22.0) from Fargo testified on his own behalf in support of SB 2048. He stated waterfowl hunting has become more of an important asset to North Dakota. This asset brings nonresident and tourist dollars each fall and sports person understand just how important this is to rural North Dakota. This asset also keeps residents in the state with their year around dollars. The trick is to sustain the waterfowl asset so that North Dakota can get from that asset all that it can offer. This means sustaining the asset during the year so that excessive pressure does not move fowl prematurely so that the quality season can be as long as possible. This asset needs to be sustained from year to year for future generations. The right to hunt comes from the privileges of landowners. HPC is the best way of sustaining all the benefits of this asset today and in the future.

Allen Sargent (Tape 1, Side B, 26.9) from Jamestown testified in support of SB 2048 (See attached testimony).

Ron Reynolds (Tape 1, Side B, 34.7) from Burleigh County testified in support of SB 2048 (See attached testimony).

Jill Schaffer (Tape1, Side B, 40.4) from rural Jamestown testified in support of SB 2048 (See attached testimony).

Scott Lindgren (Tape 1, Side B, 49.1) from Grand Forks testified in support of SB 2048 (See attached testimony).

Senator Heitkamp asked if the Game & Fish could take the HPC formula and apply it to the last 5-6 years and tell us what it would have done to the hunting licenses.

Mike Johnson responded that they could make that available.

Chris Hustad (Tape 2 ,Side A, 1.3) from Fargo, testified in support of SB 2048 (See attached testimony).

Dick Monson (Tape 2, Side A, 2.4) from Barnes County testified in support of SB 2048 (See attached testimony).

Kevin Haver (Tape 2, Side A, 5.0) from the state testified in support of SB 2048 (See attached testimony)

Dr. Glen Sargeant (Tape 2, Side A, 9.5) from Jamestown testified in support of SB 2048 (See attached testimony).

Senator Fischer stopped testimony in support of SB 2048 to be able to start hearing testimony in opposition for an equal time.

Randy Frost (Tape 2, Side A, 15.9) representing the Devils Lake Chamber of Commerce testified in opposition to SB 2048 (See attached testimony).

Tom Bodine (Tape 2, Side A, 22.0) representing the North Dakota Farm Bureau testified in opposition to SB 2048 (See attached testimony).

Dennis Miller (Tape 2, Side A, 30.7) representing himself, stating he is the past president of the Landowners Association of North Dakota testified in opposition to SB 2048. He stated he felt the other set of "professionals" were the landowners who raise 90% of the wildlife in North Dakota and support 90% of the hunting activity in North Dakota voluntarily or not. Because many landowners do not charge for hunting he asked that the concerns of the landowners be considered in this matter. He opposes SB 2048 on two counts.

- 1). If the formula for HPC was applied in his area in 2002 is would have been 100% wrong.
- 2). The solution to the loss of access concept might be more agronomic than biological.

Connie Krapp (Tape 2, Side A, 37.2 - end and Side B, 0.0 - 4.7) Director of Marketing and Public Relations for the Northern Plains Electric Cooperative, Carrington and Cando testified in opposition to SB 2048. (See attached testimony). She also added more than her written testimony. (Please listen to tape).

Deb Roppel (Tape 2, Side B, 4.7) of Aisen, North Dakota testified in opposition to SB 2048 (see attached testimony). Also attached is a follow-up e-mail.

Terri Thiel (Tape 2, Side B, 17.0) Executive Director of the Dickinson Convention Visitor's Bureau and also representing the North Dakota Tourism Alliance testified in opposition to SB 2048. (See attached testimony). She also submitted suggestions for different ways of looking at this concept (See attached).

Jim Walter (Tape 2, Side B, 19.6) of Harvey, North Dakota testified in opposition to SB 2048. He talked about the effects of limitations and the denial of the right to do business. He explained

the economic impact on his community and just how much even a 30% decrease caused by limits on nonresident hunting would effect their economy. He stated that passage of SB 2048 could make the difference between making a living and just surviving.

Chuck Demschen (Tape 2, Side B, 22.4) from Hanlin, North Dakota testified in opposition of SB 2048. He stated he raises a variety of crops including although involuntarily wildlife and therefore is subsidizing a recreational activity. Hunting is a right although it is limited by the landowners who might restrict that right. Hunting became a privilege when the government started requiring a license fee in order to hunt. Hunting is now a sport or recreation and does not have the right to control landowner but can develop a rapport with the them so they have some level of control. this is the key to access. He stated he felt the hunting pressure issue can be handled by daily limits or the total number of licenses issued.

John Dahlen (Tape 2, Side B, 30.2) Devils Lake, North Dakota testified in opposition to SB 2048 (See attached testimony).

Bruce Teubner (Tape 2, Side B, 34.1) Cando, North Dakota testified in opposition of SB 2048. He stated he was glad the landowners had their time to testify. He explained how homes are being bought by nonresident hunters and the economic impact it has on their community. Nonresident landowners are not always owners just for hunting but many have inherited land. He feels the Game & Fish are micro managing the program and are really not doing a very good job.

Senator Fischer announced the hearing was in recess until 2:00 or 15 minutes after the full session is finished which ever is later.

Senator Fischer reopened the hearing on SB 2048. He asked for testimony in support of SB 2048.

Terry Schaefer (Tape 2, Side B, 42.1, Tape 3, Side A 0.0 - 1.0) of rural Streeter testified in support of SB 2048. He stated he understands the economic benefits to rural North Dakota, and the key to sustaining those economic benefits is to have a quality hunting experience for resident and nonresident hunters alike. A dissatisfied hunter will do one of three things, leave the state, quit hunting or buy his own personal hunting grounds. Hunter numbers will decrease with additional crowding. Loss of hunting access will cause loss of North Dakota population. He stated the three current plans to manage nonresident hunters -

- no restriction or the free-for-all
- Nelson plan which doesn't limit number and does not sustain economic benefits
- HPC is true compromise plan between the no restriction plan and the fixed cap

Bob Pursell (Tape 3, Side A, 1.0) testified in support of SB 2048. He read to the committee letter from his brother in Virginia which told of his happy memories of hunting as a boy in North Dakota. It also told of his not so great hunting experience in Virginia. He asked the committee to keep the precious gift of hunting in North Dakota by putting a cap on commercialized hunting.

Greg Gullickson (Tape 3, Side A, 3.9) Minot testified in support of SB 2048 (See attached testimony).

Ray Greenwood (Tape 3, Side A, 4.7) Jamestown testified in support of SB 2048 (See attached testimony).

Dave Brandt (Tape 3, Side A, 8.3) Jamestown testified in support of SB 2048 (See attached testimony).

Mike Donahue (Tape 3, Side A, 15.0) representing the United Sportmens and the Wildlife Federation testified in support of SB 2048. They would like to thank the Judiciary B Committee

for their work. They encourage a DO PASS of SB 2048 as it is a good compromise in managing the resource and the hunting pressure. The state tax payers are being forgotten as an economic stimulus and don't count.

John Kopp (Tape 3, Side A, 16.9) representing of the North Dakota Wildlife Federation testified in support 2048. He stated that he hunts both North Dakota and out of state. He took offense that hunters are labeled as being selfish and are not considerate of landowners. His organization is landowner friendly which is evident by their supportive programs. He asked that the committee pass SB 2048 to insure quality hunting in North Dakota for future generations.

Senator Fischer asked if there was any other testimony in support of SB 2048, there being none he asked for testimony in opposition.

Steve Chase (Tape 3, Side A, 20.5) Minnewaukan, North Dakota testified in opposition of SB 2048. He purchased property and developed a resort and told about his resort where people come from all over not because of the hunting but because of the good time they have here. What is the definition of quality? These nonresident hunters and landowners are what make the difference in the economy of this community. We need to work together to insure the future of our communities in North Dakota.

Patty Lewis (Tape 3, Side A, 30.3) Executive director of the North Dakota Hospitality Association testified in opposition to SB 2048 (See attached testimony).

Eric Boren (Tape 3, Side A, 33.7) Devel's Lake motel owner testified in opposition to SB 2048 (See attached testimony).

Jim Yri (Tape 3, Side 37.1) Minnewaukan, North Dakota resort owner testified in opposition to SB 2048. (See attached testimony). Additional testimony from concerned people was presented to the committee members (See attached).

Tom Kelsch (Tape 3, Side A, 43.1) Chairman of the Greater North Dakota Association Legislative Affairs Committee testified in opposition of SB 2048 (See attached testimony).

Jason Mitchell (Tape 3, Side A, 48.9) Devils Lake, testified in opposition to SB 2048. He stated that if it wasn't for nonresident hunters he would not be able to make a living in North Dakota. He does not feel a cap is the answer to this problem, but maybe there are other things to look at like better habitat on the public lands. Access is the issue and perhaps we could find ways to fund better public access.

Rick Schouck? (Tape 3, Side A, 55.0 - end and Side B 0.0 - 1.2) Turtle Lake, North Dakota testified in opposition to SB 2048. He stated about 75% of his income from his bait shop comes from nonresident hunters. If this bill is passed you will be regulating customers and that will kill businesses.

Sheldon Schlect (Tape 3, Side B, 1.2) Streeter, North Dakota testified in opposition of SB 2048 (See attached testimony).

Troy Cunningham (Tape 3, Side B, 6.3) rural Mercer, North Dakota testified in opposition of SB 2048. He stated he has heard today a lot about a quality experience and questioned what quality means. It does not necessarily mean numbers but just the fun experience of the hunt.

Kyle Blanchfield (Tape 3, Side B, 8.0) President of the North Dakota Professional Guides and Outfitters Association, testified in opposition to SB 2048 (See attached testimony).

Ted Mertz (Tape 3, Side B, 17.6) Goodrich, North Dakota testified in opposition of SB 2048 (See attached testimony).

Travis Schwarz (Tape 3, Side B, 23.1) a 14 year old testified in opposition of SB 2048. He stated that he makes money by cleaning birds for nonresident hunters and that his community is economically supported by nonresident hunters.

Jeff Dahl (Tape 3, side B, 24.6) Gackle, North Dakota testified in opposition to SB 2048. He commented on several issues

- that hunting pressure will move birds, but what will also moves birds out of this state is open water and available food.
- with more birds is more interest in hunting causing more pressure
- residence are more selective in their birds than nonresident hunters- they just want to hunt

In conclusion this bill is not the answer to make a win win situation for hunters, landowners, tourism, guides and outfitters.

Senator Fischer thanked all those who testified and the committee for it had been a long day.

Senator Fischer closed the hearing on SB 2048.

Other testimony given to the clerk at the meeting or by e-mail is attached. They include:

- Conrad Carlson
- Harold Neameyer
- Ron Mahoney
- Fred Bott
- Dale Varnson with statements from businesses, landowners, and other.

Also attached is the list of registration from the hearing.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 1-24-03 Discussion

Tape Number	Side A	Side B	Meter #
1	X		20.5 - end
Committee Clerk Signature			

Minutes:

Senator Thomas Fischer opened discussion on SB 2048.

All members of the committee were present.

Discussion was held as to how the committee would approach SB 2048.

Senator Fischer appointed a subcommittee which included **Senator John Traynor, Senator Joel Heitkamp,** and **Senator Ben Tollefson** to visit with the North Dakota Game and Fish Department.

Discussion was held as to questions and concerns they wanted to be clarified by the people from the Game & Fish Department. They included:

1. the possibility of tagging birds as they are taken
2. nonresident fees
3. the percentage number that is used in the HPC formula
4. the pro and cons of legislation setting 5 day, 10 day and seasonal fee amounts

5. closing the hunting day at 1:00 PM

Senator Heitkamp will set up the meeting with Mike Johnson of the Game & Fish Department

and then the subcommittee will report back to the full committee.

Senator Fischer closed the discussion on SB 2048.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 1-30-03 Discussion

Tape Number	Side A	Side B	Meter #
1		X	20.2 - 24.0
Committee Clerk Signature	Janet James		

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources committee opened discussion on SB 2048

All members of the committee were present.

Senator Fischer stated committee work on SB 2048 would be held the following day because he has already made that announcement. A report from the subcommittee will be given at that time.

Senator Joel Heitkamp stated he has been receiving a large amount of e-mails on this bill, but they do not contain any new information or solutions.

The clerk did pass out to each senator additional testimony and information she had received by e-mail.

Senator Fischer closed the discussion on SB 2048.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 1-31-03 Discussion

Tape Number	Side A	Side B	Meter #
1		X	17.0 - 41.2
Committee Clerk Signature	Janet Jamen		

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened discussion on SB 2048.

All members of the committee were present.

Senator Fischer announced to those present in the room that this was committee work of SB 2048 only, that no testimony would be allowed, although questioned may be asked by the committee members of anyone present. The House has appointed a subcommittee for their hunting bill and the senate and house subcommittee will meet the beginning of next week and action will be taken on SB 2048 next Friday.

Senator Fischer asked for a report from the Senate subcommittee members which included **Senator Joel Heitkamp, Senator John Traynor** and **Senator Ben Tollefson.**

Senator Heitkamp (19.7) reported there were several questions of the committee that were taken to the North Dakota Game and Fish Department.

They included:

- The concept of tagging birds as they are taken.

  Game & Fish Department had some problems with this concept stating that just the oversight of something like this they would not recommend.

- If there is a vehicle in place to take a good look at non resident license fees.

  The response that there was and it might be in front of the committee another day.

- What have others states done in regard to a 5-day, 10-day, or season hunt..

  The concerns of the Game & Fish Department had was this then become more of a money issue and hurt the so called blue color hunter.

- The thought of closing the duck and goose season at noon. Senator Traynor will address that issue later.

- Talk of stamp for other than upland game and the concept of separating the stamp from upland game hunting and waterfowl hunting.

  The Game & Fish Department did like that concept to target a certain kind of hunt.

- The formula that is used to determine the HPC (Hunter Pressure Concept) and if that is deficient or can that be altered or "tweeked".

  The Game & Fish Department were adamant that the formula is based on biological science and didn't feel confortable about changing it.

- The committee did talk about the suggestion of some level of lead way into the bill so that the formula does not become written in granite.

A suggestion was made to make available a % lead way of up or down on the end number from the formula, that could be given to the Director of the Game & Fish Department and ultimately the governor, to give some flexibility to the number of hunting licenses.

Senator Heitkamp said he personally feels the bill itself needs to have some lead way before it ever gets to the senate floor and hopes the full committee will get a chance to talk about that.

Senator Traynor reported when he asked how many applicants were denied hunting licenses in 2002, the Game & Fish Department estimated 2-3000. He said they questioned the department closely about the wetland index because they thought it was flawed, but the department was unwilling to change it. He continued that when the subcommittee asked the department if the House bill on the restriction of the first weeks of season and Senate bill on HPC failed, we would we back to where we are now. He reported that in 2003 there will be a restrictive hunting package which instead of 6 ducks it will only be 3 duck and instead of 70 days it will be 39 days for season with no early season.

Senator Traynor (28.9) did offer an amendment that after the HPC formula the governor may adjust the result by up to 50% in the governor's proclamation.

Senator Heitkamp commented in all fairness to the Game & Fish and explained why the spring evaluation of wetland is much better than a fall evaluation.

Senator Ben Tollefson added that the Department would be in favor of the concept of hunting zones only for the promotion of nonresident hunters. The another item was how to factor the economy into the nonresident hunting issue and should be considered.

Senator Traynor made a motion to accept the amendment.

Senator Michael Every second the motion.

After some discussion on procedure and in considering the results of what the joint subcommittee might decide, it was decided to wait on a vote of the amendment.

Senator Traynor felt the amendment should "cook" over and the weekend and withdrew the motion if Senator Every agreed.

Senator Traynor presented another amendment that would provide the closing of each hunting day at 1:00 for the first two weeks of the season.

Senator Fischer closed the committee work on SB 2048

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Natural Resources Committee

❑ Conference Committee

Hearing Date 2-6-03 Discussion and Action

Tape Number	Side A	Side B	Meter #
3	X		0.5 - 24.1
Committee Clerk Signature	Janet James		

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened discussion on SB 2048.

All members of the committee were present.

Senator Ben Tollefson stated there has been some conversations about giving the Game & Fish Department and the governor some latitude or "wiggle room". He further made a motion for a up to or decrease of 25% deviation from the HPC number.

Senator Joel Heitkamp second the motion for the sake of discussion.

Senator John Traynor said he did not think 25% was enough and should be raised to 50%.

Discussion was held in regards to the application of the HPC and it was understood that the HPC considers the federal fly way in its calculations.

Further discussion was held about the lead way percentage and the sliding scale.

Senator Fischer stated that the number that is derived from a biological formula is added to a political number so that it fits.

Senator John Traynor made a substitute motion to amend the previous motion to increase the deviation number to 50 %.

Senator Michael Every second the motion.

Senator Heitkamp commented the idea of the governor having this kind of lead way was not included in the hearing, so maybe we should start low so that the public has an opportunity to comment on the idea when it is heard in the house.

Roll call vote #1 of the motion for a 50% deviation was taken indicating 2 YEAS, 5 NAYS AND 0 ABSENT OR NOT VOTING. The motion failed.

Roll call vote #2 of the motion for up to or down 25% deviation was taken indicating 7 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING. The amendment passed.

Senator Traynor made a motion to close the duck hunting day at 1:00 P.M. for the first two weeks of the season.

Senator Stanley Lyson second the motion.

Roll call vote #3 was taken indicating 4 YEAS, 3 NAYS AND 0 ABSENT OR NOT VOTING. The amendment passed.

Senator Lyson made a motion for Do Pass as Amended and Rereferred to Appropriations.

Senator Tollefson second the motion.

Roll call vote # 4 was taken indicating 4 YEAS, 3 NAYS AND 0 VOTING OR NOT VOTING.

Senator Tollefson will carry SB 2048.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 2-7-03 Discussion and Action

Tape Number	Side A	Side B	Meter #
2	X		12.0 -21.0
Committee Clerk Signature			

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources reopened discussion on SB 2048.

All members of the committee were present.

Senator John Traynor asked the committee to draw their attention to SB 2048. He wanted to make a motion for the committee to reconsider the action taken for a Do Pass of SB 2048.

Senator Michael Every second the motion.

A voice vote was taken indicating the action should be reconsidered on SB 2048.

Senator Traynor stated that last evening when the bill was voted as Do Pass after being amended twice, he was so excited about the amendments being attached that he got mixed up and voted yes when he wanted to vote no.

Senator Fischer responded that they would take the vote again.

Senator Traynor wanted clarification that on the second amendment containing the hunting day to be open until 1:00 PM the first two weeks of the season was the understanding of the committee.

Senator Fischer stated so that the motion is a Do Pass as amended and rereferred to Appropriations and asked for discussion.

Senator Traynor made a motion for a Do Not Pass as Amended of SB 2048

Senator Michael Every second the motion,

Roll call vote #1 was taken indicating 3 YEAS, 4 NAYS AND 0 ABSENT OR NOT VOTING.

The motion failed.

Senator Ben Tollefson made a motion for a Do Pass as Amended and rereferred to Appropriations of SB 2048.

Senator Layton Freborg second the motion.

Roll call vote #2 was taken indicating 4 YEAS, 3 NAYS AND 0 ABSENT OR NOT VOTING.

Senator Tollefson will carry SB 2048.

Senator Fischer closed the meeting on SB 2048.

FISCAL NOTE

Requested by Legislative Council
03/25/2003

Amendment to: SB 2048

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				$570,000		$570,000
Expenditures						
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.*

If this system had been used in 2002, the number of nonresident waterfowl hunting licenses issued would probably have been about 33,000 instead of the 30,000 that were actually issued. These numbers are used in this estimate.

Note that revenue impacts will vary depending on wetland conditions and resident waterfowl hunter numbers. If 2003 and 2004 are dry years, there could be a significant reduction in 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.*

In a wet year like 2002, there would be a revenue increase of about $285,000 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 T. Schadewald	**Agency:**	ND Game and Fish Department
Phone Number:	328-6328	**Date Prepared:**	03/25/2003

FISCAL NOTE

Requested by Legislative Council
02/15/2003

Amendment to: SB 2048

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				($680,000)	$0	($680,000)
Expenditures						
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.*

If this system had been used in 2002, the number of licenses issued would probably have been 26,600 instead of the 30,000 that were actually issued. Note that revenue impacts will vary depending on wetland conditions and resident waterfowl hunter numbers.

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.*

Revenue would be about $340,000 less per year if the number of licenses sold is reduced by 3,400 licenses 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:**	02/17/2003

FISCAL NOTE

Requested by Legislative Council
12/16/2002

Bill/Resolution No.: SB 2048

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				($1,500,000)	$0	($1,500,000)
Expenditures						
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.*

If this system had been used in 2002, the number of licenses issued would probably have been 22,500 instead of the 30,000 that were actually issued. Note that revenue impacts will vary depending on wetland conditions and resident waterfowl hunter numbers.

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.*

The reduction in revenue would be about $750,000 per year if the reduction in the number of licenses is 7500 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:	701-328-6328	**Date Prepared:**	12/19/2002

30158.0101
Title.

Prepared by the Legislative Council staff for
Senator Traynor
January 29, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2048

Page 2, line 1, after the underscored period insert "The governor may adjust the result by up to fifty percent in the governor's proclamation."

Renumber accordingly

30158.0102
Title.

Prepared by the Legislative Council staff for
Senator Traynor
January 30, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2048

Page 1, line 1, replace "section" with "sections" and after "20.1-03-07.1" insert "and 20.1-08-04"

Page 1, line 2, after "hunters" insert "and time limits on duck hunting"

Page 2, after line 2, insert:

"**SECTION 2. AMENDMENT.** Section 20.1-08-04 of the North Dakota Century Code is amended and reenacted as follows:

20.1-08-04. Contents of governor's order or proclamation relating to the taking of big game, small game, fish, and fur-bearers - Special permits.

1. A gubernatorial order or proclamation under this chapter must prescribe, as to each species of wildlife named ~~therein~~ in the order or proclamation, the following:

   a. In what manner ~~they~~ the species may be taken.

   b. In what numbers ~~they~~ the species may be taken and possessed and may limit the numbers by sex.

   c. In what places ~~they~~ the species may be taken.

   d. At what times ~~they~~ the species may be taken and possessed.

2. The governor shall prescribe that ducks may be hunted for a time period no longer than from one-half hour before sunrise to one p.m. central daylight time for the first fourteen days of the fall duck season.

3. The governor in the governor's proclamation or order may determine the number of resident and nonresident big game licenses to be issued for the taking of each species, age, or sex. When a limited number of big game licenses or special permits are to be issued, the governor shall by order or proclamation declare the manner of issuance of the licenses and permits. The governor may by proclamation or order determine the time period for which a recipient of a big game license or special permit obtained by lottery is ineligible to apply for the same type of license or special permit.

~~3.~~ 4. In addition to the regular big game hunting licenses, the governor, by order or proclamation, may authorize the issuance of special permits to hunt big game in certain restricted areas. Special permits issued under this subsection must be issued in strict compliance with the governor's order or proclamation. When acting pursuant to this subsection, the governor shall designate in the proclamation:

   a. The species of big game which can be hunted.

   b. The boundaries of the restricted area.

   c. The number of special permits to be issued.

d. The procedure to determine which applicants ~~should~~ receive the special permits.

e. The manner and times in which the big game may be taken.

~~Special permits issued under this subsection shall be issued in strict compliance with the governor's proclamation.~~"

Renumber accordingly

Date: 2-6
Roll Call Vote #: ~~3~~ 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2648

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken substitute motion of 5 0 0

Motion Made By Traynor Seconded By Every

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer		✓	Senator Michael A. Every	✓	
Senator Ben Tollefson		✓	Senator Joel C. Heitkamp		✓
Senator Layton Freborg		✓			
Senator Stanley W. Lyson		✓			
Senator John T. Traynor	✓				

Total (Yes) 2 No 5

Absent _____

Floor Assignment _____

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

Date: 2-6
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken up or down to 25% deviation to the NPC #

Motion Made By Toll Seconded By Heitkamp

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every	✓	
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp	✓	
Senator Layton Freborg	✓				
Senator Stanley W. Lyson	✓				
Senator John T. Traynor	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment

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

Date: 2-6
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment to close the Morning day at 1:00 P.M for 1st 2 weeks of session

Motion Made By Traynor Seconded By Lyson

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer		✓	Senator Michael A. Every	✓	
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp		✓
Senator Layton Freborg	✓				
Senator Stanley W. Lyson		✓			
Senator John T. Traynor	✓				

Total (Yes) 4 No 3

Absent _____

Floor Assignment _____

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

Date: 2-4
Roll Call Vote #: 4

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass as Amended & refer to Approp.

Motion Made By Lyson Seconded By Tollefson

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every		✓
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp		✓
Senator Layton Freborg		✓			
Senator Stanley W. Lyson	✓				
Senator John T. Traynor	✓				

Total (Yes) 4 No 3

Absent

Floor Assignment Tollefson

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

Date: 2-7-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2047

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Traynor Seconded By Every

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer		✓	Senator Michael A. Every	✓	
Senator Ben Tollefson		✓	Senator Joel C. Heitkamp	✓	
Senator Layton Freborg		✓			
Senator Stanley W. Lyson		✓			
Senator John T. Traynor	✓				

Total (Yes) ~~3~~ 4 No ~~4~~ 3

Absent _____

Floor Assignment _____

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

Date: 2-7-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken motion to reconsider SB 2048

Motion Made By Traynor Seconded By Every

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every	✓	
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp		✓
Senator Layton Freborg	✓				
Senator Stanley W. Lyson	✓				
Senator John T. Traynor	✓				

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

30158.0103
Title.0200

Adopted by the Natural Resources Committee
February 7, 2003

2-7-03
1of2

PROPOSED AMENDMENTS TO SENATE BILL NO. 2048

Page 1, line 1, replace "section" with "sections" and after "20.1-03-07.1" insert "and 20.1-08-04"

Page 1, line 2, after "hunters" insert "and time limits on duck hunting"

Page 2, line 1, after the underscored period insert "The governor may adjust the result by up to twenty-five percent in the governor's proclamation."

Page 2, after line 2, insert:

"**SECTION 2. AMENDMENT.** Section 20.1-08-04 of the North Dakota Century Code is amended and reenacted as follows:

20.1-08-04. Contents of governor's order or proclamation relating to the taking of big game, small game, fish, and fur-bearers - Special permits.

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   a. In what manner ~~they~~ the species may be taken.

   b. In what numbers ~~they~~ the species may be taken and possessed and may limit the numbers by sex.

   c. In what places ~~they~~ the species may be taken.

   d. At what times ~~they~~ the species may be taken and possessed.

2. The governor shall prescribe that ducks may be hunted for a time period no longer than from one-half hour before sunrise to one p.m. central daylight time for the first fourteen days of the fall duck season.

3. The governor in the governor's proclamation or order may determine the number of resident and nonresident big game licenses to be issued for the taking of each species, age, or sex. When a limited number of big game licenses or special permits are to be issued, the governor shall by order or proclamation declare the manner of issuance of the licenses and permits. The governor may by proclamation or order determine the time period for which a recipient of a big game license or special permit obtained by lottery is ineligible to apply for the same type of license or special permit.

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   a. The species of big game which can be hunted.

2.12

b. The boundaries of the restricted area.

c. The number of special permits to be issued.

d. The procedure to determine which applicants ~~should~~ receive the special permits.

e. The manner and times in which the big game may be taken.

~~Special permits issued under this subsection shall be issued in strict compliance with the governor's proclamation.~~"

Renumber accordingly

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

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended and rerefered

Motion Made By ~~Traynor~~ Tall. Seconded By Freborg

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every		✓
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp		✓
Senator Layton Freborg	✓				
Senator Stanley W. Lyson	✓				
Senator John T. Traynor		✓			

Total (Yes) 4 No 3

Absent _____

Floor Assignment Tollefson

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

REPORT OF STANDING COMMITTEE

SB 2048: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2048 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections" and after "20.1-03-07.1" insert "and 20.1-08-04"

Page 1, line 2, after "hunters" insert "and time limits on duck hunting"

Page 2, line 1, after the underscored period insert "The governor may adjust the result by up to twenty-five percent in the governor's proclamation."

Page 2, after line 2, insert:

"**SECTION 2. AMENDMENT.** Section 20.1-08-04 of the North Dakota Century Code is amended and reenacted as follows:

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   b. In what numbers ~~they~~ the species may be taken and possessed and may limit the numbers by sex.

   c. In what places ~~they~~ the species may be taken.

   d. At what times ~~they~~ the species may be taken and possessed.

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   a. The species of big game which can be hunted.

b. The boundaries of the restricted area.

c. The number of special permits to be issued.

d. The procedure to determine which applicants ~~should~~ receive the special permits.

e. The manner and times in which the big game may be taken.

~~Special permits issued under this subsection shall be issued in strict compliance with the governor's proclamation.~~"

Renumber accordingly

2003 SENATE APPROPRIATIONS

SB 2048

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048

Senate Appropriations Committee

☐ Conference Committee

Hearing Date Feb. 17, 2003

Tape Number	Side A	Side B	Meter #
#1	x		2,350-4217
Committee Clerk Signature	Jan Hendrickson		

Minutes:

Senator Bowman opened the hearing on SB 2048. This bill is for nonresident waterfowl hunting licenses.

Tim Dawson from the Legislative Council explained that he was there simply to explain the bill. He was not for or against it in any way. It puts a cap on nonresident waterfowl hunters based on the hunting pressure concept. That hunting pressure concept can be taken down to a mathematical equation that says that the total number of nonresident waterfowl hunters equals the 25 year floating average for resident and nonresident waterfowls hunters based on the wetlands conditions minus last seasons number of resident waterfowl hunters divided by 1.36. 1.35 represents the number of ducks that are shot by nonresident hunters for everyone shot by a resident hunter. The Governor can then, because of the amendments now, adjust that number by 25%. Section 2 of the bill draft limits the fall duck season to mornings for the first 2 weeks of the season. That is all that this bill draft does.

Questions (# 2536)

Senator Bowman: Is that $680,000 the loss? **Mr. Dawson** stated that he didn't trust the fiscal note he had. **Senator Andrist** stated that the fiscal note he had stated it was $1.5 million.

Senator Schobinger wanted to know if that limited the land owners ability to tell a nonresident "no". **Tim** stated that it just limited the cap on nonresident hunters. **Paul Schodewald** from ND Game & Fish stated that this fiscal note, that the amendment just revised the formula. Fiscal note reflects lower sales of licenses only for the fish and game. We had 30,000 license that were sold in 2002, that was the cap set by the Governor, that is the about the same number in 2001 and fiscal note mentions that if this formula had been in effect 26,600 would have been the limit. **Senator Krauter**: He wanted clarification of numbers, it is not 26,600 plus 25%, this is already including the 25%. **Paul** stated that was correct. The 25% has already been added. **Senator Christmann**: If this bill fails, then this whole decision just rides with the Governor, with the advice of the Game & Fish Department, correct. Paul replied that was correct. Senator **Christmann** continued: If that was the case, or in the past when it has been the case, is there a formula or how does the Game & Fish Department advised the Governor? Would you come up with a formula like this or what? **Paul**: In the past, **Governor Schafer** (times were different and there wasn't as many waterfowl hunters), the philosophy was that there wasn't going to be any caps, so the Game & Fish didn't worry about making any recommendations to the Governor. More recently, the issues have become hotter and there has been a push from all directions to either make the limit very low or no cap at all. Times are different right now and we have worked with the Judiciary committee to come up with a formula. With a free floating formula, like that, it just comes up for major debate every spring or summer or when it comes time for the

Governor's proclamation to be formulated. So a formula was needed so that the parties weren't always fighting with each other. **Senator Bowman**: What do they do in other states regarding out of state hunters? Is our state restricting something that other states are not restricting? **Paul** responded that most other states do not restrict, some do. South Dakota has a tight limitation on nonresident waterfowl, none on pheasant. The Federal government does not restrict the number the number of licenses that a state can sell. The Federal government will set is the bag limit (the number of geese that can be taken during the season) and the length of the season and they might take out certain species they may have limitations on. But they do not get involved in the number of licenses that are sold, nonresident or resident. **Senator Bowman**: Several years ago there was unlimited ducks, the state was proud of the number of ducks, etc., and then you put a limitation on the number of people that can come and enjoy that, you are destroying the objective of what you are trying to do. **Paul** responded that the debate goes on in all directions about that. the theory is that there isn't enough for everyone to enjoy now and something needs to be done in order to have quality hunting in the state now. **Senator Holmberg** stated that the committee needed to focus on whether $680,000 is a wise reduction. The bill itself and how it works will certainly be debated on the floor. It has been debated numerous times during the Interim. **Senator Andrist**: The best information is that we are going to turn away about 5,000 nonresident hunters in North Dakota in a wet year (a good year). In a dry year, how many would be turned away? **Paul** responded that it was about 3400 in a wet year, in dry years not many nonresident hunters apply for licenses because of the dryness. Some numbers however, in the drought in the 1980's there was about 10,000 non residents coming here, under the formula there would be between 10,000 and 15,000 licenses(#3707) allowed in a drought situation. **Senator Andrist**

continued: You anticipated a loss of $680,000 in licenses revenue, does the Department have some concern about the amount of land that will be posted for "no hunting" for resident hunters, are you concerned about the impact that will have on license revenue? **Paul** responded (#3799) You get people arguing over things when times are best, and we don't anticipate that the wet conditions will continue, so there will be adjustments down the road and if the residents hunters drop off there is a formula built in that adds nonresidents to replace them. So from a revenue point of view, the Game & Fish Department revenues increases with fewer resident hunters, when nonresidents hunters are allowed in under this formula, so under this formula, the more non residents the better as they pay higher licenses fees. **Senator Mathern**: Will this limit on how much you can charge for a nonresident? Paul: Bill does not address fees, there is a HB 1358 that has a major overhaul for the nonresident fees. That bill has a $2 million dollar fiscal note on it. **Senator Lindaas**: That $680,000 is a decrease to the Game & Fish Department? Paul responded that it was correct. **Senator Tallackson**: Would you rather have the legislature set the rates? **Paul** responded: If we stay with the current system, we know what we will get, a hot debate and discussion every year and maybe that is what we want, that is certainly an option. It will be a lot more peaceful at Game & Fish Department between sessions, if we had a formula set up on this, we survived, barely, last year with out it.

With no other testimonies, hearing on SB 2048 was closed. (#4219)

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2048 - Votes

Senate Appropriations Committee

☐ Conference Committee

Hearing Date Feb. 19, 2003

Tape Number	Side A	Side B	Meter #
#1	x		4,234- 4410
Committee Clerk Signature	Jan Hendrickx		

Minutes:

Senator Krauter moved for a DO NOT PASS on SB 2048. Seconded by Senator Bowman.

Senator Krauter stated that while he had been working on the budget for the Dept. of Agricultural, we have been depending on the $6,000 or $7,000 from them to work on the wildlife issues in the state. By removing this revenue, it will affect some of the things we do on the Ag. budget.

Roll call vote for a DO NOT PASS on SB 2048. Roll call sheet attached to minutes.

Total: 9 yes, 4 no, 1 absent and not voting. Motion carried.

Senator Krauter will carry the bill to the floor.

Date: 2/17/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do not Pass

Motion Made By Krauter Seconded By Bowman

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman		✓			
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair					
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter	✓				
Senator Kringstad	✓				
Senator Lindaas	✓				
Senator Mathern		✓			
Senator Robinson		✓			
Senator Schobinger	✓				
Senator Tallackson	✓				
Senator Thane		✓			

Total (Yes) 9 No 4

Absent 1

Floor Assignment Krauter

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

REPORT OF STANDING COMMITTEE (410)
February 17, 2003 9:41 a.m.

Module No: SR-17-2873
Carrier: Krauter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2048, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2048 was placed on the Eleventh order on the calendar.

2003 HOUSE NATURAL RESOURCES

SB 2048

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2048

House Natural Resources Committee

❑ Conference Committee

Hearing Date March 6, 2003

Tape Number	Side A	Side B	Meter #
1	xx	xx	All
2	xx	xx	All
3	xx	xx	2,454-end
4	xx	xx	All
Committee Clerk Signature			

Minutes:

Chair Nelson called the hearing on SB 2048 relating to relating to a limitation on the number of nonresident waterfowl hunters to order.

Tim Dawson: Introduced SB 2048 and explained the technical aspects of the bill from Legislative Council's perspective.

Rep. Delmore: Introduced SB 2048 and described the process by which the bill was developed through Legislative Council.

Sen. Fischer: Introduced SB 2048 and described the process of the bill through the Senate.

Mike Johnson: North Dakota Game and Fish Department. Supervisor of Migratory Game Bird Management. Testified in favor of SB 2048 and explained the Hunter Pressure Concept developed by the State Game and Fish Department. **(See Attached Testimony)**

Rep. Porter (3273): It has been brought up that the numbers used to pick the number of nonresident hunters is the flying factor of this concept. Extrapolating only 10% is not as accurate as using HIP numbers or some other nonresident numbers. Please explain this.

Mike Johnson: Based on the estimates we have the HIP survey is not valid. There is a low compliance rate. The Hunter Pressure Concept is based on 27 years of estimates of resident hunters. 27 years of actual numbers would have the same results.

Rep. DeKrey: I remember in the dry years there was talk of a moratorium on hunting because of the numbers. In those days the Game and Fish Department said hunting had no impact on wildlife numbers. What has changed.

Mike Johnson: The hunter pressure concept is not harvest management. It has nothing to do with regulating harvests. This has everything to do with regulating the quality of hunting in the state.

Rep. Solberg: This bill talks about zones. How many zones are there and what are the boundaries.

Mike Johnson: Zones are a real nightmare for Game and Fish. We do not know what we are going to do with the zones.

Rep. Johnson: Is the Hunter Pressure concept being used in other states?

Mike Johnson: South Dakota has a fixed cap of 6,000. 2,000 are for a special group zone along the Missouri river. No other state has anything anywhere near the Hunter Pressure Concept. Other states have destroyed their hunting quality and come here because of it.

Rep Johnson: Where do we sit with the resident hunters. Is that going up as well?

Mike Johnson: We have a stable 35,000 to 39,000 residents.

Chair Nelson: Are there any other states in the central flyaway that restrict nonresidents at all?

Mike Johnson: I am not aware that any other states restrict nonresidents. Basically they do not have to. They do not have excess numbers of nonresidents.

Chair Nelson: I believe Texas has over 100,000 nonresident hunters.

Rep. Hunskor: I am from the Bottineau and Kenmare area and we need and can handle almost unlimited hunters. We have wetlands and we have birds and we do not have pressure up there. Is it possible that with zones we could more hunter or unlimted hunters.

Mike Johnson: We have not really addressed that issue. This is based on a statewide average.

Rep. Hunskor: There would be a cap in numbers and every area would decrease the same under the cap.

Mike Johnson: We would not be able to effectively do that because of the difficulty in gauging the movement.

Rep. Klein: Why was the month of may picked.

Mike Johnson: The mid-may breeding cycle.

Bill Pfifer: North Dakota Wildlife Society. Testified on behalf of SB 2048. **(See Attached Testimony)**

John French(5038): Ducks Unlimited. Testified on Behalf of SB 2048. **(See Attached Testimony)**

Chair Nelson: Randy Kyle was quoted as saying this is not a biological issue. It is social issue resource allocation issue, quality of life issue, and an economic issue. That is a biologist at the game and fish department. I thought HB 1307 was a compromise would you agree with that?

John French: No I would not.

Chair Nelson: The vote indicated that people on both sides were against the bill. What could be a better compromise.

John French: It is not a compromise because it allocated the record high numbers then adds unlimted to the remaining part of the season.

Chair Nelson: Should I have the right to have a spot at the Engelstad arena at the blue line for the Minnesota Golden Gophers game? Because after all it is all about quality.

John French: The stadium is only so big.

(side b)

Dan Boyde (92): Resident of Cass Co. Testified in support of SB 2048. Introduced a compromise blend of SB 2048 and HB 1307. **(See Attached Testimony)**

Rep. Johnson: Farming the way it is. I have cousins that would love to stay. Who is creating the hunting pressure the resident hunter from Fargo or the nonresident from Illinois hunting for a few days?

Dan Boyde: I think the averages would be very comparable number.

Rep. DeKrey: Even if this were the way to go. The response will probably be that more landowners are vowing to post their land if 2048 passes.

Dan Boyde: That point cannot be overestimated. I would expect some of that however I think there are some landowners that believe in the cap.

Chair Nelson: The fiscal note is based on the governor using his 25% discretionary authority. It is strange that we are using a best or worst case scenario in creating a fiscal note. If the Governor does not use that discretion. The fiscal note will grow enormously. If we go down to 22,000 the

impact to Game and Fish Department not to mention the change in tax receipts is going to effect public access programs.

Dan Boyde: This will have some effect. There are other bills raising money for public access. There are other funding mechanisms available for this.

Chair Nelson: We have spent ever dollar and more from those bills already.

Rep. Porter: One concern we are having on the pro side of 2048 seams to be on the duck side. The end of that period has all kinds of Canadian geese in the state. Should this bill apply to those as well?

Dan Boyde: Unlimited late season hunting would be disastrous for those looking to hunt in the late season opportunities.

Rep. Porter: Why can't we look at the mandated zones concept and spread the 30,000 out.

Dan Boyde: the problem with zones is the devil is in the details. Zones are an extremely contentious issue.

Rep. Porter: Some of the opponents of SB 2048 is a limit on businesses in rural ND. We will hear from a vast array of individuals limiting their businesses. There are only some many things that are working. There are only so many opportunities in rural areas. What business in Fargo is limited like that?

Dan Boyde: There are two answers for that. First, there will be less dollars for the rural economy in some years. We need to find a balance to maximize that asset to the state of ND. My feeling is that the hunter pressure concept will do that. We do regulate businesses. Examples would be commercial fishing and liquor licenses. It is not without precedence that the state would step in on this.

The area I live in north central North Dakota. Snow geese numbers have changed in the last decade. Some argue that it is because Canada switched to half day seasons. Game and Fish has liberalized the hunting day. Do we need an arbitrary hunting formula to regulate that pressure.

Dan Boyde: There has not been a system that provides a permanent self adjusting method to address the changing wetlands and resident hunters.

Mark Hamilton (3200): Businessman in Minot. Testified in favor of SB 2048. **(See Attached Testimony)**

Chair Nelson called the meeting back to order after a 15 min. Recess to take opposition to SB 2048.

Donovan Fey (4100): Farmer/rancher. Testified in support of SB 2048. **(See Attached Testimony)**

Tom Kelsh (4385): GNDA. Testified against SB 2048. **(See Attached Testimony)**

Rep. Porter: Were all members of GNDA surveyed?

Tom Kelsh: In this process. We were not surveyed in the interim. This is the action of the legislative affairs committee. Were asked by several members to take action on this. One of the largest groups were hunter saying this is an access problem.

Cole Carley: North Dakota Tourism Alliance Partnership. Testified in opposition to SB 2048. **(See Attached Testimony)**

Rep. Clark: You testified in opposition to a bill designed to increase tourism. Isn't your position a little schizophrenic?

Cole Carley: I have testified on behalf of other bills that would give cities the ability to act for tourism. We were testifying in opposition to the method to improve tourism.

Rep. Solberg: We realize this is passionate. What does ND tourism plan to do for resident hunters.

Cole Carley: The problem is this bill is very isolationist. It does not address many areas of the hunting issue. Access is not addressed.

Rep. Hanson: Residents put 1 million dollars into habitat in ND. Has tourism put any money into habitat.

Cole Carley: Our budget has been chipped away over the years. We do not have the funds.

Randy Frost: Devils Lake Chamber of Commerce. Testified in opposition to SB 2048. **(See Attached Testimony)**

Rep. Solberg: If we pass this bill would there in fact be a 25 million dollar economic impact in North Dakota?

Randy Frost: According to our calculations that would be an average.

Rep. Solberg: Do you think this would cut the numbers down to 15,000?

Randy Frost: As I understand the concept. That is one of the problems. The concept is very complex to understand.

Rep. Kelsh: Is the hunting pressure concept simply a reflection of the number of wetlands available?

Randy Frost: This is simply a mathematical formula determining the number of nonresident hunters.

Rep. Kelsh: Drought levels would also affect the numbers visiting and hunting.

Randy Frost: That is exactly right. It works like farming there are good years and bad years. don't artificially limit us.

Rep. Porter: You come from an area without much hunter pressure. Have you given any thought to increasing the number of zones and looking at this from the standpoint of deer hunting.

Randy Frost: I have not heard that concept before. We have operated under those zones for many years now. The most recent being the Governors 30,000 cap. The key is to provide for a happy customer. If there are no birds they will be unhappy. This will be a marketing nightmare.

John Mittleider(2470): North Dakota Farm Bureau. Testified in opposition to SB 2048. **(See Attached Testimony).**

Eric Nelson: Student. Testified in opposition to SB 2048. **(See Attached Testimony)**

James Klein: Student NDSU. Opposed to SB 2048. Expressed concern over the loss of out of state revenue as well as the message sent out by the bill that out of state money will be considered unwelcome.

Dennis Miller: Past President landowners association. Testified in opposition to SB 2048. Testified in opposition to the bill on the basis that it would penalize areas based on formula without any flexibility built into it.

Terri Thiel: Dickinson Convention and Visitors Bureau. Testified in opposition. **(See Attached Testimony)**

Patty Lewis: ND Hospitality Association. Opposed to SB 2048. Concerned that SB 2048 will cause many businesses are not likely to survive with the passage of this bill.

Patrick Candrian: Testified in opposition to SB 2048. **(See Attached Testimony)**

(flip to side b)

Greg Link: North Dakota Game and Fish. Testified on conditions laid down by game and fish concerning CRP and plots program.

Kipton Erickson: Opposed to SB 2048. Commented that urban areas get funding from fees paid. Concerned about the effect of this bill on the farm economy.

Susie White: Steele Hospitality. Testified in opposition of SB 2048. **(See Attached Testimony)**

Chair Nelson appointed a sub committee consisting of Rep. Johnson, DeKrey, and Hanson.

Chair Nelson Reconvened the hearing on SB 2048.

Deanne Fey: Support SB 2048. **(See Attached Testimony)**

Harold Neameyer: Cass County Wildlife Club. Support 2048. **(See Attached Testimony)**

Mike Donahue: United Sportsman. Support 2048. **(See Attached Testimony)**

Glen Sargent: Support 2048. **(See Attached Testimony)**

Dennis Daniel: Support SB 2048. Testified on his experiences in hunting other states.

Bill Mitchell: Support SB 2048. **(See Attached Testimony)**

Austin Bachmeyer: Testified in support of SB 2048. Concerned about youth hunters in North Dakota.

David Munch: Testified in support of SB 2048. Concerned about dollars influencing policy.

Curt Wells: Testified in support of SB 2048. Stated that the state does not have a duty to provide a business with a steady stream of customers.

Larry Knoble: North Dakota Sportsman Alliance. Testified in support of SB 2048. Expressed concern over outfitting impact on ND hunting.

Rick Hoystead: Testified in support of SB 2048 **(See Attached Testimony)**

Bob Wetch: Testified against SB 2048. **(See Attached Testimony)**

Marie O'Brien: Owner of Antique Shop in Devils Lake. Testified against SB 2048. Expressed concern the bill would have on her business.

Ken Tupner: Farmer/towner county commissioner. Testified against SB 2048.

Carrie Ringheiser: Testified in opposition to SB 2048. **(See Attached Testimony)**

Fred Evens: Testified in opposition to SB 2048. (See Attached Testimony).

Chuck Damshen: Testified in opposition to SB 2048. Expressed concern over limitations on out of state hunters.

Pete Ressler: Guide. Testified in opposition to SB 2048.

Deb Roppel: Testified in opposition to SB 2048. **(See Attached Testimony)**

Steve Chase: Resort owner. Testified in opposition to SB 2048. Explained the negative effects his business would have if this bill passed.

Kyle Blanchfield: ND Professional Guides and Outfitters Association. Testified in opposition to SB 2048. **(See Attached Testimony)**

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2048

House Natural Resources Committee

❑ Conference Committee

Hearing Date March, 21 2003

Tape Number	Side A	Side B	Meter #
Committee Clerk Signature			

Minutes:

Rep. Johnson called the subcommittee on SB 2048 to order.

Rep. DeKrey moved the amendment on SB 2048 seconded by **Rep. Hanson**. Motion passed by unanimous voice vote.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2048

House Natural Resources Committee

☐ Conference Committee

Hearing Date March 24, 2003

Tape Number	Side A	Side B	Meter #
1	xx		0-3754
Committee Clerk Signature			

Minutes:

Chair Nelson called the meeting to order.

Rep. Johnson: Gave the subcommittee report. Introduced the subcommittee's amendment. We are trying to utilize the Hunter Pressure Concept 2 from the opener to October 31. Starting on the November 1, 15% of the non-residents be allowed to apply for a seven day liscense. In addition it defines the zones. Section five sets a floor of 15,000 non-residents. This also creates a resident stamp to keep an accurate count. There would be two to deal with collectors from utilizing these for collections.

Rep. Johnson moved the amendment and **Rep. DeKrey** seconded it.

Rep. Hunskor: Commented that his area was not in favor of the bill and will oppose it.

Rep. Norland: Commented on the need for hunters to sign up early in the process.

Rep. Solberg: Commented that District 2 does not have hunter pressure. The people of that area have expressed concerns with the bill.

Motion passed by voice vote.

Rep. Porter moves a **do pass as amended** seconded by **Rep. Nottestad.**

Date: 3/27/03
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2048

House House Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass As Amend

Motion Made By Norland Seconded By Hanson

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

Total (Yes) 11 No 2

Absent 1

Floor Assignment Nelson

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

30158.0307
Title.

Prepared by the Legislative Council staff for
Representative Nelson
March 20, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2048

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to resident waterfowl licenses; and to"

Page 1, after line 3, insert:

"**SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Resident fall waterfowl license. A resident may not hunt waterfowl in the fall season without obtaining a resident fall waterfowl hunting license. A resident may not obtain a resident fall waterfowl license unless the resident obtains a habitat restoration stamp for each license."

Page 1, line 6, after the second boldfaced period insert:

"1."

Page 1, line 9, after the period insert:

"2. The nonresident may obtain a license that entitles the nonresident to hunt before November first and a license to hunt after October thirty-first or both. The nonresident is entitled to purchase only one nonresident waterfowl hunting license to hunt before November first per year and only one license after October thirty-first per year.

3. The nonresident waterfowl hunting license to hunt before November first entitles the nonresident to hunt waterfowl for fourteen consecutive days in one of four zones or during any two periods of seven consecutive days each in a specified zone of the four zones during each period. The first zone is the portion of this 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, 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, and proceeding along United States highway 2 to its intersection with the Montana border; the second zone is the portion of this state south of the first zone and east of United States highway 281; the third zone is the portion of this state south of the first zone, west of the second zone, and east of a line beginning at the intersection of United States highway 83 and the South Dakota border, proceeding north along United States highway 83 to the intersection of United States interstate 94, proceeding west along United States interstate 94 to United States highway 83, and proceeding north along United States highway 83 to the border of the first zone; and the fourth zone is the portion of this state south of the first zone and west of the third zone. The governor, in the governor's proclamation, shall set the number of licenses which may be issued for each zone based on the hunting pressure concept. The governor shall determine the manner in which the licenses are issued.

4."

and after the second "license" insert "to hunt after October thirty-first"

Page 1, line 10, overstrike "fourteen consecutive days, any period of"

Page 1, line 11, overstrike ", or any two periods of seven consecutive days each. A license authorizing the"

Page 1, overstrike line 12

Page 1, line 13, overstrike "authorizing one 7-day hunting period allows hunting" and overstrike "A license authorizing two 7-day"

Page 1, overstrike lines 14 through 16

Page 1, line 17, overstrike "be issued in each zone and the manner in which they are to be issued." and remove "The number of"

Page 1, remove lines 18 through 24

Page 2, remove line 1

Page 2, line 2, remove "to twenty-five percent in the governor's proclamation." and overstrike "A nonresident is entitled to purchase only"

Page 2, line 3, overstrike "one nonresident waterfowl hunting license per year" and insert immediately thereafter "The total number of nonresident waterfowl hunting licenses issued after October thirty-first is twenty percent of the licenses allowed to be issued before November first. The governor shall determine the manner in which the licenses are issued.

5. The gover or shall determine the total number of nonresident waterfowl hunting licenses issued before November first by subtracting the number of resident waterfowl hunters of the previous fall season from the targeted hunting pressure for the current season, dividing the difference by the current hunting pressure factor, and increasing the quotient by forty percent. Notwithstanding the number determined by the formula, at least twenty thousand nonresident waterfowl hunting licenses must be made available in any year. Targeted hunting pressure is the sum obtained by adding thirty-one thousand three hundred twenty-six and the product resulting from multiplying two thousand one hundred twenty-six ten-thousandths times the wetland index. The wetland index is the sum of current season wetlands counted during the May waterfowl breeding ground survey of semipermanent wetlands, permanent wetlands, manmade impoundments, dugouts, and permanent streams, multiplied by the current year expansion factor to provide a statewide index. The current hunting pressure factor is the average of the five most recent estimates of the daily average number of ducks harvested per nonresident hunter divided by the daily number of ducks harvested per resident hunter based on annual department hunter harvest surveys.

6. If there is an early fall waterfowl season, the governor, in the governor's proclamation, shall prohibit a nonresident waterfowl hunter from hunting for the first seven days of the season on land owned or private land enrolled by the department for the purpose of hunting or on land for which the department pays in lieu of tax payments"

Page 2, after line 3, insert:

"**SECTION 3.** A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident fall waterfowl license, one dollar."

Renumber accordingly

30158.0308
Title.

Prepared by the Legislative Council staff for
Representative D. Johnson
March 21, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2048

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to resident waterfowl licenses; and to"

Page 1, after line 3, insert:

"**SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Resident fall waterfowl license. A resident may not hunt waterfowl in the fall season without obtaining a resident fall waterfowl hunting license. A resident may not obtain a resident fall waterfowl license unless the resident obtains a habitat restoration stamp for each license."

Page 1, line 6, after the second boldfaced period insert:

"1."

Page 1, line 9, after the period insert:

"2. The nonresident may obtain a license that entitles the nonresident to hunt before November first and a license to hunt after October thirty-first or both. The nonresident is entitled to purchase only one nonresident waterfowl hunting license to hunt before November first per year and only one license after October thirty-first per year.

3. The nonresident waterfowl hunting license to hunt before November first entitles the nonresident to hunt waterfowl for fourteen consecutive days in one of four zones or during any two periods of seven consecutive days each in a specified zone of the four zones during each period. The first zone is the portion of this 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, proceeding north along United States interstate 29 to state highway 200, 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, and proceeding along United States highway 2 to its intersection with the Montana border; the second zone is the portion of this state south of the first zone, north of United States interstate 94, and east of a line beginning at the intersection of United States highway 83 and United States interstate 94, proceeding north along United States highway 83 to the border of the first zone; the third zone is the portion of this state south of the second zone and east of a line beginning at the intersection of United States highway 83 and the South Dakota border, proceeding north along United States highway 83 to the intersection of United States interstate 94; and the fourth zone is the portion of this state south of the first zone and west of the second and third zones. The governor, in the governor's proclamation, shall set the number of licenses which may be issued for each zone based on the hunting pressure concept. The governor shall determine the manner in which the licenses are issued.

4."

and after the second "license" insert "to hunt after October thirty-first"

Page 1, line 10, overstrike "fourteen consecutive days, any period of"

Page 1, line 11, overstrike ", or any two periods of seven consecutive days each. A license authorizing the"

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Page 1, line 13, overstrike "authorizing one 7-day hunting period allows hunting" and overstrike "A license authorizing two 7-day"

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Page 2, line 2, remove "to twenty-five percent in the governor's proclamation." and overstrike "A nonresident is entitled to purchase only"

Page 2, line 3, overstrike "one nonresident waterfowl hunting license per year" and insert immediately thereafter "The total number of nonresident waterfowl hunting licenses issued after October thirty-first is fifteen percent of the licenses allowed to be issued before November first. The governor shall determine the manner in which the licenses are issued.

5. The governor shall determine the total number of nonresident waterfowl hunting licenses issued before November first by subtracting the number of resident waterfowl hunters of the previous fall season from the targeted hunting pressure for the current season, dividing the difference by the current hunting pressure factor, and increasing the quotient by forty percent. Notwithstanding the number determined by the formula, at least fifteen thousand nonresident waterfowl hunting licenses must be made available in any year. Targeted hunting pressure is the sum obtained by adding thirty-one thousand three hundred twenty-six and the product resulting from multiplying two thousand one hundred twenty-six ten-thousandths times the wetland index. The wetland index is the sum of current season wetlands counted during the May waterfowl breeding ground survey of semipermanent wetlands, permanent wetlands, manmade impoundments, dugouts, and permanent streams, multiplied by the current year expansion factor to provide a statewide index. The current hunting pressure factor is the average of the five most recent estimates of the daily average number of ducks harvested per nonresident hunter divided by the daily number of ducks harvested per resident hunter based on annual department hunter harvest surveys.

6. If there is an early fall waterfowl season, the governor, in the governor's proclamation, shall prohibit a nonresident waterfowl hunter from hunting for the first seven days of the season on land owned or private land enrolled by the department for the purpose of hunting or on land for which the department pays in lieu of tax payments"

Page 2, after line 3, Insert:

"**SECTION 3.** A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident fall waterfowl license, one dollar."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate accedes to the House request for the return of: SB 2196.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1488, HCR 3047.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1238, HB 1263, HB 1299, HB 1423, HCR 3038, HCR 3048, HCR 3062, HCR 3064, HCR 3075.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following resolution was delivered to the Secretary of State for filing on March 24, 2003: HCR 3069.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS
The following bills were delivered to the Governor for approval on March 24, 2003: HB 1031, HB 1071, HB 1083, HB 1090, HB 1095, HB 1113, HB 1117, HB 1146, HB 1163, HB 1185, HB 1191, HB 1214, HB 1224, HB 1258, HB 1259, HB 1267, HB 1334, HB 1338, HB 1374, HB 1383, HB 1444, HB 1457, HB 1480, HB 1481.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The House respectfully requests the return of: SB 2196.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The House has passed unchanged: SB 2196.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2057, SB 2059, SB 2068, SB 2175, SB 2180, SB 2200, SB 2208, SB 2237, SB 2252, SB 2270, SB 2312, SB 2401.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3015, HCR 3020, HCR 3025, HCR 3028, HCR 3032, HCR 3052, HCR 3060, HCR 3073.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1056, HB 1062, HB 1082, HB 1101, HB 1168, HB 1195, HB 1215, HB 1227, HB 1235, HB 1237, HB 1239, HB 1249, HB 1268, HB 1277, HB 1322, HB 1336, HB 1382, HB 1410, HB 1498.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1052, HB 1073, HB 1200, HB 1252, HB 1261, HB 1316, HB 1331.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3019, HCR 3031, HCR 3036, HCR 3042, HCR 3050, HCR 3054, HCR 3072.

REPORT OF STANDING COMMITTEE
SB 2048, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2048 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to resident waterfowl licenses; and to"

Page 1, after line 3, insert:

"**SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

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and after the second "license" insert "to hunt after October thirty-first"

Page 1, line 10, overstrike "fourteen consecutive days, any period of"

Page 1, line 11, overstrike ", or any two periods of seven consecutive days each. A license authorizing the"

Page 1, overstrike line 12

Page 1, line 13, overstrike "authorizing one 7-day hunting period allows hunting" and overstrike "A license authorizing two 7-day"

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Page 1, remove lines 18 through 24

Page 2, remove line 1

Page 2, line 2, remove "to twenty-five percent in the governor's proclamation." and overstrike "A nonresident is entitled to purchase only"

Page 2, line 3, overstrike "one nonresident waterfowl hunting license per year" and insert immediately thereafter "The total number of nonresident waterfowl hunting licenses issued after October thirty-first is fifteen percent of the licenses allowed to be issued before November first. The governor shall determine the manner in which the licenses are issued.

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Page 2, after line 3, insert:

"**SECTION 3.** A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident fall waterfowl license, one dollar."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2052, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2052 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2058, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2058 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2198, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2198 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2201: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2201 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2228, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2228 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2245: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (16 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). SB 2245 was placed on the Fourteenth order on the calendar.

2003 TESTIMONY

SB 2048

Testimony to:

ND Senate Natural Resources Committee on:

SB 2048 - Hunter Pressure Concept

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. To understand why I'm here today we need to go back to 1990. That year there were approximitely 5,500 out-of-state waterfowlers hunting in North Dakota. By 2001 that number had grown to just over 30,000. That is an average yearly increase of 16% per year. Many people would have you believe that is 'a good thing' as Martha Stewart would say! But here's the rub: In 2000, the most recent year for available hard data, resident waterfowlers harvested about 149,000 waterfowl. Out-of-state hunters on the other hand shot an incredible 409,000! 275% more birds than resident hunters. You see, alot of resident hunters go out on opening weekend...and perhaps a few Sundays after church, and sit by their favorite slough for a few hours, and call it a season. By contrast, out-of-state hunters 'hunt hard'. They bring motorized, camoflauged boats, dozens of decoys, mechanical ducks and four wheelers. In many cases they come for 7 to 14 days. And they hunt from sunrise to sunset if necessary to get their limit. They hunt on all types of water, giving ducks and geese less places to loaf and dabble. As a result of this tremendous pressure the birds are pushed out of traditional migratory areas prematurely. As the old saying goes...the ducks are gone! In the last several years as this pressure has increased, many North Dakotan's have moved from their favorite pothole to less lucrative, out-of-the-way wetlands to avoid the congestion. But now, for many, even those less productive sloughs are becoming harder to find. And sadly, as the numbers clearly show, many North Dakotan's have hung up their wadders permanently.

The special interest groups say they can manage these problems on their own. The folks from the Devils Lake region have come up with three different plans in the last year alone! First, outfitters like Kyle Blanchfield called for unlimited out-of-state hunters. Then, sensing the political winds were changing, Randy Frost from the Devils Lake Chamber of Commerce came up with a plan that called for 7,500 out-of-state hunters each week for four weeks. And most recently, Representitive Jon Nelson of Wolford authored a proposal that would allow 10,000 out-of-state hunters each of the first two weeks of the season, and an unlimited number thereafter. Time and time again we've seen groups with a vested financial interest tell us they can manage our resources. And over and over they've failed. The Red Lake Fishery just 90 miles from Grand Forks is a prime example. Left to their own devices they harvested the walleye population to the point where the lake had to be shut down to walleye fishing for atleast five years while the Department of Natural Resources restocked the lake. The salmon industry in Idaho, and the cod industry on the east coast are two more examples of special interests controlling the 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 North Dakota Legislature could not reach a consensus on out-of-state hunters because, lacking professional input, the issue 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 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 came up with several well thought out scientific concepts which were then displayed, discussed, and surveyed at all eight Game and Fish Department Advisory meetings throughout the state.

The overwhelming choice among North Dakota waterfowlers was the Hunter Pressure Concept. Even though it called for substantially more out-of-state hunter pressure than most wildlife groups wanted to see. The wisdom of the plan, and our wildlife organization's willingness to compromise so impressed the Judiciary B Committee that they passed the plan 15 to 2. While the alternative Nelson Plan recieved only an 8 to 6 endorsement. Why did all the major wildlife groups and the Judiciary Committee so enthusiastically endorse this plan? Because it dealt first and foremost with the resource...our ducks 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. As Mr. Johnson explained, if the number of resident hunters were to rise, the number of out-of-state hunters would fall, ensuring the resource would be protected. But, if the number of resident hunters were to drop, as they have the past few decades, more out-of-state hunters would be welcomed. 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 is in place, all the contentiousness we've seen in recent years will go away... permanently! Because this plan works year in and year out. Wet cycle or dry. It is a plan for all seasons and all the right biological reasons. And thousands of North Dakota sports men and women are firmly behind it.

Undoubtedly 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 <u>not</u> economic development. What these people 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 resident 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 the outfitters, hospitality and chamber folks would ask that you give out-of-state hunters preferencial treatment. The sports men and women who have traveled from all over the state to be here today in support of the Hunter Pressure Bill will not make one thin dime off this plan. They've come here to preserve a heritage and precious resource for our most precious resource...future genterations of North Dakotan's.

ALLMERICA SELECT
A Higher Standard

Tim Hayden – Masters Degree in Science
Moved here to Hunt – 2 more

Why Quality Hunting
To Keep our Population Base
90% of the people in ND hunt, fish, or make a living from recreation
120,000 deer Tag, Thousands of waterfowl licenses
according to TV Billion dollar business

Ignorance by House, Senate, Governor
de Destroying this hunter-recreational base
by not accepting recommendations by our own Game Dept.

What we fear the most - population loss will accelerate as hunting declines

Example of Ignorance
NOT implementing proper hunter pressure concept as proposed by game dept

Destroys Waterfowl management
a. Too much pressure alters living pattern
b. " " " moves birds out of state with improper harvest

NXT pg

ALLMERICA SELECT
A Higher Standard

Impact on Local Resident
He will never get good hunting because over pressure destroys recreation potential.

What does the State have at Risk by poor quality hunting.

Losing The 100,000 The local resident will pay in Local school and proper TAX + any additional state TAX.

The Local resident is angry because he is getting chapped on by poor decisions.
I moved ↙
The Local Resident will move out of state.
Future → Rabbit Hunt
Summing Up
Real Tragedy
The Governor should be ashamed of himself for ignoring the best science to date and choosing the second highest number of out of state hunters as a base to be expedient to Politics.

The head of the Game Commission serves at the pleasure of The Governor. Took keep his job he will not speak out with the facts.

ALLMERICA SELECT
A Higher Standard

Why has There been no ~~newspaper~~ articles on the fact out of state hunters gett 300,000+ ducks ~~in~~ ~~two~~ in two weeks and local hunter get 150,000 the entire season.

Out of balance pressure forces out of state hunters to clean up the best land and massively kill ducks before they push the duck out of state.

Hunters Quality destroyed by greed and over pressure.

Why has there been no articles saying that we must follow the Science or destroy our hunter base and hence accelerate out of state migration.

The head of the Game Dept should be relieved also. Ill proper decisions crap all over the sportsmen base.

ALL We ask is to implement Game Dept Recommendation

ALL The Game Dept wants is quality hunting for all people Out of State Hunters and In State Hunters

"Mark Nawrot" <mark_nawrot@hotmail.com>
01/24/2003 12:20 PM

To: snat@state.nd.us
cc:
Subject: SB 2048, HPC II , testimony for Mark Nawrot

SB 2048 - HPC II
Chairman, members of the committee, thank you for this opportunity.

My name is Mark Nawrot
- resident of North Dakota since 1995
- came for the waterfowling
- live in District 46 - (1608 30 Ave S, Fargo, 701-271-8707)

I have two brief goals in testifying today:
First, talk about survey information for assessing public opinion
Second, provide some historical context for non-resident limits

Beyond my family, I have three passions:
- I do my research - funded by Federal research grants
- I teach college students how to do excellent research
- and I?m a waterfowler

This gives me the professional background to comment and the motivation to do so.

Recently we?ve heard of the North Dakota Prairie Poll:
While it claims to document some public opposition to limits on non-resident hunters, the methods used to assess opinion do not support any claim of the sort.

Steve Andrist, presumably the person who conducted the pool, wrote in his recent editorial: "By no means is the North Dakota Prairie Poll scientific in its measurement of public opinion." His assessment is correct.

The consequence is that is impossible to know what to make of the results. A claim that it represents anything more than the opinion of a very small number of respondents is unwarranted. The opinion of these respondents is important, but to claim it represents the opinions of six hundred, forty thousand other North Dakotans has no validity.

In stark contrast, the North Dakota Sportsmen's Alliance Survey of Resident Waterfowlers was conducted with the finest scientific methodology.
- I was not involved in the design or implementation of the survey
- I am not a member or representative of the Sportsmen's Alliance
- this survey was forwarded to for my scientific assessment when it was completed
- frankly, I was impressed on exactly how well it was done
- it was done by "the book" (Dillman, Mail & Telephone Surveys)

Overall, the survey achieved a 78% response rate
- 60% usually considered minimum for reasonable validity

The survey used a Sampling Frame of all resident waterfowlers who:
- registered with Harvest Information Program in 2001-2002
- and reported hunting waterfowl at least once in the previous year.
- almost 50,000 resident waterfowlers

As a researcher who worries about things like Sampling Frames,
I think it is interesting that this definition includes almost everybody here

- supporters of HPC II, opponents - even many legislators???

Due to the scientific rigor, we can have confidence that the results of this survey represent the views of resident waterfowlers at that time. (These methods have been developed to prevent any ?bias? as may be asserted by those in disagreement with the results.) So, as a group, what do all of us waterfowlers think?

First, only 1% of us disagree with the statement ?Quality waterfowling is a major benefit that I enjoy from living in North Dakota.? Compare that to 8% who did not hunt waterfowl in the previous year.

This is an important point. While many wonder why people leave North Dakota and why people stay, for 45,000 of us, quality waterfowling is a major reason for living in North Dakota. There is no other state in the union for which this claim can be made. None have our tradition of quality waterfowling.

The second important result is that only 14% oppose a cap on non-residents. Moreover, - there is no difference between urban and rural hunters
- there is no difference between landowners and non-land owners

This is not a hunter vs. landowner issue as some would have you believe. The real division is between those who want to preserve and those who want to make short-term personal economic gains from a public resource.

Third, the median response for a cap level was 10,500 non-resident licenses. (Mike Johnson gave a figure of 12,500 - that was a mean - the median is the best indicator of central tendency due to the skew - mode = 10,000).

Together, this means that the HPC II is a compromise from what resident waterfowlers were looking for. Waterfowling is very important to resident sportsmen - urban/rural, landowner/non-landowner. If you see support for HPC II it is because resident sportsmen are willing to compromise to get a handle on the problem.

Finally, I want to comment on North Dakota?s history of preservation of quality waterfowling - the activity in and of itself - it is an important public resource of North Dakota.

As Mike mentioned earlier, this isn?t a new issue. Consider Theodore Roosevelt?s legacy - huge tracts of public land are spared from economic exploitation. He forged an American value that many things are much more important that short-term economic gain.

Specifically, historical context for this HPC II comes from Emerson Hough (HUFF) who in 1897 described the situation in ND on the pages of Forest and Stream magazine. Hough was a friend of Roosevelt and shared his passion for preservation of the outdoor experience. Hough is same writer who?s description of Buffalo poaching in Yellowstone produced general outrage leading to the Lacey Act (Federal law which prevents exploitation of wild animals).

According to Hough, in the late 1800's North Dakota passed the Non-Resident act. It imposed a license fee of $25 - perhaps comparable to $600 or $700 now - on non-resident waterfowlers. The goal was to preserve the resource and prevent the exploitation by market hunters. Even more than 100 years ago this act upset those with an economic stake. But Hough wrote: "The ducks, however, are to be congratulated upon it, and so are those whose fate enables them to get a look in one of the greatest remaining sporting grounds in America."

This non-resident act, along with North Dakota being one of the first states

to enact a limit - sure it was 25 ducks a day - but these were a start to reasonable preservation of the ?greatest remaining sporting grounds in America?. Now, if North Dakota is to remain the ?greatest remaining sporting grounds in America? we need the preservation offered by HPC II. Forty-five thousand sportsmen, and untold 100,000's of thousand of others in North Dakota, believe we must protect our public resources.

I am sure Roosevelt, Lacey, and even North Dakota?s Non-resident act had their well intention opponents favoring economic exploitation rather preservation of a public resource. Fortunately, for many generations of North Dakotans, foresight and preservation prevailed. This value will prevail again if you support SB2048.

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Personal note: (Not given as verbal testimony on 1/23/03)
Although this has nothing to do with the HPC II, bill it seems that fee hunting the focus of most of the opposition to the bill.

Prior to pursing an academic career I was a farmer (in my early 20's) in eastern Alberta. While I had grown up on a farm, and farming was familiar and comfortable, my life goals were different. I have two brothers who took over the entire operation but I still love the land. I still hold title (and pay taxes) on several hundred acres of the several thousand acres on the farm. The waterfowl hunting there rivals that of North Dakota and an exploding number of hunters agree.

As a landowner, I disagree with the entire ethic of fee hunting. In Alberta and Saskatchewan this ethic is shared by everyone. Fee hunting is prohibited. There, as here in North Dakota, game animals are owned by the province (state). Hunting is a public resource. We don't raise game animals on our land - we grow grain and pasture cattle. Game animals are abundant because we practice sound land management. We are their stewards, rewarded by the life and vitality they bring, not their masters or owners. Finding a fawn in a hay field or seeing geese smothering a stubble field was a cherished experience, not an opportunity to make money. It was never considered that someone would charge duck, goose, deer and grouse hunters; it would be ignoble and crass. I grant or deny access to anyone, but the commodity is mutual respect, not money. We are stuck in a drought as bad as anywhere in North Dakota, but still there are many things you simply don't do for money - legal or illegal (at least these values still prevail in my family).

My land plays host to many hunters each year, many of them who have given up on the crowding in North Dakota. We favor freelance hunters over guides, but there guides are actually busy in the art of guiding, not serving as land brokers as they are here in North Dakota.

These ideas may be foreign and distasteful to you, but I offer as representing the variety of views held by your constituents in North Dakota. Of course, if you would like to discuss any of this with me I would welcome your call (271-8707 -res, or 231-8032 - office).

Again, thanks for this opportunity to comment.

January 23, 2002
Testimony by Bill Mitzel

Good morning. My name is Bill Mitzel and I'm the publisher for Dakota Country Magazine. I live in Bismarck.

I was born and raised in North Dakota, one of those folks who never left. I grew up here enjoying the kind of hunting and fishing I read about in national magazines, the kind people envied and often traveled a long ways to enjoy. Because of that, I've always felt fortunate.

I believe all sportsmen and women of North Dakota are fully aware of, not only the tremendous wildlife resources we have, but the vast space we have to enjoy them. And room to play is as important as the resource itself. Whenever I take a trip to a large city, I'm always thrilled to get back to North Dakota where I can see the sun set.

The hunting as we know it is being threatened by commercialism. This has happened in virtually every state in the nation. The corp of the problem lies in access, that is, access for the local hunter, the weekend man or woman who wants to be out there with friends and family. That access is disappearing at a more accelerated pace every year.

For years I've proudly boasted in Dakota Country magazine and other arenas that North Dakota is the last fronter. It's bountiful hunting and fishing opportunities were finally discovered by the rest of the world, and they want it. Problem is, so do we. People are now coming from all over the country to enjoy our resources, and that's fine.

The problem, however, is the prolific expansion of ~~outfitters nonresident individuals who are~~ commercialization leasing large tracts of land either just for themselves or for the expressed purpose of making money. The downside of that rests on the shoulders of the local sportsman, who continually finds this leased land off limits to him and his family, including young folks who, at some point if this continues, won't have a place to hunt.

Guide and outfitter numbers have grown from a couple dozen a decade ago to more than 330 today. I've said it before, and it bears repeating -- when the quality of the hunt gets to a point where it's no longer enjoyable, people will quit. And that has begun in North Dakota. In 1975, according to North Dakota Game and Fish records, North Dakota had 67,267 resident waterfowl hunters. More recently, in 2001 to be exact, there were 34,174 resident waterfowl hunters in North Dakota... about half the total of 28 years ago. Why? There are several factors involved in the decline in resident hunters, including single parent families, time schedules, steel shot requirements and others, but I believe most of it comes from the fact people are having trouble finding places to hunt. In virtually all national surveys of this nature, when asked why they don't hunt as much as they used to, sportsmen answer is a resounding

theme -- can't find anyplace to go.

On the other hand, in 1975, there were just over 6,000 nonresident hunters in North Dakota. In 2001, there were more than 30,000.

The term economic development has been tossed around a lot, particularly where small towns are concerned. For the record, the hospitality industry contributes nothing toward the preservation or propagation of wildlife resources in North Dakota, and their interests lie only with capital earnings. Ask a sportsman what he spent on his last hunting trip and he'll tell you he doesn't remember. But he will describe in detail what a great time he had out there and who he was with. And money didn't motivate him to go.

The sportsman's role in all this, particularly the local person, is to take care of the resource. He or she, more than anyone, values and protects the wildlife and the habitat. They, more than anyone, contribute time, effort and money to assure the continuation of the resource.

Regarding economic development, which doesn't exist merely because someone walks into a bar or restaurant in a small town, has an impact on only a relative few who are directly involved with entertaining sportsmen and women. The local implement dealer doesnt' see any hunter dollars from these travelers, nor does the insurance company on main street. And the grocery store, well, these hunters are either fed by the outfitter or they bring their own food.

Testimony from an Elgin cafe owner at the Game and Fish Department hearings last spring related how, when people come to his area to hunt, they bring their campers, stay out at the lake for free, bring their own food, shells and liquor, and the local community doesn't even know they're there. That is NOT economic development.

The hunter pressure concept is the best approach toward assuring quality hunting for eveyrone. The waterfowl season is often short in North Dakota, with our birds providing the southerm climate a much longer season. We need to trust our biologists, who are doing an excellent job in managing our wildlife. The decision of the amount of hunting pressure should be decided by them, [redacted].

Finally, I need to relate how important the local hunter is to the entire state. A recent North Dakota State University study showed that while nonresident hunters spent just under $66 million in 2001 and 2002 in North Dakota. residents spent a whopping $403 million. Now that, is economic development. Take the local hunter out of the picture and small towns are going to lose more than they realize. The resident sportsman and sportswoman is extremely valuable to North Dakota, and we all ought to realize that more than we do. Without local intervention, the trickle down economic concept won't even drip.

Thanks for the opportunity to express my views on this important matter.

Bill Mitzel

January 23, 2002
Testimony by Devon Butz
Age 9
Bismarck, ND

My name is Devon Butz and I'm a third grader at Grimsrud Elementary School in Bismarck.

I have been going hunting with my dad and my grandpa for three years and I really like it. I like to watch geese swerve on their sides and come into the decoys and I like watching ducks come in and circle around the decoys. I got my first giant Canada goose last fall and I was real proud of that.

I know that on a lot of places, we have to ask permission to hunt there, and we just about always get permission. But sometimes things are crowded with many other people, and sometimes we don't get permission because the landowner tells us the land is rented to other hunters and we can't hunt there, or it has a group of cows or something else in case of danger.

I would like it if we could hunt at least in a few places. But I'm worried that we won't be able to if things keep going like they are. I hope the people who make those decisions will be able to understand this and make sure I have a place to hunt in North Dakota when I get big.

Thank you for listenting to my opinion.

Devon Butz

By: Alan B. Sargeant
3161 Hwy 281 SE #4
Jamestown, ND 58401
252-6847

Chairman Tom Fischer and other committee members.

Thank you for the opportunity to provide input into your deliberations regarding Senate Bill 2048. My name is Alan Sargeant and I live near Jamestown. I am retired. I have hunted waterfowl, especially ducks, for 52 years, 17 as a resident of Minnesota and the past 35 as a resident of North Dakota. I hunt ducks from the first day of the season to the day after freeze-up, often traveling over 50 miles from Jamestown for a day's hunt. I keep a diary of each hunt, make my own decoys, and have my own ethics on how to hunt. Quality duck hunting gives me a great deal of satisfaction and is a strong reason why I still live in North Dakota.

For me, quality duck hunting is much more than shooting ducks, its a cherished outdoor experience. I would much rather not hunt than have a poor hunting experience. A good experience is not setting up decoys and have someone move in on you, racing to a marsh to beat someone else, or finding public access to a marsh blocked by a vehicle with someone chasing ducks on a 4-wheeler. I had little quality ducking in Minnesota. The reason was simple -- too many hunters for the available resource.

North Dakota has some of the finest waterfowl hunting in the Nation, albeit the season is short. That's why so many hunters want to come here. The quality of the hunting, however, is dependent on hunting pressure. Waterfowl learn rapidly to avoid

hunters by congregating in undisturbed sites or leaving. In Minnesota, I hunted in an area where there were lots of marshes, mostly leased, and more hunters. There, thousands of mallards massed each fall on a refuge but very few ducks were shot on public or private marshes. It was common to come home empty handed. Why, the birds learned to feed at night! After opening day you could watch time leave after sunset and return before shooting time the next morning.

As waterfowl hunting pressure increases in North Dakota, the quality of hunting will decrease -- it already has. I started noticing the change about 3 years ago, when water conditions were exceptional and, I am told, there were about 20,000 nonresident waterfowl hunters. That was when I started paying attention to license plates, stopped waving at nonresidents, and started complaining to my wife. The situation has gotten worse, especially this past year when many marshes were dry. This season, probably even fewer hunters than the previous year concentrated on the remaining marshes that had waterfowl. The disturbance factor to waterfowl and between hunters was high. Because the nonresidents hunted every day, North Dakota hunters who had to work or were in school during the week were left with slim pickings on weekends. The end result was decreased quality of hunting for everyone, but especially for residents. In my opinion this was unfortunate, preventable, and not in North Dakota's best interests.

There are some who would have us believe that the more nonresident hunters the better, that our waterfowl resource offers more than enough for everyone, and that the economics of having unlimited numbers of nonresident hunters is good for the state. If the resource offers more than enough for everyone, why then is there so much leasing of land for paid hunting only? Commercializing waterfowl hunting to the extent that it excludes resident hunters isn't my idea of an incentive to live in North Dakota. Certainly there is enough waterfowl hunting here to share with a goodly number of nonresidents, but sharing is different that giving away the store. The notion that the number of nonresidents should not be adjusted to the number of water areas makes no sense to me. Bare in mind that the current controversy is occurring during the wettest period in over a century.

The prairie is dynamic and we are always only a drought away from having limited waterfowl hunting opportunities. The same number of hunters on half as many wetlands doubles the hunting pressure, on a quarter of the wetlands it quadruples it. The last drought ended in spring 1993 and was 5 years long. If you recall, Devils Lake was drying up and those vast expanses of recently flooded land, currently excellent for waterfowl hunting, didn't exist. In fall 1992 there were only a handful of places to hunt within 70 miles of Jamestown because nearly all the marshes, big and small, were dry. I hunted hard, but managed to shoot only a few ducks in spite of limited competition. Where would you have put

thousands of nonresident duck hunters in North Dakota that year without largely destroying wat rfowl hunting for residents.

Finally, some thoughts about hunting impacts on our economy. The issue involves much more than gas, food, and motel rooms in fall. I read and hear much about outmigation and the need to attract and keep people in North Dakota. The facts are that there are more good reasons not to live in North Dakota that there are good reasons to live here -- that's why we have a problem. Quality hunting can be a strong incentive for attracting people to live in North Dakota or for enticing those that live here to stay. It was so for me. It was a major factor in why my wife and I moved to North Dakota and why we chose to retire here. It was also a major factor in why my son returned to live and raise a family in North Dakota. Having quality hunting is not much of an incentive for living in North Dakota if you can enjoy the fruits of life living elsewhere and come here at will to hunt. Those who settle or remain in the State because of hunting spend nearly all of their money here, even during years when hunting is poor. Those who come to hunt in fall have only a seasonal benefit on our economy, and only when hunting is good. Don't expect to see much of their money when the pheasant or waterfowl populations crash, as is sure to happen. I urge you to help protect our hunting assets by restricting the number of nonresident waterfowl hunters to moderate sustainable levels, and adjusting their numbers to the numbers of wetlands available for hunting. Thank you for your attention.

Good morning. My name is Ron Reynolds, I am a resident of Burleigh County, North Dakota

I appreciate the opportunity to provide comments in support of SB 2048.

I have hunted waterfowl since I was about 14 years old and next to family consider waterfowl hunting my greatest passion.

The first time I moved to North Dakota was in the Spring of 1977 when I landed a temporary job and moved here from Oklahoma with my young family.

I was very impressed by what I saw in North Dakota and was especially attracted to the waterfowl hunting opportunities. Access to waterfowl was not an issue, waterfowl were abundant, and I was told hunting pressure was not high.

Unfortunately, my employer transferred me to Maryland in September 1977, before I had a chance to hunt waterfowl here. But, I never forgot North Dakota and kept an eye out for an opportunity to return.

You must understand, that Maryland does not provide the waterfowl hunting opportunity for the average income person. Waterfowl are abundant but access to the land is available only to those who can afford to compete for leased land or are willing to pay guides and outfitters fees far beyond the means of the average family. Imagine taking your two children on a hunt where you must pay $150 per day per gun. Public land in Maryland, as in North Dakota, is not adequate to provide sufficient quality hunting opportunity relative to the demand.

The opportunity for my family to return to North Dakota came in October of 1990. I was so eager to move here that I took a substantial cut in pay without hesitation. Remember, I returned here because of the hunting opportunity, not because of the mild winters and Huff Hill Ski Resort.

My wife and I settled in, built a house north of Bismarck, and enrolled our daughter in school.

The first several years were just as expected. Plentiful waterfowl, virtually

unlimited access, and plenty of space to accommodate other hunters.

That began to change in about 1995. People who choose to reside in states that have squandered there hunting heritage have discovered the waterfowl hunting opportunity in North Dakota. Harvest data from the U.S. Fish and Wildlife Service, Harvest Survey Office in Laurel, Maryland show that in the last two hunting seasons, Non-resident waterfowl hunters killed 70% of the ducks harvested in North Dakota, and that residents harvested only 30%. Is it too much for citizens of North Dakota to ask for a more equitable balance in harvest.

The increase in waterfowl hunter numbers has started North Dakota down the same road that Maryland and Texas tread many years ago. If a person believes that North Dakota is missing out on economic development provided by commercial hunting, try your luck at finding a place to deer hunt in Texas.

The objective of commercialized hunting is to maximize income while minimizing the number of hunters needed to generate that income. In North Dakota, out-of-state hunters not residents, are feeding the commercialization frenzy.

North Dakota is at a crossroad that will determine whether we end up like many other states where hunting is available to a privileged group, or is protected for the citizens of this great state. Will you dance with the partner who brung you to the party?

I believe that in the future, there will be a limit on the number of hunters that will have access to waterfowl in North Dakota. The people of this state, through their lawmakers, can be among those who can hunt, or they can wait for the profit seekers to exclude them. If you don't believe this, ask an outfitter or a out-of-state group that leases land if they allow unlimited access of residents to the land they control.

I urge you to pass SB 2048 and later not pass HB 1307.

Thank you for your time

Jill A. Shaffer
8585 37th St. SE
Jamestown, ND 58401
701-252-1665
January 23, 2003

Honorable Legislators:

With respect to the issue of economic benefits of nonresident hunters, I will address the enormous economic benefit that *residents* contribute to this state. I moved to North Dakota about 7 years ago to take a temporary position in Jamestown. At the time, becoming a North Dakotan was not in my long-term plans. However, I met my husband, and here I still am.

My husband and I recently wed. Our guests stayed in local motels, ate at local restaurants, and filled their vehicles at local gas stations. Many visited the Buffalo Museum in Jamestown, or took in the Medora musical on their way to or from our wedding.

We recently purchased a home in rural Jamestown. Our three horses, all purchased from a local horse breeder, needed room to romp, so we again invested in North Dakota by buying additional acreage, half of which we rent to a neighboring farmer. As members of an equestrian drill team, our spring and summer revolve around hauling our horses to performances in rural North Dakota communities, such as Steele, Streeter, and Linton. As anyone who has pulled a rig understands, we need to gas up frequently, and we stop to eat, in places like Medina, Napoleon, and Taylor. The horses require trips to the veterinarian, visits from the farrier, feed from the local feed dealer, hay from our neighboring farmers, and tack from the local farm store.

My husband is also an avid fisherman. He and his brother, a former Minnesotan turned North Dakotan, and some friends make several over-night trips each year to Devils Lake and Lake Sakakawea. These outings find them spending the night in motels and eating in restaurants in places like Pick City, Garrison, and Devils Lake.

In the fall, my husband and I hunt. It is not unheard of for us to drive 150 miles in one day, scouting for a place to hunt. We eat and gas up in places like Cooperstown, Goodrich, Kensal, and Edgeley.

As you may see, we are expecting a child. Soon we will be purchasing a crib, bassinette, car seat, and large quantities of diapers and wet wipes. We will need full-time daycare services. Our annual daycare expenses will be equivalent to the combined expenditures of 7 nonresident hunters. I stand before you, honorable legislators, as the future of North Dakota. I grew up in Wisconsin and my family still lives there. My husband grew up in Minnesota. Our roots are not in North Dakota. But we intend to raise our family here. Why? We love it here! We love the wide-open spaces, the less-crowded atmosphere, and the prime recreational opportunities. We want nothing more than to raise our child as a North Dakotan.

However, over the years, my husband has become increasingly frustrated over the loss of quality hunting opportunities. **He is especially frustrated that many leaders in our state have not been informed of the long-term economic costs of failing to**

manage our hunting resource for the benefit of <u>all</u> North Dakotans. For the past four hunting seasons, my husband and his brother have been making annual trips to Canada to escape the intense hunting pressure that they have encountered in North Dakota. Hunting is why my husband stayed in North Dakota in the first place. If he leaves, I leave. Our child—your future—leaves, and of course we take our horses. Another rural property stands empty, and our income goes out of state. **These economic *costs* need to be considered in the decision-making process. And, the economic *benefits* that residents bring to rural North Dakota need to be considered.**

This past weekend, FOX News announced that Allied Van Lines was moving more families per capita from North Dakota than from any other state. I hope that my family is not soon to be Allied Van Lines' next customer. I ask you, legislators, not to push us to become the latest out-migration statistic of this great state, but instead, to take steps to preserve the foundation of North Dakota's economy—those families that live, work, and recreate here year-round.

Thank you for your time.

TESTIMONY

TO

NATURAL RESOURCES COMMITTEE

ON

SB 2048 - HUNTER PRESSURE CONCEPT

BY

SCOTT LINDGREN
GRAND FORKS, ND

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 opportunities 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 SB 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.

Scott Lindgren

From: "Greg & Kim Lindgren"
To: "Scott Lindgren" <scottl@nspack.com>
Sent: Tuesday, January 21, 2003 11:29 PM
Subject: Fw: hunter pressure concept

----- Original 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 born/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

Good morning Mr. Chairman and members of the committee. My name is Chris Hustad, from Fargo, and I'm in strong favor of SB 2048 and the Hunter Pressure Concept. Hunting and the traditions that I follow mean a lot to me, as does the state of North Dakota. Some of my earliest childhood memories are cold fall mornings spent in the fields surrounding Westhope, Washburn, and Lake Tewakon. Sloughs by Lakota, Gackle and McClusky. It was here where traditions were born, and my feeling of home really set in. I don't want to leave, but I'm now at the point in my life where I must choose where to persue my career. I'm recently engaged and out of college, so I have to consider what would best for my family? Life will be so much easier in the Twin Cities with the high paying jobs and easy access to so many activities, but the family traditions left behind would be too much of a void in my life.

The Hunter Pressure Concept will be able to ensure quality hunting resources into the future for our youth. Without it, I don't think I'll be able to afford those traditions living here in the future. I like knowing that all of my tourism dollars are spent here at home, and so does Visa and Mastercard. I want what's best for my home state, something that offers balance to an already exhausted situation. I hope that you will take resident youth like me into consideration when making your decision, and support SB 2048.

Thank you for your time.

Mr. Chairman, committee members, good morning. My name is Dick Monson. I am a farmer from Barnes County. Since a year ago last October I have attended most of the Judiciary B Hearings, listening to the testimony. When that committee passed this bill with only two dissenting votes they made the right choice. The Hunter Pressure Concept balances the economic benefits with the social benefits of hunting in North Dakota. It puts the pendulum back in the middle.

As a farmer, I see an effect of commercial hunting that is a determent to North Dakota. Wealthy hunters are purchasing farmland at exorbitant prices for private hunting preserves, jacking up the price of farmland far beyond the reach of neighboring farmers. Those high priced land sales are used in determining appraisal prices on future sales by lending institutions. This on a 30-year mortgage with the interest running. What an economic impact for some young farmer. The farmer lives and works in his community 365 days a year,.... The wealthy hunter stays for a week until he is tired of plucking feathers....and then he is gone with the snow fakes. These nonresident hunters come and go according to their whims. A farmer only leaves once. For a young farmer it is the kiss of death.

Any cash rent or CRP payments these wealthy nonresident hunters take off their land is siphoned right out of the state. It is not invested back in the rural towns of North Dakota.

Dick Monson
Rt 3
Valley City

REMONSON

From: "REMONSON" <kdfarms@daktel.com>
To: "Dick Monson" <kdfarms@daktel.com>
Sent: Wednesday, January 22, 2003 12:03 PM
Subject: Fw: SB2048

----- Original Message -----
From: "Leon Pytlik" <leon_nwi@hotmail.com>
To: <kdfarms@daktel.com>; <leon_nwi@valleycity.net>
Sent: Tuesday, January 21, 2003 2:25 PM
Subject: SB2048

> SB2048:
> Relating to number of nonresident waterfowl hunters. This total hunting
> pressure system was proposed by our professional biologists at North Dakota
> Game & Fish. We pay them to give us their advise, let us heed their advise.
> This is a good system, in years of plenty, the nonresident hunter license
> number would be higher. In sparse years the nonresident number will be
> lower, an equitable solution.
> As a small business man in Valley City for nearly 34 years, believe me,
> give me 1 good resident customer, and you can have 20 nonresidents. A recent
> survey on spending by hunters proves my point.
> Most of my customers come in year around. If they quit hunting
> waterfowl, chances are they quit hunting - period!
> This bill affects my business and my making a living. Please vote YES
> on SB 2048.
>
> Repectfully Yours,
> Leon Pytlik/Northwest Industries
> 416 West Main
> Valley City, ND 58072
>
>
>
>
>
>
> _____
> MSN 8 helps eliminate e-mail viruses. Get 2 months FREE*.
> http://join.msn.com/?page=features/virus
>
>

01/22/2003

Cgwhunter@aol.com
01/27/2003 08:17 PM

To: Snat@state.nd.us
cc:
Subject: Fwd: Speech SB2048 Kevin Hayer 1/23/03

----- Message from Cgwhunter@aol.com on Mon, 27 Jan 2003 19:16:05 EST -----

To: Cgwhunter@aol.com

Subject Speech SB2048 Kevin Hayer
: 1/23/03

My name is Kevin Hayer

I have lived in ND my entire life.

I shot my first duck with my father at the age of ten. That was 32 years ago and I can remember it like it was yesterday. I have hunted every chance I can ever since.

Over the last few years the quality of my hunting has been deteriorating more and more every year.

The two major contributing factors are the large scale leasing of land by outfitters and unrestricted license sales to nonresidents.

I do most of my waterfowl hunting in two counties – Stutsman and Kidder. According to advertising by six outfitters in these two counties, they control 239,000 acres. That is 373 square miles.

They do not lease just any land, they lease the best land.

Now lets see how much land the stat of ND has enrolled in the plots program. According to the Game and Fish Department they have about 224,000 acres. So we have six outfitters in two counties controlling more land than the entire state of ND has enrolled in plots.

At the same time, we are experiencing record numbers of nonresident hunters.

The number of NR waterfowl hunters has gone from almost 12,000 in 1995 to just over 30,000 in the year 2001, which was an all time high. This is an increase of 150%.

NR pheasant hunters in the year 2000 jumped from 14,525 to 22, 236 in 2001. This is an increase of 40% in one year.

There is a perception that limiting the number of NR hunters is something new. The fact is that state with good hunting all have some sort of NR restrictions.

Lets take a look at our neighbor – South Dakota.

SD caps its NR waterfowl hunters at 6,000,

These 6,000 licenses are broken down as follows:

3,800 are ten straight day licenses at a cost of $105.
2,000 are 3 day licenses at a cost of $75.
The remaining 200 license are good for the entire season in five counties and cost $105.

All waterfowl licenses are distributed by a lottery. The lottery deadline is June 21st.

If you want to hunt pheasants in SD, a license costs $100 and is good for two five day periods

Another of our neighbors, Montana, recently passed a low capping NR pheasant hunters at 11,200. Cost of their license with needed stamps is $127.

Now lets compare ND's NR bird hunting regulations.

An NR small game license is good for the entire season. This year it was from September 1 thru January 5th. A total of 127 days. The cost -- $85.

For an additional $10 you can receive an NR waterfowl license, which is good for two 7 day periods. NR's are limited to one license per season.

It has been a long time since ND has made any majors changes in regulating NR hunters. In response to wealthy NR and out of state corporations leasing large track of prim hunting land in the early 70's, the 1975 legislature passed a law restricting NR waterfowlers to two 5 day periods a year.

Now we have come to another crossroad. Do we do nothing and lose our quality hunting and heritage forever or do we put our trust in our experts at the Game and Fish Department

Please vote for the HPC.

I would like to close with a quote from Teddy Roosevelt:

"It is foolish to regard proper game laws as undemocratic, or unrepublican. On the contrary, they are essentially in the interests of the people as a whole, because it is only through their enactment and enforcement that the people as a whole ca n preserve the game and prevent its becoming purely the property of the rich, who are able to create and maintain extensive private preserves. The wealthy man can get hunting anyhow, but the man of small means is dependent solely upon wise and wee-executed game laws for his enjoyment of the sturdy pleasure of the chase."

WHY SHOULD YOU SUPPORT SB 2048?

Sportsmen are supporting SB 2048 because it provides for sustainable income from nonresident hunters without sacrificing the interests of communities and businesses that depend on residents.

Some important facts:

- **Quality hunting is a key attraction of life in North Dakota.**
  - Hunting is more than a pastime: it's a way of life and a key factor in life-changing decisions. It was the reason my parents moved to the state in 1967 and decided to stay here when they retired in 1993. It was the reason I gave up better job opportunities to return in 1995. It was the reason my wife moved here from Indiana in 1997, and it is the reason my in-laws are considering retiring here. In fact, 93% of resident waterfowl hunters will tell you that quality duck hunting is a major benefit of living in North Dakota.[1]

- **The deteriorating quality of waterfowl hunting is having a major impact on the quality of life for many North Dakotans.**
  - Just as beauty is in the eye of the beholder, participants judge the quality of hunting experiences for themselves and react accordingly. Denying the impacts of nonresident hunters is unproductive.

- ***If* we lose just 1 household income in 600 because we have failed to preserve the quality of hunting opportunities for residents, the resulting loss will exceed the gross expenditures of nonresident waterfowl hunters.**
  - The number of resident waterfowl hunters in 2000-2001 was 35,215.[2] The average resident hunter has an average annual income of about $50,000,[2] most of which is spent in North Dakota. Incomes of resident waterfowl hunters contribute about $1.75 billion to our state economy.
  - Nonresident waterfowl hunters spent a total of 20.9 million in 2001-2002.[2]
  - The total economic contribution of nonresident waterfowl hunters equals the income of about 421 resident waterfowl hunters.
  - In 2000, there were 257,152 households in North Dakota.[3]
  - Losing a resident (or failing to recruit one) has persistent, long-term consequences. Losses accumulate over time and snowball through effects on relatives and employees.

- **Because we have not regulated the competition for hunting opportunities, hunters have begun limiting competition by purchasing or leasing land. This practice has serious economic impacts on rural communities.**

  - Land in North Dakota is a bargain for wealthy hunters, who can afford to pay more than agricultural use justifies. Farmers and ranchers cannot compete.

  - When land is sold to nonresidents, income the property generates is transferred out of state. When land is sold to residents, the income is usually transferred to one of our larger communities. In either case, rural communities lose this income. This problem is escalating rapidly. For example, more than 15,000 acres of land in Stutsman County and more than 12,000 acres of land in Adams county have been sold to nonresidents in the past 5 years.

  - Over the long-term, the leasing of hunting areas by a privileged few will curtail numbers of both resident and nonresident hunters. Hunter numbers will ultimately decline, as they have in other states. A free-for-all will not be sustainable.

- **Because the quality of hunting is deteriorating in North Dakota, increasing numbers of residents are spending tourism dollars in other states and Canadian Provinces.**

- **Unless we act to limit the competition for hunting opportunity, one sector of our business community will reap the benefits and another will bear the long-term costs.**

  - Guides and outfitters will benefit over the long-term from intense competition for hunting opportunities, no matter what happens to our communities as a result.

  - Some restaurants and hotels will benefit during the short term, but will ultimately suffer when hunter numbers begin to decline.

  - Businesses that rely primarily on residents, our schools, and our community services will bear the costs of outmigration, purchases of land by nonresidents, and out-of-state travel.

- **SB 2048 is a compromise that balances the interests of all affected parties.**

  - Wildlife management experts in the North Dakota Game and Fish Department crafted the Hunter-Pressure Concept to balance competing interests in our state waterfowl resource.

  - SB 2048 was not crafted to protect only the interests of sportsmen. Sportsmen called for a much lower cap of 10,500 nonresidents.[1]

- Sportsmen have agreed to support SB 2048 because we respect the need to balance competing interests in our wildlife resource. The opponents of caps have been completely unwilling to consider interests other than their own.

- **Sportsmen oppose HB 1307 because SB 2048 is the only proposed plan that is consistent with the biological realities of waterfowl hunting in North Dakota.**

  - Water conditions and game populations undergo boom-and-bust cycles in North Dakota. North Dakota can accommodate a certain number of nonresident hunters without significant adverse impacts... but this number varies drastically from year to year.

  - Fixed caps that serve the collective interests during dry periods will be unnecessarily restrictive during wet periods. Caps that are appropriate during wet periods will not protect our interests during dry periods.

REFERENCES

[1]Survey of resident waterfowl hunters conducted by The North Dakota Sportsmen's Alliance in 2002.

[2]Survey of Hunter and Angler Expenditures, Characteristics, and Economic Effects, North Dakota, 2001-2002, conducted by North Dakota State University.

[3]U.S. Census Bureau 2000 Census

Dr. Glen A. Sargeant
215 15th Ave. SW
Jamestown, ND 58401
(701) 251-1287

The Devils Lake Chamber of Commerce is opposed to implementing the Hunter Pressure Concept (HPC) as a means to reduce the number of non-resident waterfowl hunters who visit this state. Do not be mislead by labeling this effort as being based on biology. The reality is that it is a program designed to respond to political and social pressure by organized sportsmen groups on the Game & Fish Department and lawmakers of this state. Here is why we feel the effort is flawed and in fact detrimental to the economic viability of the State of North Dakota.

- In order for the Game & Fish Department to create this (HPC) they had to begin with a premise. They had to agree with the sportsmen groups that the 2001 season totals of approximately 35,000 resident hunter and 30,000 non-resident hunters exceeded the state's carrying capacity of North Dakota's wetlands and fields to the point that the "quality" of hunting is being diminished. Using a terms like quality or hunter satisfaction is clearly not a scientific terms but a social term open to opinion and debate.
- If the HPC is in fact partially or wholly designed to deal with improving quality of hunting how come it does not include one whole segment of hunters from inclusion for the caps namely resident hunters? There are no caps for resident hunters and in fact we could have 100,000 resident hunters in the field. Common sense would indicate that if a hunter were in competition for available hunting access they would be just as dissatisfied with the hunting experience competeting with resident hunters as competeting with non-resident.
- The mathematical formula that removes 1.36 nonresident licenses for every resident hunting license sold is punitive and in fact could be manipulated by resident hunters to reduce competition in the field. Simply stated if a large number of resident hunters bought licenses for their non-hunting spouses we could have a significant reduction in non-resident hunters in the field. With today's e-mail and phone tree efforts a license-buying program could be implemented in a very short time, this could have disastrous effects on North Dakota and rural North Dakota specifically.
- Another real concern with the HPC program is that it will probable not be able to stand-alone. Although the HPC reduces the total number of licenses available it does not address when during the season they will be available. Statistics clearly show that for both resident and non-residents the first few weeks of the season receive the most hunters. Some type of limits on when these non-resident hunters could hunt would have to be included with the HPC.

If the HPC would have been in place during this last hunting season what would have been the economic impact to the state? As a resource I have used the Hunter and Angler Expenditures, Characteristics, and Economic Effect, North Dakota, 2001-2002 put together by Dean Bangsund and Larry Liestritz of NDSU.

Using the figures from this study and the numbers from the HPC last season we would have had approximately 8,000 fewer non-resident hunters.

Formula = Number of non-resident hunters x daily expenditures x number of days hunted x economic multiplier.

8,000 x 132 x 6 x 2.3 = $14,572,800 of lost economic activity
Loss in State sales taxes = $728,000
Loss in City sales taxes = $ 72,000
Loss in Game & Fish Licenses = $800,000
Loss in Lodging taxes = $57,000

Non-resident water fowlers contributed $54,000,000 to the state's economy in 2000.

In conclusion, unless a solid case can be made that non-resident waterfowl hunters present a clear and immediate danger to the resident sportsmen participation in waterfowl hunting activities then the negative aspects of implementing this formula are just not justified. Efforts to identify programs that will increase public access should be fast tracked and hunter management tools that deal with high volume hunting periods should be explored.

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North Dakota Farm Bureau

www.ndfb.org

Testimony of North Dakota Farm Bureau
On
Senate Bill 2048
Presented by
Tom Bodine

Good morning Chairman Fischer and members of the Senate Natural Resources Committee. My name is Tom Bodine. I am here representing North Dakota Farm Bureau and its policy opposing restrictions on the number of nonresident waterfowl hunters in North Dakota. We oppose restrictions as they limit opportunities for farmers and ranchers to augment their income and stifle opportunities for rural communities to prosper from the growing interest in outdoor recreational activities in our state.

I am here today to voice opposition to the "Hunter Pressure Concept" (HPC) put forth by the North Dakota Game & Fish Department to limit nonresident waterfowl hunter numbers. The HPC is not a sound concept by which to restrict nonresident hunter numbers. The hunter pressure concept falls short in a number of areas:

1. The NDG&F Department has no accurate means of tracking resident waterfowl hunter numbers.
2. The HPC can be manipulated.
3. The HPC does not include broad enough parameters.
4. The HPC has a very low level of statistical accuracy.

One future. One voice.

First: The NDG&F Department uses resident sportsmen hunter survey information to track waterfowl hunters. This survey is the only way they get any idea of waterfowl hunter numbers. How can the Department say conclusively they can track waterfowl numbers without ever issuing a North Dakota waterfowl stamp?

Two: Manipulation of the HPC could occur if resident hunters bought an additional license for another family member. Using 2001 estimates of 35,310 resident waterfowl hunters, only 15,000 additional licenses would be required in a year of moderate weather conditions to reduce nonresident waterfowl hunters to 5,000. Manipulation can occur without buying additional licenses. If every sportsman that fills out a harvest information survey indicated they hunted waterfowl, nonresident numbers would be reduced to 5,000. Manipulation by one resident waterfowl hunter removes 1.36 nonresident waterfowl sportsmen from the state.

Three: While the HPC includes a number of factors, it fails to include all wetlands. Nor does it consider the bird population. Last year, the Game & Fish Department offered a spring snow goose season, an early goose season because of the resident Canada goose population and added an additional week for resident hunters because of high waterfowl numbers. Isn't it ironic that at times of high goose populations, the Department chooses to manage people rather than wildlife? We maintain that hunting pressure should be restricted by populations of wildlife and biological criteria rather than numbers of hunters. The Hunter Pressure Concept fails to address these and other important issues.

Four: We were provided a document developed by the ND Game & Fish Department that described HPC II. The document provided the statistical data on which the HPC II was developed. The document shows a R-squared of 0.31. The R-squared is, simply put, how closely the future projections are to the historic data. To put this in perspective, a R-square of 1.0 would be a perfect fit. A coin toss would yield a R-square of 0.5. The equation the Game & Fish Department is relying upon for the HPC yields a result of only 0.31. In other words, a coin toss would provide a much better result than the data provided under the HPC. We strongly recommend that an unbiased statistician be brought before the Committee to further research and discuss the implications of this statistical data, which to us appears very flawed and biased.

If the HPC had been implemented last year, fewer than 23,000 nonresident waterfowl hunters would have been issued licenses in a "wet conditions" scenario. In a "moderate condition", fewer than 15,000 would have been issued and in "dry conditions" less than 7,500 would have been issued to nonresident waterfowl hunters.

During debate of this issue in the interim committee meetings, it was determined that the real issue facing resident sportsmen is access. The Hunter Pressure Concept does nothing to address this issue. Access will be provided by the landowner at his/her discretion. Capping the nonresident hunter numbers will do nothing to mitigate this situation.

North Dakota Farm Bureau has held consistent in our position that nonresident hunter numbers need not be capped. We have mechanisms in place to control hunter numbers if necessary by means of bag limits, possession

limits and time allowed in the field. We have also consistently said that the landowner will ultimately determine who will have access and when. The Hunter Pressure Concept does nothing to insure the biological integrity of wildlife, places unwarranted restrictions on economic opportunities in rural areas and does not address the number one issue of sportsmen – ACCESS. We strongly encourage this committee to reject this ineffective concept.

Thank you. I would try to answer any questions you may have.

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.

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

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 <u>most</u> 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: ½ 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...

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."

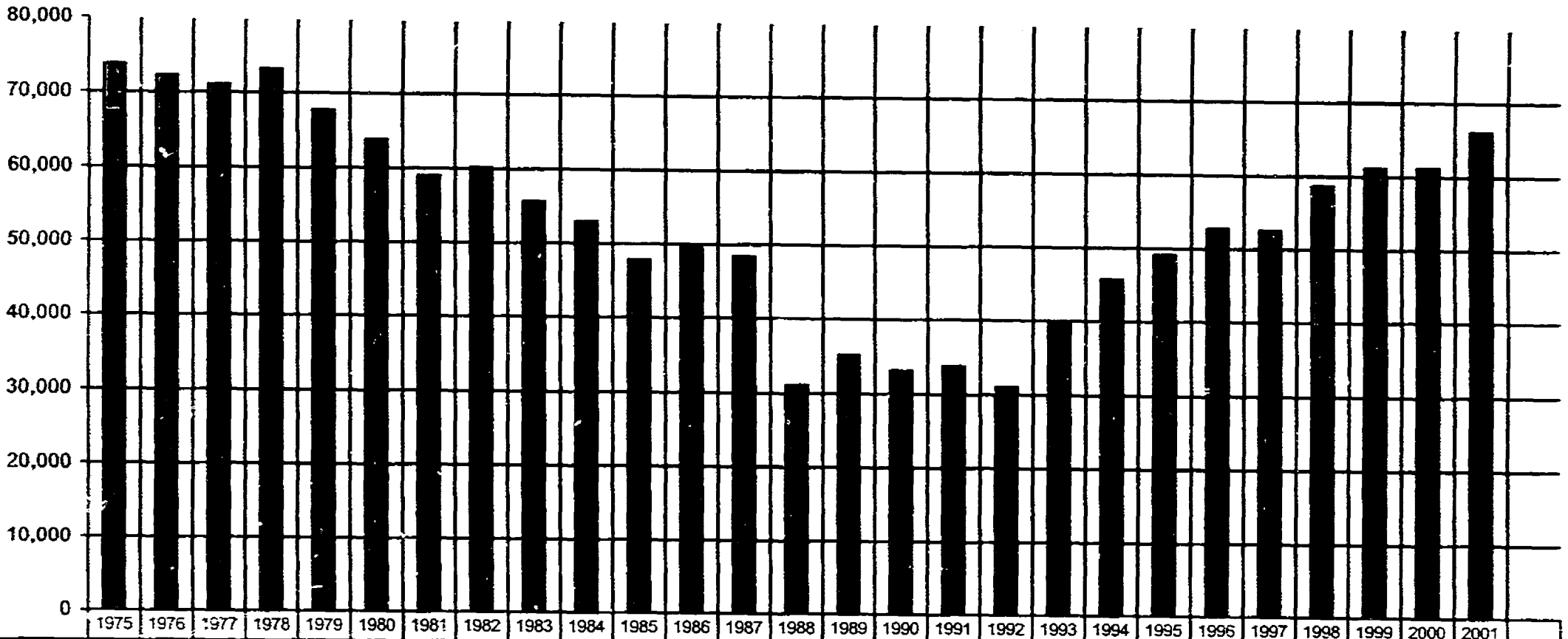
"Since posting land is a right of property ownership and is related to landowner perception of hunters, the only means of influencing a landowner's decision to post land is by hunters displaying the highest ethical standards. The Hunter Education program sponsored by the Department should continue to 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."

Waterfowl Licenses Issued in North Dakota



	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Non-Resident	6,430	8530	7933	9044	8682	8262	6931	7615	7085	7111	6380	7507	7505	4222	5778	5522	5928	8175	9534	10316	11997	13750	15562	19191	21873	25165	30029
Resident	67,267	63,660	63117	64081	59053	55508	52079	52565	48575	45814	41470	42048	40890	26838	29394	27529	27857	22816	30271	35329	37054	39009	36953	39513	39244	35992	36000

■ Resident ■ Non-Resident

NORTHERN PLAINS Electric Cooperative
Your Touchstone Energy® Partners

(Data courtesy of North Dakota State Game and Fish)

Testimony for the Natural Resources Committee
January 23, 2003
From: Connie Krapp, Director of Marketing and Public Relations
for Northern Plains Electric Cooperative, Carrington and Cando

About Northern Plains: We are geographically the largest electric cooperative in the state; our service area stretches from south of Jamestown to the Canadian border. If you made an outline of the Prairie Pothole region of the United States, and compared it to an outline of our service area, you would see that the entire Northern Plains service area fits within the bounds of the Prairie Pothole Region—affectionately called the "duck factory" of North America.

Because waterfowl hunting is significant in our service area, the membership of Northern Plains Electric Cooperative (membership: 10,600) has taken a stand on the nonresident issue. It passed a resolution from the membership at its annual meeting last June that opposed placing caps on the number of non-residents entering the state. A copy of that resolution is in your packet.

I am here representing the Northern Plains membership in opposition to Senate Bill 2048 because it is advocating legislation to "fix" a problem that has not been documented by valid, unbiased research. There is no research—not one valid, unbiased study conducted by a third-party—that indicates the hunting pressure problem that SB 2048 addresses.

After inquiring to the North Dakota State Game and Fish (NDSGF) about relevant studies conducted by their agency, I was directed to their study of June 30, 1997 entitled "The North Dakota Game and Fish Department Final Report of Surveys of North Dakota Landowners, Resident Hunters and Non-Resident Hunters." This study was commissioned by State Game and Fish and conducted by Blue Stem Incorporated.

What prompted the State Game and Fish to commission this study? A key paragraph in the introduction of the survey indicated that "a key issue that has emerged in the last few years is fee hunting and its effect on access to land and wildlife for both resident and nonresident hunters. There is a perception by some hunters and Department personnel that fee hunting is increasing at a rate which severely limits access to nonpaying hunters. Many residents perceive the problem as real and as originating from nonresident hunters. The biggest fears of residents are that the outstanding hunting opportunities provided in North Dakota will be lost, and only rich resident and nonresident hunters will continue to have those opportunities. This trend is occurring nationwide through the increase of fee hunting, but North Dakotans are hopeful that this trend can be delayed or even reversed in North Dakota.

This issue is becoming very polarized in the state. The Department has little information to either support or refute the perceptions of resident hunters. Because of this, the Department determined they needed objective, quantifiable data that will enable them to...

- *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 <u>most</u> 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."*

Now, we know that the State Game and Fish has done its homework. It conducted a study to document the resident/nonresident issue. Try as I might to obtain copies for each of you, I was not able to. However, I have summed up the findings of that research. Remembering that it IS the ONLY study to date that has attempted to document the hunting pressure issue, it is important that we give it the attention that it deserves. What does it say?

--That, from 1991 to 1966, North Dakota's resident hunters got older, hunted fewer days per year and became less likely to hunt after gaining permission. To be specific, they were:
--hunting 8.1 fewer days
--hunting posted land after gaining permission 2.4 fewer times per season
--older (2.4 percent fewer were age 35 to 44
--Some 31.6 percent of landowners posted at least three-fourths of their land, while hunters THOUGHT that 44.8 percent of waterfowl land, and 62.8 percent of big game land, was posted.
--Some 83.9 percent of landowners gave waterfowl hunters permission to hunt posted land a majority of the time. That is up from 76.9 percent in 1991
--Landowners who leased their land to hunt: .1 percent
--Landowners who had been paid to hunt: .2 percent.

More interesting than those numbers are the conclusions drawn by the study's authors. I won't go into detail, but if you check the back page of this document, you will see that there were certain directives given to the State Game and Fish Department at the conclusion of this report. One I find most interesting is the last one: *"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."*

We wouldn't be here if this issue was going to go away, but it seems to me that there has been far, far too much anecdotal evidence and emotion drawn into this issue. There is not one valid research result addressing hunting pressure in this state that suggests, that even hints, at something as radical as limiting the number of non-residents that enter the state. The members of Northern Plains ask this: where is validation that this issue of hunting pressure is anything more than resistance to change, resistance to a changing paradigm?

Certainly, we would be remiss in our assessment of this issue if we used only the official definition of hunting pressure, which is: "A measure of the amount of hunting, e.g., man-days spent hunting or hunting hours." We must all acknowledge that this issue is rooted in hunting opportunity—in other words, is there something in this state to hunt, and how many hunters do we have hunting it?

A news release printed in early May from the North Dakota State Game and Fish indicates that their brood duck index was 5.4million breeding ducks, up 26 percent from 2001 and 242 percent above the average of the years from 1955 to 2001.

So, yes, our state—both private and public land—has yielded an amazing number of ducks! How about the number of hunters pursuing those ducks? Is it also at historical highs? Amazingly, no it is not! A graph in your packet entitled "Waterfowl Licenses Issued in North Dakota" indicates that, in 1975, when the brood index was around two million, we had 74,000 hunters. In 2001, we had 66,000 hunters hunting 5.4 million ducks. Can this equate to what we would characterize as real pressure? Is this a situation that should be addressed by legislation that would go so far as to deny tourists access to our state?

Northern Plains sides with the voice of reason on this issue. We don't need legislation that limits nonresident hunters. As you can see from the graph, water levels do that quite effectively. In the 1980s, we all know we suffered an interminable drought. And just look at the total number of hunters during that era. What a coincidence that we didn't have a nonresident issue then—and we won't when water levels drop again. No, there is no need to intervene in what nature does very effectively. We all know that. So what is this issue really all about?

At Northern Plains, we recognize that what we are seeing in the non-resident issue is resistance to change and a shifting paradigm that characterizes our state. Sportsmen claim that their days of hunting are gone forever. While that point is very arguable, the change we see in rural North Dakota is not arguable at all. It is very tangible, for gone are the days when dad farmed his quarter section and mom stayed at home raising the children. Gone are the days of laid-back summer days, where grandchildren helped grandma pick eggs, feed the sheep, pick juneberries and milk a few cows. Today's farms have to be ultra-efficient and often must be subsidized with off-the-farm income. We have to attract industry that will provide those off-the-farm jobs for the industrious people who do choose to stay on the land.

We at Northern Plains strive to stay in touch with that changing paradigm. In the counties that we serve, we see great effects of a troubled farm economy. Our communities are shrinking, our schools are closing, and our farmers are going out of business. We are working hard to develop our service area; we work with our communities and members to retain and attract business. Among our many economic development initiatives, we encourage the development of tourism in our area and look at hunting tourism as a distinct competency of our area—one that requires little public investment in infrastructure. Thanks to private landowners, North Dakota Game and Fish, and several federal agencies, along with an abundance of rain over the past 10 years, we have the habitat that draws and nourishes wildlife.

With 90 percent of all North Dakota land owned privately, we cannot and will not underestimate the contributions that our private landowners make to the preservation of that habitat. We cannot overlook their efforts—the shelterbelts they plant, the stewardship of CPR acres, the care they take to provide for pheasant cover, their efforts to plant wildlife cover, the haystacks that they 'donate' to the deer and the grain swaths that are consumed by Canada geese.

Inarguably, efforts of landowners are what provide the habitat for the wildlife we cherish in North Dakota. It has and always will—and thus, the needs and wants of landowners are very pivotal to continued stewardship of wildlife. It is important to remember that the farmers we see left on the land—the survivors of these tough agricultural times—are astute business people. They are still out there farming because they pay scrupulous attention to their bottom lines. They must maximize every profit opportunity in order to remain on the land.

Some of those farmers farm more intensely—they expand their acreage, try and add value in many different ways-- to achieve profit. Others have taken the excessive levels of water that have idled much of their land and turned it into opportunity. They have begun fee hunting operations that have allowed them to add a little more black to bottom lines that prefer to turn varying shades of red.

You can add me, personally, to the list of farmers that have done that. Six years ago, my husband began inviting hunters out to the old place where he grew up. He has found a side of himself in that endeavor that has added dimension to his life—and to his community. The guests that come out to hunt with him are mostly from the East Coast, and invariably are true sportsmen—respectful, appreciative and amazed at the resource we have here. They are also amazed and delighted at the community we show them. We take them to our little Pingree Café, we feed them a steak at our local 281 Stop, we give them personal tours of the National Buffalo Museum in Jamestown and the bison cooperative at New Rockford. We show them the culture of the region, and they have shown their appreciation by booking back year after year. Last year, in fact, all but one party that we had come in during hunting season were new. All others were repeats.

Why do they come back year after year? Is it just for the number of ducks flying overhead? Are they just, as some would characterize them, blood hungry opportunists interested only in raping our resource, only here to take away that part of our heritage which we cherish so deeply?

No, our hunters tell us, and have shown us, that they come not just for the great hunting we have here, but also for the experience—the hospitality, the camaraderie, the small town that calls them its friends. They come for Peggy's homemade cookies, to visit with Leann and the locals at 281, to hear Oren's buffalo stories, for Linda's homemade pies, and to see dawns bursting with pinks and oranges in the morning, skies brilliant blue by afternoon and pitch black at midnight. They come to bond with their buddies and their dogs, to get away from the hustle and bustle of their everyday routines, to a place that allows them good humor, good food and a good feeling that they can take back with them and keep until they visit again. Our hunters tell us they look forward to this trip all year; many actually come back and visit with their families in between.

These same hunters have become good friends of ours and of the people in our community; they keep in touch with us all year long; they send our children graduation and wedding gifts, they care about our welfare and they buy the bison we raise right on our ranch. They even come back and hunt our bison, and you HAVE to know how much we appreciate that! But, who knows when their interest—this exposure we are giving North Dakota—will translate to other business? Who knows when one of our hunters will decide to move his business here? How can we market this state when we do not allow people to even visit?

From a personal perspective, the interaction we have with the outside world has made it easier for us to feel connected to the rest of the world. It has allowed us to be content to stay on the land, to live 20 miles from the nearest McDonalds, to never have the opportunity to order pizza in, to have to drive 26 miles one way to work when it is –25 degrees below zero. And those nonresident dollars are helping to put our two children through North Dakota colleges, it helps me to write that check to Northern Plains Electric and other local service providers and businesses each and every month. And, from what I see in our service area, these nonresidents are helping a whole lot of other folks maintain their bottom lines, too.

The latest data from the State Game and Fish indicates that nonresidents spent $34 million in our state in 2001. Eighty percent of that, or $27 million was spent in rural communities of 2,500 or less. Those are the very communities that Northern Plains serves; they are the very communities that are struggling to survive. What does $27 million mean to our small communities? While I have been unable to obtain data that indicates how dollars translate to jobs in North Dakota, I did find out that the Texas Department of Economic Development believes that a job is generated for every $60,242 spent on tourism, and each travel mile generated results in 3.9 cents in state tax receipts and 3.0 cents in local tax receipts.

Using those figures, tourism just from nonresident hunters results in at least 564 FULLTIME jobs. Envision a city of 564 people, each with FULL TIME jobs---and ask yourself if you can justify legislation that would take this away from the state. Consider the abundance of resources we have here---5.4 million ducks and only 66,000 hunters pursuing them—and then think of 564 jobs. Then ask yourself if North Dakota needs its nonresident hunters.

North Dakota not only needs its nonresident hunters, it needs much, much more of what they bring to the state. We are, except in the eyes of nonresident hunters, known to most of the rest of the country, for, as one tourism expert put it, "nothing." We are faceless, a barren icebox in the minds of most people.

Instead of limiting our ability to bring in nonresidents, help us to learn from the experience of those entrepreneurs who are out there guiding nonresident hunters. Our outfitters and guides are learning how to be a gracious part of the hospitality industry, and their experience can help all of us to develop other tourism ventures that will bring commerce to our state.

We cannot undervalue the expertise they could share in the development of other nature tourism initiatives. I know personally from working extensively with a birding tourism group comprised of three communities (Jamestown, Steele and Carrington) and four refuges (Birding Drives Dakota) how invaluable my own experience with our nonresident hunters is. I see that it adds perspective and business acumen that gives insight into marketing and development of this group. I also see how much dedication and commitment it will take to get nature-based tourism in this state to its potential. We have a monstrous job ahead of us—educating people about North Dakota on one side, and, on the other, educating ourselves about what tourism could mean to this state.

Last week, I attended the Nature Tourism Conference in Grand Forks at Market Place. Nature tourism consultant Ted Eubanks gave us some very insightful data about North Dakota: We are the state with more national wildlife refuges than any other—and thus we can reasonably assume we have abundant wildlife. Yet, we have the distinction of being DEAD LAST in the number of dollars of revenue that we generate from tourism from wildlife viewing. Minnesota generates $531 million annually from wildlife watchers. North Dakota earns $27 million. Only North Dakota and Delaware generate less than $100 million annually from wildlife watching. Some distinction!

North Dakota can do better, and we will. But you must allow us to retain that entrepreneurial spirit that keeps us out on the land. A lot has been spoken about the state's hunting heritage. May I remind you that it is derived first from the rural heritage that settled this land? It is a heritage that we, the ones still struggling to stay on the land, value—not only for six weeks each fall, but year round. We do not come in to admire the wildlife each fall for an average of 13.9 days. We are here 365 days per year, taking care of our land with the stewardship that has allowed us to offer world class hunting. In the end, we will decide who hunts our land. Please do not make it hard for us. As long as you allow us to show our nonresident friends a place to hunt on our land, we will leave room for the residents of North Dakota.

That is a promise from me and many of the other outfitters and guides that are here today: Like the survey of landowners indicated, we do not deny residents access to hunt on our land. We have never turned a resident hunter away that has asked in the six years that we have been conducting fee hunting. Resident hunters only have to ask, and I think most resident hunters here know deep down that access is not the issue that has brought us here today.

The issue, once again, is change, and we do have to accept it. Gifford Pinchot said, "Conservation means the greatest good for the greatest number for the longest time." If North Dakota is going to be sustainable, it has to keep people living on the land. Limiting nonresident hunters from coming here, conspiring to keep land prices low so nonresident hunters won't be interested in purchasing it—is that the answer? Who ever heard of a community that prospered because its real estate values remained flat or declined? Who wants to live in a state that turns its back on other Americans?

Our oldest son is an Air Force Pilot. I am proud that he has made the commitment to serve this country, and I treasure what it is that he defends: my right to treasure the lakes of Minnesota, the ski slopes of Montana, the beaches of Florida and the deserts of Arizona. I also treasure my own ability to hand something back to people from those states when they come to North Dakota. But they, like my own Air Force pilot son, are non-residents. Does that REALLY make them any less deserving? Do we not need them to understand our heritage, our culture, and our mission here in North Dakota?

Remember, sometimes you get what you wish for! The state has lost up to 20 percent of its population in the last decade. If the trend continues, more of us will BE nonresidents. Will we want to come back and at least hunt a few days each year? Will we be able to?

Thank you for the opportunity to address this nonresident issue today. Please consider the plight of the 10,600 members of Northern Plains Electric Cooperative and its need to nurture development of its service area. Vote no on any and all legislation, including Senate Bill 2048, that places caps on the number of nonresident hunters coming into the state.

"Lost Prairie Lodge"
<lplnd@utma.com>
01/27/2003 12:49 PM

To: <snat@state.nd.us>
cc:
Subject: In reguards to bill 2048

Good morning Mr. Chairman, committee members and fellow citizens of this great state. My name is Deb Roppel. My husband and I own and operate a small business by the name of the Lost Prairie Lodge, in Alsen, N.D. We also farm with our two sons. Alsen is located in Cavalier County, 80 miles west of the Minnesota border, 30 miles south of the Canadian border and 50 miles north of Devils Lake. The area is very difficult to farm, due to Wildlife Easements established in the 1960's. It is a harsh land to which upland birds cannot survive but is prime for the production of waterfowl. For the better part of each and every year, our area feeds and raises these birds. For years they have eaten and demolished <u>millions</u> of dollars of crops. It has always been without any just compensation what so ever. Until recently, we had no idea that our crops were being fed (involuntarily) to such a valuable, renewable, natural resource, a product that is apparently in high demand and one that people are actually willing to pay for. In our area there is far greater supply of product then there is demand. Now that we have found a source of supplemental income for our depressed agricultural economic state, our compensation is being threatened by limitations, because people from the city say their sport, <u>their hobby</u>, is being threatened by out of state hunters. What other business in the state is governed to whom it may sell its product to? Our area's livelihood is strictly agricultural. It is our only source of income. It is not a hobby. Now sportsmen are trying to limit our income sources.<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

I if I asked you to define "local" or "local business" or "local sportsmen", what would your definition be? Would it be the people who drive out from the areas with streetlights, neighborhoods, fast food restaurants, competitive businesses and <u>people</u> or does "local" mean those who live in the country

with the darkness, the solitude and the birds, those who support struggling businesses and school systems and drive everywhere for everything because everything is gone? Would it be those who live in towns of 20,000 or those who live in a town of 2,000 or 200 or as less as 20? Please differentiate between "local sportsmen" and "resident sportsman".

My husband and I were born and raised in the area to which we now farm and run our little hunting lodge. The ancestors before us were also native to the area, and just as our ancestors did, we, too, have farming in our blood and now so do our children. However, our area has one major problem, with each decade, it is becoming more and more desolate in our community. So desolate that it is to the point of blackness for many consecutive miles without a yard light or town or any sign of life. The schools we attended and graduated from were eight miles apart. They both closed in 1980 and now both towns, which were once full of life, are now struggling to exist. Except for the lodge, the elevator, a post office, and a dying Rod and Gun Club, Alsen has lost all businesses. All of the houses have been abandoned or destroyed, with the exception of the last occupied 10. We drive 11 miles one way for a gallon of milk. Our children play hockey in a town 23 miles away. The closest away game for our young daughter's team is 150 miles. There are four players on the bench. There are four in kindergarten at the school they attend and a grand total of 126 in K-12 (which covers a tax base of 500 square miles). As one of our lodgers from Texas described our area, quote, **"Man, I ain't <u>never</u> been <u>nowhere</u>, where there's <u>NOTHING</u>!"** *unquote. We would dearly like to see our rural towns stay alive, keep our businesses open, and retain the people that we do have, especially the young people that we have raised here, but rural living and rural success is tough, very tough! Through sheer determination and hard work, we have been able to not just maintain a business, but to* **START** *a business and to share in*

our success. A business started in the middle of nowhere, whose existence is based on out of state dollars, but the sportsmen out of the city want to take that away from us, too.

The building, which now serves as our lodge, was once a government project to house the low income and the elderly. It was put up on bids in 1999 and was in danger of being moved out of the community. After farming together for over 20 years, my husband and I decided to diversify into the business world and make one last attempt to salvage what was left of our little town. We knew that we had one valuable commodity that was in demand and people were willing to pay for it, the birds. It was not only a means of supplementing our income and broadening our horizons, but it could also bring new wealth into our dying community. The out of state lodgers buy gas from our local cardtrol, support a dying gun club, eat and buy groceries and gas at neighboring towns, and build comrodore' at the local watering holes. I shopped local when I furnished the complexes. There is also a check made out each year to the state of North Dakota for property tax, for 5% of my income for lodging tax, a check to the state health department annually and other various fees. To the community we were able to donate a percentage of the revenue generated from our lodgers in the form of land fees. Those fees enabled us to put over $2200 back into three local businesses in two communities. $2200 may not seem like much to you or your business, but it means much to struggling ones. Nonresident hunters happily paid the land fee, no questions asked. Not the same attitude from the hunters from our great state. In fact, when I talked to one man face to face, he had the audacity to tell **me** *and I quote,* **"The day that I have to pay money to hunt on someone's land is the day I sell my gun"** *unquote.*

Last year North Dakota had season openers for resident hunters one week prior to nonresident hunting. There was one not single $1 generated into my business from resident sportsmen and very little into area businesses. We could have used an extra week of income as our

potholes froze up October 19th. Now there is a possibility that two out of those three weeks will be vulnerable to limitations PLUS a possibly that the season will start the Saturday after October 1st.

Think about it, three weeks, three whole weeks to generate income to spread across a whole year of fixed costs and to compensate the area farmers for crops destroyed through out the whole year. During that resident only week there were no phone calls or emails from the resident sportsmen for lodge reservations. There was not one dime of revenue generated from land fees, but there were plenty of hunters that were from out of our area. It is not that the resident sportsmen are concerned with the fact that there will not be enough land for them to hunt on, they are concerned that there won't be enough **FREE LAND TO HUNT ON!!**

I caution the North Dakota resident sportsmen as far as the land access situation. Do they seriously think that if there are strict limits on out of state licenses and the revenue they bring in, that Lost Prairie Lodge or any business such as mine or even the farmers that see compensation for destroyed crops are just going to turn access over to them for free, when they have forced a local business to close and denied our small communities of generating outside income? As far as the complaint that resident sportsmen fear that there won't be enough land to go around, let me say one more thing. My husband and I are members of the Farm Bureau. Last fall they acted as a go between to link North Dakota sportsmen to accessible hunting land. I advertised that I had 15,000 acres to offer for a small fee. There still was no interest, so how can there be complaints about "hunting pressure" and "a lack of quality hunting"? Don't bite the hand that feeds you. Think of who actually produces the birds as well as the food on

everyone's plate. It is pretty cheap compared to a Browning, Winchester, blinds, decoys or boxes and boxes of shells. Think of the American Farmer when the dogs are sent to obedience school, yet rural schools are in danger of closing and young people are leaving the area because there is no means to earn a living in the midst of desolation. Think long and hard about what the Wildlife and Sportsmen's Alliance groups are trying to achieve here in North Dakota and what it is going to gain, ground posted extensively!! I would challenge and encourage the resident sportsmen to spend some time in our rural areas for more then just a free hunt. Stay at the lodges or bed and breakfasts instead of driving home at night, eat at the local cafes instead of packing coolers, purchase your shells at local hardware stores and buy groceries in the small markets. There <u>are</u> other alternatives of working together, <u>if</u> goals truly have a sportsmanlike attitude.

I would like to answer directly the question of who ultimately bears the expense for the luxury of waterfowl each and every year. Inevitably the bulk of that expense is born by the local farmer who has already invested in seed, fertilizer, chemical, insurance, and property tax. There is no compensation that comes back to those who raise the birds. Compensation DOES come through the hospitality industry by starting bed and breakfasts and lodges. Fees paid to local landowners also support the habitat. The tourism industry IS integral for communication. They send clientele to the lodge owners, lodge owners in turn send them and their pocket books to local towns which compensate the local businesses. It's definitely not through the resident habitat stamp bought or their licenses purchased that supports the greatest percentage of the

waterfowl habitat. Or do people seriously think that the birds stay within the perimeters of the WPA's?

There is an abandoned house next to Highway 66 in our little town of Alsen. It was purchased by someone out of the area for the price of back taxes. On this decrepit house is painted the words, quote, **"Will the last young person to leave the state due to crummy wages, please turn out the lights?"** *unquote. An eye sore it is, there is really is some truth to the message. We'd like to keep as many of our young people around as possible. It is small businesses that keep our small towns alive. It is income brought in from outside the local perimeter that turns hands several times and generates capitol, which in turn offers decent jobs for our youth. Tourism is now the second highest revenue earning industry in North Dakota. Nonresident sportsmen are a large part of that revenue generated. It is good for all concerned, except for a few who are simply looking out for their sport, their hobby, a simple pastime, which they do not want to pay for.*

With closing thoughts, I'd like to mention one last thing. There may soon be a new business built in our little town of Alsen, due in part of a gentleman staying at the Lost Prairie Lodge. The gentleman who stayed with us came from out of state but his roots are from our area. He went back and generated half of his capitol necessary to build a water bottling plant and as of April intends on incorporating a business venture in our little town. He plans on tearing down decrepit and dilapidated buildings to erect a large, new building, generating more income into our community and tax dollars into our state. Imagine that, a town with a population of less then twenty people and someone wants to start a business...

and because they stayed in our little lodge, nestled "next to nowhere". Perhaps someone will even move into our town. Just think, people are actually coming into the isolated, desolate regions of the state and generating revenue and tax dollars instead of leaving them and taking their tax dollars with them, how about that! Other little towns just like ours in this great state of North Dakota are also attracting people but resident hunters don't want our small towns and communities to function, much less to be resurrected. They want to leave us with nothing. Nothing but their footprints!!!

There ARE ways we can save rural America, please help the local communities.
God bless you and God bless your decision.

Thank you for your time.

"Lost Prairie Lodge"
<lpind@utma.com>
01/29/2003 12:32 PM

To: <snat@state.nd.us>
cc:
Subject: Bill 2048 from Deb Roppel (Lost Prairie Lodge)

Thank you Mr. Chairman & Committee Members,

I am Deb Roppel. I am a North Dakota land owner as well as a lodge owner and operater.
The men in my family are not just resident sportsmen but "local" resident sportsmen.

I manage 15,000 acres of cropland/hunting ground for my lodgers (100% nonresident) and other sportsmen. I never once turned down a single "local" sportsman and never once charged them. I knew where each party of sportsmen is at on any given day and I rest ground if it has had heavy pressure. I receive 0%"resident" (in state, out of area) sportsman revenue annually, as they are unwilling to pay for hunting ground or lodging, no matter how premium it is. I would like to expand my lodging capacity from 20 lodgers a day to 40 by building a brand new lodge in our town but I don't know where my business stands. I have the capability of expanding land acreage up to three times the amount and could manage hundreds of sportsmen across it. That is how isolated this area of North Dakota is, it truly is "LOST PRAIRIE".

Placing restrictions on the North Dakota landowner by restricting to whom we may sell our product to (and we do produce the waterfowl) is only going to augment the decision to utilize the rights we do have left, POST, POST, POST!!

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The driving factor in this legislative decision should not be based on the opinions of resident sportsmen who have become accustomed to FREE hunting ground OR statistics that are manipulated to enhance these opinions, but instead by the local communities and the local landowners who raise the birds and bear the economic costs of doing so. The revenue generated from

nonresidents not only benefits the rural communities but it also benefits the state's overall economy. Why would the state of North Dakota want to severely restrict the amount of revenue being brought in because of squeaky wheels that want FREE grease?

In order to base a decision on statistics, the statistics would at the very least be expected to be unbiased and correct. This bill has nothing to do with fishing, so why are fishing and hunting combined in the NDSU or the Game and Fish statistic reports? The main difference between hunting and fishing is that fish are in lakes, which are government property, and is subsidized by state and federal funding. Hunting land, with the exception of a few WPA's, is privately owned, with no state or federal funding to compensate the landowner.

The surveys concerning the amount of revenue generated by residents verses nonresident were grossly imbalanced with a total of 29,034 questionnaires being sent out to residents and 7,199 sent to nonresidents. That would be more then 80% of the 36,000 resident hunters and less then 25% of the 30,000 nonresident hunters *(of those resident dollars, what percent was actually spent in the darkness of rural communities, who live with and pay for the feeding and the nesting grounds of the birds?).*

There are other means of working together. Perhaps it would be wise to consider different areas of the state as having different limits both on birds as well as hunter caps (if you feel that hunter caps are essential). Perhaps you need to look into where the birds are raised (and whose crops they eat all year). Check out the wildlife easements that were drawn up in the 1960's (which are in place for 99 years) or the Game and Fish locations for the WPA's. These are concrete not a five year bias statistic. Should all 3 zones be treated as an equal?

North Dakota Waterfowl Reserve Areas:

This clip is taken from Game and Fish just last year:

" (Geese, Ducks, Coots, Mergansers, Swan) - During the fall migrations thousands of potholes and sloughs attract migrating ducks in countless numbers, bolstering an already huge population of birds hatched and raised in the state. (Incidentally, we lead the nation in duck production.) A sizeable population of resident giant Canada geese is soon augmented by hundreds of thousands of migrating geese that stop over on their journey southward".

If the bird numbers are at an all time high, why limit income?

Rural America is depending on you, ***please do not pass 2048..***

Thank you for your time,

Deb Roppel Land and Lost Prairie Lodge Owner

New Economy INITIATIVE

Tourism Alliance Partnership

Testimony of Terri Thiel
North Dakota Tourism Alliance Partnership
Dickinson Convention and Visitor's Bureau
on Senate Bill 2048
January 23, 2003

Mr. Chairman and members of the Senate Natural Resources Committee. My name is Terri Thiel and I am the Executive Director of the Dickinson Convention and Visitor's Bureau. I am also representing the North Dakota Tourism Alliance today as I testify in opposition to SB 2048.

The Tourism Alliance Partnership (TAP) has been meeting during the past two years as part of the New Economy Initiative coordinated by the Greater North Dakota Association and the North Dakota Association of Convention and Visitor's Bureaus. TAP held eight meetings across the state to create strategies to bolster growth in the tourism industry and make our stakeholders more prosperous. Although the top initiative at every meeting was to increase funding for tourism marketing, the second priority was to oppose restrictions on the number of resident and non-resident waterfowl and upland game hunters in the state because we believe caps have a negative economic impact on the state and rural areas in particular.

TAP meeting participants included local CVBs, hotel-motel/resort operators, owners of attractions, state tourism officials, outfitters, developers and anyone interested in growing the state's tourism industry. Although we are a very diverse industry with many different players, the response to the TAP industry stakeholder partnership has been very favorable from businesses that see the benefits of working together.

Tourism is one of the largest industries in North Dakota and offers some of the best opportunities for economic development for the state. This is why it is essential for you to support legislation that promotes the growth and development of the tourism industry and does not further limit it.

North Dakota Freedom of Enterprise Foundation
P.O. Box 2639 • Bismarck, ND 58502
Phone: 701-222-0929 • 800-382-1405 • Fax: 701-222-1611
www.gnda.com/neweconomy
A project coordinated by the Greater North Dakota Association

Tourism is a rapidly expanding industry worldwide and in North Dakota. Exciting new trends such as eco-tourism, combined with the bicentennial commemoration of the Lewis and Clark Expedition, provide an important impetus for tourism industry growth. TAP believes tourism will flourish statewide with providers of unique and high-quality tourism "experiences" and networks of conference and business tourism providers.

The North Dakota Tourism Alliance Partnership wants to ensure the continued economic benefits that abundant hunting and fishing opportunities provide to the state. For this reason the Tourism Alliance Partnership opposes legislation that further limits visitation from non-resident hunters and opposes the limitations outlined in SB 2048.

The economic importance of hunting and fishing continues to increase in North Dakota. A recent study conducted by the Department of Agribusiness and Applied Economics at North Dakota State University revealed total hunting and fishing has generated more than $1 billion in gross business volume, $30.5 million in general state tax collection and support and created 13,100 full-time jobs.

Even more interesting, the study shows that the total direct expenditures by nonresident hunters and anglers increased by $33 million or 101 percent from 1996-97 to 2001-02. It also demonstrated that the average nonresident hunter/angler tends to spend more in rural areas than urban resident hunter/anglers and as would be expected, non-residents have greater per person impacts on services such as lodging, guides and food. This is very important to the Dickinson area.

North Dakota is attractive to outdoor enthusiasts from around the country. Any efforts to restrict out-of-state sportsmen would have a direct negative economic impact on the state as a whole, and especially the rural communities that host so many of these sportsmen.

The Tourism Alliance Partnership opposes legislation that further limits visitation from non-resident hunters and encourages you give this bill a "DO NOT PASS" recommendation.

Testimony of Terri Thiel in opposition of SB 2048.

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.

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,

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.

"dwmaster" <dwmaster@stellarnet.com>
01/26/2003 10:12 PM

To: <snat@state.nd.us>
cc:
Subject: SB 2048

Chairman Fisher and the entire Board of the Natural Resource Committee:

My name is John Dahlen, I am 34 years old and would qualify as one of the residents ND is so desperately trying to retain. A portion of my salary is dependent on hunting activities in the Lake Region, the region I have lived and hunted my entire life. I will only be testifying on what I know - Devils Lake and the Lake Region. I enjoy hunting with my non-resident brothers and non-resident friends and do not want this affected negatively. I agree with the stadium analogy. It is then interesting to note we don't impose limits on the number of non-residents that fill our sold out stadiums in ND at any give window of time throughout ND, at any give time. Using the ideas proposed by this bill we should impose on all stadiums in ND that they keep a certain number of seats open depending on how good the teams season is going, in case a resident of ND should want to attend that particular stadium. The trouble with this analogy proposed by this bill is that there is more than one stadium in ND. I would not propose to limit anybody else's ability to fill their stadium and I strongly ask that no one outside the Devils Lake area, propose limits that would not allow us to fill our stadium (a world class hunting stadium). I testify before you, we are definitely not even close to a sell out. Please vote NO on Senate Bill 2048, it will not allow us to even come close to filling our stadium. Fargo, Grand Forks, Minot, Jamestown or any other community can propose any bills to restrict their stadium they want, but let us manage our stadium. This is in the best interest of the Devils Lake area and the residents who live there and have no problem finding a place to hunt on their neighbors land.

I was ignorant to this problem when it came into the light last season, so I went out in search of new access to land I hadn't hunted before in the Maddock and Hamberg stadiums. I found most of the land not to be posted so I passed that up and found posted land. I was not asked for money and was not turned down once. So I accepted my non-resident brothers challenge to get on to land we had wanted to get on to for 15 years, but passed up for land we knew we could gain access to. It was posted quite largely and often "Swamp Busters NO Hunting". On my was to the farm, that I thought would be the logical owner of the land, I met a lady walking her dog, so I stopped to introduce myself. It turned out it was her father-in-laws land and was given a number I could call that evening, but she assured us it would probably not be a problem. We had a great shoot that next day.

I even stopped to meet landowners of land I had hunted for 20 years for the first time. I still do not understand the problem, nor do I know how to get one of those seats in the Englestad from a non-resident.

Thanks for your time,

John Dahlen
2202 Lincoln Ave
Devils Lake ND 58301
dwmaster@stellarnet.com

- Chairman Fiyler - Members of the committee.
- My Nome is Greg Bullickson and I am from Mott.
- I ~~am~~ am a 28 yr old lifelong resident of ND.
- Since ~~my~~ very young age I have been intrigued by the wonders of nature wildlife and the beauty of ~~all~~ the seasons ~~that~~ North Dakot has to offer.

~~Ch~~

~~I would a desire to further take and earn~~
~~a year round active~~

- Many of our young people are moving out of state. This out migration is based on several things.
- For me The excellent outdoor recreation opportunities is what keeps me here. ~~And many of my friends my age.~~
  - The degredation of hunting quality can only be experenced 1st hand by being out in the Field and experiencing the problems ~~in recent years~~ firsthand.
  - I love this state ~~And~~ the lower salaries I receive are compensated ~~by~~ not only by our great natural resources but the ability to have a quality experience using them.
  - However with the recent decrease in the quality of my outdoor experiences the higher paying jobs out of state are becoming very attractive.
  - Quality is hard to define and differs for everyone. ~~My~~ observation From the field is that the quality of my experiece has declined due the number of people partricpating

Senator Fisher

January 22, 2003

Testimony on SB 2048

In Relation

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 +30 years I've taken 1-2 week 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 of that area about 10 years ago when a large outfitter 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 non-resident 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 the hunter pressure concept in SB 2048. I think this concept will help balance the situation, especially in dryer years. 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.

Honorable Senators,

Today I would like to give you the perspective from someone whom many people may not easily relate to. Outdoor recreation is not just an activity such as golfing or bowling to me, instead, it is an integral part of the very makeup of my being. The childhood of my memories consist of unforgettable pieces of time spent with my grandfather hunting and fishing. This very personal heritage has continued to occupy my life every day since my childhood. If I am not actively participating in hunting or fishing, I can be found preparing and repairing equipment, or making arrangements for future outings. This year, I mentored a resident youth duck hunt in hopes of sparking the fire of passion for hunting which I personally feel, in hopes of paving the way for the future of hunting and maintaining our great hunting heritage. This personal background is where the following sentiments stem from.

My favorite form of hunting is the pursuit of waterfowl. It was the main reason I chose to leave Iowa 12 years ago and move to North Dakota. I prefer to hunt waterfowl in a specific way; finding groups of mallards by scouting ahead of time and then, after getting permission, I love to use decoys and a call to make the final deception. It is not unusual for me to cover 7 or 8 counties during one waterfowl season. The **quality** of my hunting experiences over the last three years has fallen so dramatically that I have begun to spend my hunting dollars in other states and provinces in the pursuit of my passion.

While some might say that this is no big loss, I would argue differently. In the mid to late 1990's I made an average of 24 duck hunts each season in North Dakota. **This translates into an expenditure of $2,000-$3,000 each year put directly into the North Dakota economy**. Starting in 2000 the number of hunts I have made has declined to where **last year I made only 4 hunts spending probably only $500 or so in North Dakota**. Instead, last year, in anticipation of another less than satisfying duck season, I planned a 14-day trip to Saskatchewan and I put in for a waterfowl license in South Dakota. While South Dakota only issues 4,000 10-day nonresident waterfowl licenses, I was fortunate enough to get drawn. **The duck and goose hunting on both north and south of our state was unbelievable. I can't even begin to describe the difference between duck hunting in North Dakota and South Dakota**. The hunting I experienced was like the duck hunting in North Dakota I remember during the mid to late 1990's.

What is the reason for the difference in quality? Plain and simple, it is related to hunting pressure. The big difference between Saskatchewan, South Dakota and North Dakota is in the number of people hunting waterfowl. As I mentioned earlier, South Dakota issues only 4,000 10-day nonresident licenses and has a number of resident waterfowl hunters comparable to North Dakota. **Did you know that the three Canadian provinces of Alberta, Saskatchewan and Ontario combined have only 30,000 nonresident hunters? That is an area of pothole habitat approaching six times the size of North Dakota, yet it has the same number of nonresident waterfowl hunters that North Dakota had this last season.** Some might argue that local production was the reason for this difference in waterfowl numbers, but if you remember last summer, all three of these states were in the midst of severe droughts. **While the number of resident North**

Dakota waterfowl hunters has actually declined slightly since 1996, the number of nonresident waterfowl hunters has more than doubled going from 13,750 in 1996 to the 30,029 in 2001 to the current cap of 30,000. All this evidence points to one thing, too much pressure.

A recent study commissioned by the North Dakota Game and Fish investigated how much money nonresidents and residents spent on hunting and fishing in our state. **From this study it is noteworthy that normally, as a resident, I spend 5-6 times more money on hunting and fishing in North Dakota than do non-residents. Last year I spent approximately $2000 in direct hunting expenses out of this state which I used to spend right here in North Dakota's rural communities.** Interestingly enough, while in these other states and provinces, I ran into several other hunters from North Dakota who were there doing the same thing I was. If the current state of waterfowl hunting in this state continues, ultimately I will consider what at least three former resident families whom I know have already done, and look for another location to live that provides the quality of hunting I desire. **This will remove a lot more from the state's economy than just the money I spend on hunting and fishing.**

The Hunter Pressure Concept, which is a compromise on the part of North Dakota duck hunters who asked for a cap of 10,500 nonresidents one year ago, is a fair means of regulating the over-pressure which has led to the current state of affairs. I by no means want to eliminate anyone from partaking of the great opportunities that our state can offer, but it seems to me that the degradation of our hunting resource and heritage is not in the best interest of our resident or nonresident hunters. The concluding statement of the Hunter and Angler Expenditures Study sums it up well: I quote "**In the quest to capture economic activity from hunting and fishing activities, care should be exercised that the demand for wildlife based recreation be matched with the biological and public limits of wildlife based resources".**

I support Senate Bill 2048 because it provides for sustainable income from people coming here to enjoy the quality waterfowl hunting our state has the potential to offer, without sacrificing the economic interests of communities and businessmen who year round depend on resident hunters such as myself.

Dave A. Brandt

1205 3RD AVE NW
JAMESTOWN, N.D
58401

North Dakota Hospitality Association

ND's Restaurant, Lodging & Beverage Association

P.O. Box 428 • Bismarck, ND 58502 - Phone: 701-223-3313 • 1-800-627-3374 • Fax: 701-223-0215
e-mail: ndha@btlgate.com

North Dakota Hospitality Association
Testimony
Senate Bill 2048

Chairman Fischer and members of the Senate Natural Resources Committee, I am Patti Lewis, Executive Director of the North Dakota Hospitality Association and am here today to speak in opposition of Senate Bill 2048.

The North Dakota Hospitality Association represents the state's food, lodging and beverage industry and I will be brief in my remarks since there are members here today who can – first hand – tell a better story than I. I also recognize that this is an extremely divisive issue and one that will not be easily resolved because, like you, our members appreciate and need all hunters -- residents and nonresidents, alike.

What I want to impart upon you today is the fact that this issue is extremely far reaching for our industry. Just as the resident hunters talk about their need to retain a quality of life and hunt for themselves and their children, please understand that the same holds true for the café owner in Glen Ullin, the motel owner in Steele and the tavern owner in Mott. And like our resident hunters, they live in this state, raise their children, take business risks and pay taxes in these rural communities because it offers them a way of life found in few other places. Traveling to or living in these communities, you understand that these folks aren't getting rich – they're surviving. And that's the key point in this issue – survivability. They are able support themselves and their children because of resident and non-resident hunters.

So, if we take away half of the pie, meaning non-resident hunters, or even reduce the pie by a few slices, we take additional and new money out of these communities. This revenue may well determine its viability. The fact of the matter is that nonresident hunters spend tens of millions of dollars each hunting season in our state that would not otherwise have been spent. This revenue, coupled with the amounts spent by resident hunters, keeps our communities alive. Take away the nonresident hunter portion and you've taken away a great chunk of income and economic growth.

The second important portion of this debate centers on tourism opportunities. We are fortunate in this state to offer great tourism experiences, coupled with a dedicated and knowledgeable tourism department. Nonresidents come to our state to hunt and then discover snowmobiling and fishing opportunities in the northeast; the cultural centers

along the Red River Valley and Missouri Valley; the National Grasslands in the southeast; recreational opportunities on Lake Sakakawea and the ruggedness and Western heritage of our Badlands. Tourism is our second largest industry, and yet this bill seeks to diminish our greatest chance to promote ourselves.

The final issue I'd like to address is the access problem. The North Dakota Hospitality Association fully supports an increase in nonresident hunting fees that could directly fund additional hunting acreage. Our nonresident hunting fees are too low and an increase would allow the Game and Fish Department to secure more access to hunting land.

Thank you for the opportunity to appear before you today.

To: North Dakota Senate Natural Resources Committee Members

From: Eric Boren
C\O The Liquor Locker
219 6th Street
Devils Lake, ND 58301

Re: Limits to out of state hunters

SB 2048

Committee Members,

Thank you for your time today to testify on this important legislation.

I am here today to ask that you recommend a not pass on **SB 2048**. I will not re-hash all the facts and figures you already have, as I am sure you know them all well and will agree they clearly show why this bill should not be considered any further.

My wife and I are part owners of The Great American Inn & Suites in Devils Lake. We own the motel with 2 other young couples from town. This past October we saw a decrease of 20% in our room occupancy. We can directly show this to the arbitrary cap set on out of state hunters this past waterfowl season. We also did not see one in state hunter rent a room during the resident only season in September. We do agree with the resident only season the week before the regular opener and hope it continues.

While I appreciate the opposing views, I do not think the state of ND can afford to limit any outside dollars coming into our state. We are a small state and need all the revenue we can get. For those who want a cap on hunters, I encourage them to have their area of the state impose their own caps. Please do not tell us in the Lake Region, or any other region in the state, who can and cannot come and spend money in our communities. The lake region has had a very difficult time the last 8 to 10 years with flooding and poor agricultural conditions and we do not need to be told by anyone that we are not allowed

to make a living. The farmers and ranchers own the land and no one should be taking away any income possibilities from them. We certainly would not attempt to tell any other region of the state what is best for them and thus we should not have to be held back from our success by people who do not live in our area. We want you all to visit us and have a good time, but please do not limit us on making a decent living. The state is losing enough population and doesn't need to encourage more reasons to leave.

One of the arguments from the sportsman's groups is they spend money on hunting in ND also. While I agree they do, I do argue they do not spend a proportionate amount in small town ND. The small towns and communities need the out of state hunter and appreciate all hunters both resident and non-resident.

We, as a state, do not want to encourage isolationism in ND. A cap on hunters is the start of an isolationist philosophy and the minute we do this we are telling the rest of the country we do not want them to visit our state for any reason as we want to be left alone. Imagine what this philosophy could do to all the tourist attractions in the state. The entire state of ND has benefited from an enormous amount of federal money for all of our natural disasters. We have all seen the reports about how much money our US Senators and US Representative return to ND on an annual basis and it is always more than we as taxpayers pay out to the Federal Government. While this is great, I question how long it can continue if we start limiting those who want to visit our great state. For this reason alone, we should not even consider capping out of state hunters to our state. By arbitrarily capping the number of out of state hunters, we could start a backlash from other states through their congressional members and we could be setting ourselves up for major disappointments in the future. Remember the Grand Forks flood of 1997, Fargo's flood in

1997, the ongoing flooding in the Lake Region, the farm aid for natural disasters and numerous other events that triggered major federal dollars into our great state? Without these funds we would not be near the great state we are. Do we really want to jeopardize our states future ability to get federal funds???? I would think not.

In closing, I would like to thank you for your time and encourage a **DO NOT PASS ON SB 1048.**

Thank you,

Eric Boren

Eric Boren

Jim and Diane Yri
West Bay Resort, LLC
Minnewaukan

When the weather patterns changed about ten years ago, events were set in motion that are out of anyone's control. As small farmers we were negatively impacted by crop diseases and insects, plummeting crop prices, and eventually the loss of about a thousand acres of pasture, hay, and cropland under the waters of Devils Lake. We were considering giving up but we didn't want to. Instead, we started a resort on our farm last year in an attempt to create income to help us stay on the farm instead of giving up and looking for jobs in town. Because of the very fact that we couldn't make it by farming alone, we had to borrow all of the money needed to start a new operation from scratch. We have purchased four new cabins from Buffalo City Wood Products in Jamestown, purchased and renovated a log sided building for a laundry and snack vending facility, drilled a new well and trenched water lines to all the cabins, installed four separate septic systems, brought in electrical services to the resort location which is about a ¼ mile from our farmstead, built roads to the cabins and down to the lake shore, and developed a web site to reach out to the world. We have invested a great deal of money so far, and we have more to do to get to where we want to be to offer the quality experience that we are marketing.

We had a reasonably good first year considering our late start of June 21, with guests arriving from 11 different states. Of 39 bookings consisting of 225 adults, 3 bookings for a total of 13 people were from North Dakota. 13 out of 225! It is obvious that we cannot survive as a business if we need to rely on in-state support only. Our clientele also support area businesses from cafes, bars, grocery stores, gas stations, bait shops, guides, even boat rentals from another local lodge.

During the waterfowl-hunting period of October and early November, we were fully booked with non-resident hunters. These were all friendly and appreciative guys, most of whom booked for next year before they left. A lot of them were here to hunt the big lake, and some also went pothole hopping and field shooting around the area.

What Diane and I have seen with the non-resident hunters is that these people have the resources to come to North Dakota and spend their hard earned money on a vacation that is best suited to their tastes. We also found that a lot of them are extended family groups where fathers are passing their hunting traditions on to the next generation. And to a large extent, they don't judge the success of their trip by the number of birds bagged but by the time spent together telling stories and re-living past trips. These are people that 51 weeks out of the year go to work to make a living; they simply live in another part of the country where the economy is strong, but the opportunity to enjoy a quality outdoor experience is limited. We and other local business owners have worked very hard to contribute to the quality of that outdoor experience. To limit the access of the non-residents to our state and what it has to offer is not only selfish, but also fiscally irresponsible. The infusion of money into the rural areas of our state is vital to the continued viability of our economy.

There is an entire department of the state of North Dakota that is charged with promoting tourism and attracting people to our state. North Dakota doesn't have a Walt Disney World or a Mall of America or even professional sports teams. What we do have is clean air, unlimited elbow room, friendly people (for the most part), and wildlife and scenery that people in other parts of the country can only imagine.

I would like to read to you an e-mail we received from one of our guests when we asked for their thoughts on this issue and submit other e-mails we received for your consideration.

My personal opinion is that this a solution looking for a problem that doesn't exist, at least not in our area and not at this time. Also, the concept of limiting numbers based on spring conditions, while being touted in press releases and by the media as being scientifically accurate is in fact woefully limited unless it is continually updated through out the summer. For example, sloughs and potholes can be dry, and virtually overnight a heavy rain can fill them to overflowing, providing totally opposite conditions, depending on when the survey was taken. This is just what happened last June 8, when over 5 inches of rain fell one night and over 3 inches came again a week later. Conversely, wet and lush conditions can dry up throughout the summer resulting in very few birds being around by hunting season. Another scenario would be rainy weather in August and September preventing farmers from harvesting their crops and having predation by ducks and geese to the extent that those farmers would be begging for hunters to help control the problem. Are there enough resident hunters to help out?

Is it our hope that when considering this and other bills of this nature you and your colleagues will be able to consider the entire picture and not be persuaded by whichever group is able to generate the most noise. All we are asking is that our ability to make a living after a lot of money and hard work has been spent isn't placed in jeopardy.

Thank you for your time.

Jim and Diane Yri

From: <TIMBERHAC@aol.com>
To: <yrifarm@stellamet.com>
Sent: Wednesday, January 15, 2003 8:10 PM
Subject: Limit Hunters?

Dear Jim, Diane, and family,

First and foremost, thank you for your hospitality, and the fine accommodations. The hunt I've enjoyed for the last 4 years in North Dakota is by far the high point of the year for me. I look forward to it all year long. It's not just the hunting aspect either. it's a combination of many things. I have to save most of the year to be able to come to your state and hunt for five days each fall, being the father of two young boys. They, I hope will be able to venture to your state with me someday, to witness the things I've been fortunate enough to see, and do. It is hard for me to even think that some people in N.D., would want to limit the number of hunters coming to the state. We very rarely ever see another hunter. From what I saw at your resort, was a lot of hard work, on the verge of starting to pay for the time, etc., invested. I have no problem spending money when I'm treated as a friend right off the bat. I truly hope your efforts pay off, and we can see each other again this fall. Have faith!

Thank you,

Tim Hackett
N103 Schlicht Ln.
Stoddard, Wi. 54658
Timberhac@aol.com

I was with Bill Fuchs, Dave and Chris Thompson last fall.

1/21/03

Jim and Diane Yri

From: "Russ Olivier" <RussO@ovdinsurance.com>
To: "Jim and Diane Yri" <yrifarm@stellarnet.com>
Sent: Wednesday, January 15, 2003 6:51 AM
Subject: RE:

Dear Jim & Diane, My sons & my brother & I love to make our annual duck hunting trip to North Dakota. We stay for a week enjoying accomodations like you provided for us last year. We buy gas, groceries, meals & supplies & generally enjoy the small town hospitality we encounter every where we go. It would be very disappointing to find we could no longer get a hunting license.

-----Original Message-----
From: Jim and Diane Yri [mailto:yrifarm@stellarnet.com]
Sent: Sunday, January 12, 2003 6:11 PM
To: William Wood; Harold Wilde (E-mail); Jack Wenning; Larrie Wanberg; VPRaynphyl@aol.com; Jimmy Vang; daniel j swanson; Jim Sitar; Barb Schaus; Mike Scharf; Tom Running; Ted Robinette; Robin Quednow; R Pickart; Violet Pfenning; patbecv; Jeff Olson; Russ Olivier; Russ Olivier; Jim Noss; Kevin Neve; kevin Neve; Bob Neumann; Rod Maddock; Mabis, Melissa; Jerry Lipovetz; LINTON, THEODORE J; Ksevknutson@aol.com; Koesters, Mike; kgfritz; Judy Karl; John and Judy Karl; jennifer@worldweb.com; JBuchberger@foth.com; 1st Choice Guides; Linda Gregory; GramK5005@aol.com; JON GRABOW; Golfishnt@aol.com; Phil Glawe; Paul Frederick; Laura Every; GARY T FORAYTER; Brian Evans; dwrfishermen@juno.com; Sandra Dewald; Kaasi Cox; Ellingson, Steve; Kevin Bausman; Randy Thompson
Subject:
Importance: High

1/21/03

Jim and Diane Yri

From: "Tom Running" <trunning@imagestudios.com>
To: <yrifarm@stellarnet.com>
Sent: Monday, January 13, 2003 10:40 AM
Subject: Re: Bill Introduced to the North Dakota Legislature

Dear Jim and Diane Yri,

To us as out of state hunters, to hear of such a bill is an absolute joke. This must be a case of legislators that have spent to much time holed up in an office. Our visit to North Dakota was during the prime duck hunting season and we certainly did not witness an over abundance of duck hunters. There was not one day or area that we hunted where we encountered another group of hunters.

The thing that amazed us the most was the economic hardships that the people of the Devils Lake area are enduring. I think that the legislators that are introducing such a bill should visit some other parts of the United States where there is industry and good jobs. Maybe then they would realize that the opening of a nice resort like West Bay generates income not only for your family but also for the gas stations, food stores and the entire economy of the area.

If North Dakota wants to put a limit on such a resource of revenue I can assure you there are other states and provinces of Canada that would be happy to take our money.

Please forward our feelings to your legislators so they DO NOT enact legislation that puts limits on your ability to make an honest living. You have worked to hard to get your business started to have the state curtail your venture.

Sincerely,

Tom Running, Chris Thiry, Jerry Running, Mike Running and Josh Running
W 6214 Cedar Cliff Dr.
Hortonville, WI 54944

yrifarm@stellarnet.com writes:
>
>From: "Jim and Diane Yri" <yrifarm@stellarnet.com>
>
>Subject:
>
>Date: Sunday, January 12, 2003 12:00 PM
>
>

1/21/03

WESTBAY RESORT
MINNEWAUKAN, NORTH DAKOTA

Dixie & Lin Kri
11-6-02

Our recent stay with you this October past was an experience our group will not soon forget.

For several years running we had called one of the local motels in Devils Lake home while on our yearly trip to ND.

The motel accommodations were more than pleasurable but lacked the personal touch West Bay Resort extended us.

To often we were assigned different rooms on different floors of the motel, thus keeping our group organized and on schedule for comings and goings, meals, early morning hunting etc. was difficult at best, and sometimes even frustrating.

Staying together under one roof at West Bay allowed for us a more pleasurable, memorable, and rewarding experience. Our trips to ND are not really about killing allot of waterfowl or getting our limits of fish, but rather in the experience as a whole.

We shared more quality time with friends, shared the stories of past and present and reflected on friends and family members who are no longer with us, but alas hunting and fishing in some North Dakota in the sky.

Hot, well done dinners waiting for our return from the field and water via our oven and slow cooker provided by you warmed our chilled bones and stomachs.

The above and beyond courtesy's you, and your friends extended us was greatly appreciated.

The conversations we engaged in with you and again your friends and family made us all a little more at ease regarding non-resident hunters utilizing your states resources.

WESTBAY RESORT
MINNEWAUKAN, NORTH DAKOTA

In short;

You made us feel welcome.
You made us feel important.
You made us feel like coming back.
You made us feel like we arrived as guests and left as friends.
You caused us to re-book for years ahead. Why?
Because you made us feel like we were wanted.

Warmest Regards from all of us,
Lou, Sam, Lee, Bob, Steve, Jason.
Oh yes, and the two labs, Bubba and Max.

PS:
The only downside to everyone staying under one roof.
The nightly snorzzzzzzzzzz bouncing off walls from a group of satisfied tired hunters.

Lou Smuda et al,

Maybe can use some of this for reference on your web-site or new brochures.

1-22-3

To: Members of the Legislature

This is in regards to limiting the out of ~~state~~ licenses.

We are desparately in need of the extra revnue that they bring into the state!

We are buying and operating a small grocery store - employ one full time & part-time employees. The extra business actually carrys us through the winter months.

We are happy to meet all the new customers and anxious to always share all the good points about N. Dak. with all of them - It's a wonderful place to share!

Without the extra people we would have to cut our hours way down & not be able to employ any school Kids or any other employees.

Please keep the N. D. spirit in way and welcome these people!!

Thank You!

Box 234
NW Rn. N.D.
58351

Odden's Grocer
Sandra Odden

Dear State Legislators,

This letter is being written in regards to the bill trying to be passed to limit the # of out of state hunters in N D. We would strongly urge you to kill this bill for the simple fact that many of these hunters bring many thousands of dollars to our state. We as bait shop owners feel this will have a great impact on our business and life if this bill is passed. Most of our business is from the out of state people. We need to keep what businesses we have in ND and also families from leaving the state for other jobs. We strongly urge you to vote no on this bill. Thank You!!

Sincerely,

Randy & Sherri Thompson

Randy & Sherri Thompson

Diane Yri
West Bay Resort

January 19, 2003

As a resident of the city of Minnewaukan, I'd like to congratulate you on the success of your resort.

As I sit in my office on Main Street I see the impact of operations like yours and the benefits they directly have on my community. I see the traffic and the "new" vehicles driving on our streets. I see the stream of pick-ups loaded with hunters, boats, decoys and dogs getting gas and carrying out sacks of groceries from Oddens Grocery. I notice several more pick-ups parked near the Dakota Spirits Lounge. As you know, we have not had a successful restaurant in Minnewaukan for many years, it by the efforts of people like you Kelly's Kitchen is able to remain open.

The local residents of my community would not be able to support the business we have in Minnewaukan without the influx of others from out of our area. We would be forced to travel twenty miles to the city of Devils Lake to get a loaf of bread, pound of hamburger or a lunchmeat for a sandwich. We would be unable to get a noon meal at a restaurant those days when we choose not to cook ourselves. It means another small town will be forced to do all of her business from 20 miles away. It means everything for our senior citizens that they can shop locally for food. We loose that sense of community North Dakota small towns are all about.

I am also an avid waterfowl hunter. I hunt over 30 days each season for ducks and geese in the local area. Never have I have felt that our area has been over run from non-resident hunters, in fact I have encountered more people from the larger cities in North Dakota than non-residents. I have never not had a place to hunt nor has the quality of my outdoor activities been compromised.

Thank you for doing your part to improve the quality of life in my community.

Kevin Neve
Box 319
Minnewaukan ND

Jim and Diane Yri

From: "Duck In Guest House" <kayaktheprairie@srt.com>
To: "Jim and Diane Yriyrifar" <yrifarm@stellarnet.com>
Sent: Monday, January 20, 2003 6:36 AM
Subject: Legislative bill proposing limiting out of state hunters

Farms and the farmers are in big trouble, outmigration is a concern by those of the state and now we say we want to build a wall and let only a few people see what we have in the state.

Hunters are often business people, in decision making positions who might just discover our state, what it has, and the quality of the workforce in our state. The people they will come in contact with when they are out in the field are the farm people of the area, known for their honesty, work ethics and ability to adapt to just about anything which is thrown their way.....for most of the service providers to hunters are farmers who have had to find something to replace or supplement their farming operations.

I am a farmer who owns a Guest House in Drake and host hunters during the hunting season. The hunters I host are not in-state hunters but are from out of state, typically Minnesota, Wisconsin and states east of North Dakota. With waterfowl at an all time high in numbers, deer so populated one hates to drive at night because of the dangers of an accident we now feel we don't want to share it with others. We probably hit more deer with vehicles in our state in a year than are ever killed in a hunting season....not even discussing the number of dollars of damage. When we are overrun with deer and we call for hunters to please come and harvest the deer who are diseased and starving those hunters will have found another place and once we loose them they are lost for that hunters lifetime.

This isn't something we will try for a year and then decide it didn't work out as well as we thought. These hunters will never return.....and the small people who serve these people may or may not be able to afford to advertise for new hunters to discover this wonderful state where they are NOT welcome.

Why can't this state get a cooperative effort together and welcome all people to our state: Bicentennial and tourism dollars say come and Game and Fish says "only a few chosen may come and hunt". These are all of out of our tax dollars and we are sending two messages "come"....."you can't come".

Too bad we don't limit the number of truckers from Canada that use our roads and we get to pay the repairs for overloaded vehicles; too bad we don't limit sporting events held in our new convention and sports centers; too bad we don't limit musical concerts brought in by out of state promoters; too bad we don't limit the fishing tournaments which are mainly comprised of out of state professional anglers; too bad we don't limit out of state families traveling to our state and national parks; too bad we don't limit the number of birders traveling to our National Wildlife Refuges (ND has more than any other state than Alaska); too bad we don't limit the number of people who are so selfish with their wildlife that a check of their personal giving would show they don't share dollars with community charities either!

1/21/03

January 22, 2002

To: North Dakota Legislators and Governor Hoeven
Concerning: Out of State Hunter legislation

I have owned my farm since 1946 and have never had any problems with out of state hunters, which is more than I can say about North Dakota hunters. Hunters from other states have thanked me for the privilege of hunting on my land and they have respected my property and my wishes. My experiences with some North Dakota hunters have not been that positive.

If you continue to keep legislating tourism dollars out of our state, I will post my land to keep every one out <u>except close friends and out of state hunters.</u>

Yours truly,
Arnold Yri

Arnold Yri
4901 66th Avenue NE
Minnewaukan, ND 58351

GNDA
Greater North Dakota Association

Testimony of Thomas D. Kelsch
Greater North Dakota Association
Legislative Affairs Committee Chairman
On Senate Bill 2048
January 23, 2003

Chairman Fischer, and members of the Senate Natural Resources Committee. My name is Tom Kelsch and I'm the Chairman of the GNDA Legislative Affairs Committee and a member of GNDA's Executive Committee. I am here to testify in opposition to SB 2048.

The Greater North Dakota Association – North Dakota's State Chamber of Commerce – is the voice of business and principal advocate for positive change for North Dakota. GNDA is the largest, most influential general business organization in North Dakota.

GNDA was founded in 1924 as an organization to attract tourists and settlers to North Dakota and to promote agriculture. Even in 1924, forward-thinking individuals recognized the positive economic impact that attracting people to North Dakota would create and made plans to improve the state's highways and establish a national park in the Badlands.

Today, nearly 80 years later, GNDA still supports this important tourism industry, and the impact tourism revenue has on our local businesses, as well as on state revenues. GNDA passed a resolution opposing legislation which caps the number of hunting licenses sold in North Dakota. The resolution reads:

GNDA is opposed to restrictions on the number of resident and non-resident water fowl and upland game hunters in the state. Caps will have a negative economic impact on the state and rural areas in particular.

One of the main efforts of GNDA during the past two years has been the New Economy Initiative (NEI), which is in an effort to revitalize the state's economy. NEI research conducted by Standard & Poor's DRI, one of the world largest economic forecasting companies, identified tourism as one of the industries with the greatest

Box 2639 • 2000 Schafer St. • Bismarck, ND 58502 • (701) 222-0929 • Fax (701) 222-1611 • 1-800-382-1405 • gnda@gnda.com • web site www.gnda.com
North Dakota's State Chamber of Commerce

growth potential in North Dakota. Tourism is also one of the target industries identified in the North Dakota Economic Development Foundation's Strategic Plan.

Hunting and fishing is a significant component of the tourism industry and it creates new wealth for North Dakota. A recent study conducted by the Department of Agribusiness and Applied Economics at North Dakota State University revealed that hunting and fishing and its economic impact has increased in North Dakota.

According to this study, total direct expenditures in North Dakota increased by $106 million, (29 percent), from 1996-97 to 2000-01. Collectively, small game hunters accounted for 93 percent ($31.7) of all nonresident hunter expenditures.

GNDA supports the continued new wealth creation that abundant hunting and fishing opportunities provide to the state. When business owners are faced with a demand for their product, they work to find ways to meet that demand. Rather than imposing limitations, we encourage the stakeholders of this issue to team up and find innovative ways to ensure and promote hunting and fishing access for both residents and non-residents and provide habitat for this resource.

GNDA opposes SB 2048 because it would limit visitation from non-resident hunters, which would in turn adversely effect our economy.

North Dakota is attractive to outdoor enthusiasts from around the country. Efforts to restrict out-of-state sportsmen like SB 2048 will have a direct negative economic impact on the state as a whole, and particularly on the struggling rural communities that host so many of these sportsmen.

Chairman Fisher and members of the Natural Resources Committee. GNDA opposes legislation that would limit new wealth creation in North Dakota and encourages you to vote "DO NOT PASS" on Senate Bill 2048.

Testimony of Thomas D. Kelsch in opposition of SB 2048.

Dear Chairman Fischer and members of the Senate Natural Resources Committee:

My name is Sheldon Schlecht and I own and operate Sheldon's Waterfowl and Upland Bird Hunts based out of Streeter, North Dakota. Our small town population is 160. I oppose Senate Bill 2048 in its entirety due to the fact that we have worked hard for the last 15 years to establish our business and Senate Bill 2048 has no guarantees that I will still be able to operate my business. I employ 38 people, 32 part-time and 6 full-time. During the last 14 years I have sold approximately $327,000.00 worth of non-resident hunting licenses for the state of North Dakota. My marketing techniques insure that the state of North Dakota has not spent a penny on me bringing people here, but they have certainly reaped the benefits. I attend 9 sport shows across the country every year, touting the beauty of North Dakota as well as the outstanding hunting and friendly people. Many of the 300 clients that we entertain each year also bring their families here in the summer to vacation. One of the pasta plants wouldn't be here if not for a non-resident hunter who loved it here and turned his dream into a reality.

The city of Napoleon will also benefit with a new business set to employ over 300 people. The man starting this business has hunted waterfowl here for years and loves the people and the area. Who knows where the next big business will be? It may be started by another non-resident.

Please look at the expenditure sheet I have enclosed for the fall of 2002 and remember that this does not include the 314 people who bought airline tickets and flew into Bismarck, or the money they spent at Scheel's or at the casinos. Our business has an exonomic impact over $274,000.00 in a town of 160 people. This whole bill is not about pressure, but rather access, and this will not help hunters gain access. We have neither charged, nor denied residents access to our land. However, once a restriction is placed on non-residents, this will change, and I speak for approximately 47 farmers and ranchers who are in total support of our business.

Sincerely,

Sheldon Schlecht

SHELDON'S WATERFOWL AND UPLAND BIRD HUNTS
EXPENDITURES IN NORTH DAKOTA
FOR THE FALL OF 2002

GAME AND FISH

1. Guide Licenses	$1,800.00
2. Non-resident Hunting Licenses 314 hunters x $95.00 license fee	$29,830.00

SUPPLIES FROM LOCAL MERCHANTS

1. Supplies for houses where hunters stay – Building materials and cleaning supplies	$4,572.12

TRANSPORTATION

1. Hiring a local driver to pick up hunters and rental expense for a van to transport hunters	$2,540.75
2. Fuel for the hunting vehicles and repair	$21,417.00

HUNTING LODGE / BUSINESS EXPENSES

1. Food for the lodge from local grocery store	$19,618.16
2. Wages to local guides	$37,265.00
3. Cooks wages at the lodge	$17,895.50
4. Wages for bird cleaners	$ 6,990.79
5. Wages for house cleaners	$ 6,822.00
6. Utilities Gas / Electric / Water	$11,881.69
7. Insurance	$ 2,504.00
8. Cable TV	$ 846.45
9. Lawn mowing	$ 880.00
10. Maintenance / Repairs	$14,293.07
11. Food plots for local wildlife	$ 7,872.40
12. Pheasants released to supplement wildlife	$31,517.75
13. Land leases	$56,000.00

TOTAL EXPENSES **$274,546.68**

I WOULD SAY THAT SHELDON'S WATERFOWL IS A MAJOR CONTRIBUTOR TO THE ECONOMY OF STREETER, ND, WITH A POPULATION BASE OF APPROXIMATELY 160 PEOPLE

621078
STREETER GROCERY
103 SOUTH FLORENCE
STREETER, ND 58483

Dear Senator Fischer and members of the committee:

I oppose Senate Bill 2048 since my grocery store is greatly supported by our local hunting lodge. They spent nearly $19,000.00 in my store last fall for groceries to feed their non-resident hunters. This is approximately one-third of my total sales for the year. Without this business I would have to close my doors since our city population is not only dwindling, but aging as well. Streeter only has about 150 citizens, and we need all the non-resident support we can get, along with the resident support. Less than $100.00 was spent by resident hunters in my store, as I asked each and every stranger who they were and whether they were resident or non-resident hunters.

Thanks for your consideration.

Sincerely,

Peggy Perman

Peg Perman
Manager - Streeter Grocery

DJ'S BAR AND LOUNGE
110 N. FLORENCE ST
STREETER, ND 58483
JEFF GLODREY OWNER
701-424-3728

Dear Senate Natural Resources Committee:

Non-resident hunters in the fall play a very large role in not only my business, but the total economy of Streeter. I kept track of the money spent in the local bar which my husband and I own and operate.

We found that non-resident hunters spent the following amounts:

$2300.00 in off-sale purchases
$ 370.00 in tips
$2032.00 in off-sale purchases for local hunting lodge

Resident hunters spent the following amount:

Less than $400.00 total in our bar.

My personal income from the non-resident hunting business provided me with an additional $4000.00 in wages for bird cleaning, as well as $1000.00 in tips. As you can see, I definitely need the non-residents support to keep my doors open and stay off of the government support programs.

Sincerely,

Penny Voldness

Penny Voldness
Owner - DJ's Bar
Streeter, ND

STREETER CO-OP OIL CO.

PETROLEUM PRODUCTS

424-3377

STREETER, N. DAK. 58483

COOP

Dear Chairman Fischer and members of the Senate Natural Resource Committee: My name is Wayne Buck and I am the manager of the Streeter Co-Op Oil Company in Streeter, North Dakota. My board members and I are opposing Senate Bill 2048 due to the fact that our business relies heavily on the money spent on gas, diesel and vehicle repair by our local guide service owned by Sheldon and Brenda Schlecht. Last fall, they spent $21,417.00 in our store to take care of their non-resident waterfowl hunters. We kept track of resident vs. non-resident spending and I can tell you that less than $500.00 was spent by urban or local resident hunters. We truly need this non-resident business to survive in this small community with a shrinking farming industry.

Sincerely,

Wayne Buck

Wayne Buck
Manager - Streeter Co-Op Oil Company

Senate Resource Committee 1/23/03

My name is Kyle Blanchfield and I am the president of the North Dakota Professional Guides and Outfitters Association. I am here today to urge this committee to vote DO NOT PASS on SB 2048.

Any limits on non-resident waterfowl hunters damage the front line businesses like guiding and outfitting. Guiding and outfitting fundamentally caters to non-resident hunters. Guiding and outfitting industry is comprised of people that primarily reside in rural areas of the state. A large percentage of guides and outfitters are also working farmers and ranchers. We all understand the challenges that face rural North Dakota and the difficulty of operating a profitable farm and ranch. Any additional hurdles that our state imposes on these businesses will further damage an already fragile agricultural and rural economy.

Any legislation that limits non-resident hunters will in effect shrink the economy of North Dakota. Do you believe this is a prudent act by government when we have a state faced with budge deficits? Are you prepared to vote to shrink North Dakota's economy?

The Hunter Pressure Concept (HPC) fails to address many concerns including:

1. Spike hunting pressure times, that cause many of the perceived problems, are not addressed by the HPC.
2. Spring water indexes are not a sure indication of fall hunting conditions and opportunities. In 2002 the Lake Region would have been a perfect example. June wet conditions significantly improved the available habitat and may have improved total bird numbers. Late hatches are not addressed.
3. Available licenses for sale would not be determined until June. This creates a huge challenge for marketing and for the nonresidents hunters who need to plan for vacations, reserving flights, etc.
4. Will resident hunters be happy with high-end numbers during wet years?
5. Is it fair? We believe it is punitive to many that depend on nonresident waterfowl hunters.
6. Will limiting nonresidents improve access to quality hunting land? We believe this legislation might do just the opposite.

We all need to understand that HPC has absolutely nothing to do with the waterfowl management. Do not be confused with the biology of sustaining a healthy waterfowl resource with the so-called biology of HPC. Often we hear that HPC is the biological, scientific answer. How can any one plug in science with an arbitrary, subjective, personal feeling as to what number is too many hunters, and what number equates to too much hunting pressure.

HPC basic assumption, and the 1.36 multiplier, is based on the theory that conflict between resident hunter and nonresident hunter is due to the fact that nonresidents harvest more birds, per hunter than residents. The HPC punishes nonresident hunters because they hunt more intensely and harvest more birds than resident hunters. Is this science? By ND Game and Fish department's own admission, HPC is a tool to **limit** nonresident hunters. Plain and simple this is a weighted formula to lower nonresident waterfowl hunter numbers and the net result will be a weakening of the state's economy.

I want to thank the committee for the opportunity to present this testimony, and for the chance to show you the dangerous ramifications this bill will have on our industry and state. I will be available for any additional impute that the committee might need in the future.

Sincerely,

Kyle Blancfield
President, North Dakota Professional Guides and Outfitters Association

Senate Bill 2048
Senate Natural Resources Committee Hearing
January 23, 2003

Testimony of Ted Mertz

My name is Ted Mertz. My family and I own and operate the Sheyenne Valley Lodge near Goodrich North Dakota and I am here to testify against Senate Bill No. 2048. Senate Bill 2048 would limit the number of nonresident waterfowl licenses that could be sold each year based on a formula designated by hunting pressure. Placing a cap on the number of nonresident waterfowl licenses available while not limiting in any way the number of resident waterfowl hunters interferes with interstate commerce and violates the United States Constitution.

This past year, 2002, is the first year that North Dakota placed any limits on the number of nonresident waterfowl licenses that could be sold. Those limitations did not come from the Legislature, but rather from Game and Fish Department regulations. The limit on nonresident waterfowl licenses was set at 30,000 in 2002. The Game and Fish Department has indicated in its fiscal note on this bill that if this formula had been in place in 2002, the nonresident waterfowl licenses would most likely have been limited to 22,500 instead of 30,000 actually sold. The fiscal note indicates a reduction in revenue of $100.00 for each nonresident license eliminated Totaling $75,000.00. This is just the tip of the iceberg, however, of the amount lost to North Dakota businesses and to the local and state government through loss of sales tax revenues from out of state hunters.

Just recently the Ninth Circuit Court of Appeals held that the dormant Commerce Clause of the United States Constitution applies to limitations on licenses for

nonresident hunters. Conservation Force, Inc. v. Manning, 301 F.3d 985 (9th Cir. 2002). The court further held that Arizona's placing a cap on nonresident hunting licenses was overt discrimination subject to the strictest scrutiny under the interstate commerce clause. On January 13, 2003, the United States Supreme Court refused to hear the state's attempted appeal of the case. Therefore, the Ninth Circuit Court of Appeals opinion stands.

Any legislation passed in North Dakota that limits the number of nonresident hunting licenses is sure to face a legal challenge. In North Dakota there has been no shortage of waterfowl to hunt and no limits on the number of licenses sold to North Dakota residents. There is no sufficient rationale to support imposing a restriction on the right of out-of-state hunters to hunt waterfowl in North Dakota. The case against the proposal in this bill would be even stronger than the case against the Arizona law because this bill covers hunting of migratory species that are also covered by federal law. If Senate Bill NO. 2048 passes, any legal challenge to its constitutionality is likely to succeed, leaving the state with no limits on nonresident waterfowl licenses, but with a large bill for legal fees and costs trying to defend the licensing limits.

In addition to the injury to out-of-state residents who wish to hunt here, North Dakota farmers and ranchers who provide hunting services and property for nonresident hunters are financially injured by the discrimination against nonresidents. {7500 non-residents @ $850.00 using a multiplier of 4 equals $6,375,000.00} The Tenth Circuit Court of Appeals has held that the Commerce Clause provides a cause of action to any person injured by discrimination against interstate commerce even if the injury is indirect. Claion Production Corporation v. Retera, 70 F.3d 1566 (10th Cir. 1995).

Mr. Chairmen and Committee members

My name is Conrad Carlson and I live here in Bismarck.

Thank you for your committment to our natural resources. Congratulations for a job well done in the interm and accepting the Hunter Pressure Concept (HPC) for consideration.

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

I perceive nonresident restrictions are needed so the #1 priority is a consistent and "quality" harvest.

Barring "disasters" to the resource or early winter weather problems for the hunter, restricting nonresident hunting would provide a more 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. While providing a more consistent and "quality harvest" with non-resident restrictions, I perceive this total will increase.

I'm hopeful the legislature will provide us with a restriction that will give a "quality harvest" desired by both residents and non-residents. My perception is that to achieve this you will need to include zones. You should consider providing "favored former residents" some exemptions from restrictions and large license fees. I'm hopeful new regualtion 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.

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 SB 2048, JANUARY 23, 2003

Mr. Chairman and Members of the Committee:

I'm Harold Neameyer speaking on behalf of the Cass County Wildlife Club, an organization of over 200 sportspeople organized to promote conservation of wildlife, to promote sportsmanship in hunting and fishing and to support the proper management of these resources. The Cass County Wildlife Club supports SB 2048.

This is the only bill that uses past history, water conditions, hunting pressure and weather effects to arrive at limits on hunting numbers. Since this information is already available, it seems reasonable that it should be used. Other bills designed to control non-resident numbers lack any statistical basis.

We have to ask ourselves, why do non-residents want to come to North Dakota to hunt? The answer is simple; we have the best hunting for various reasons. If we want to keep it good for our own residents and non-residents, we must insist on controls that will keep it good. SB 2048 takes us in this direction.

Operating a system with few caps or limits may result in some short-term benefits for a few hunters and businesses, but the long-term effects will be a failure for all.

SB 2048 also contains zoning for non-resident hunting. This should continue to spread hunting pressure. As avid hunters and concerned citizens, we urge you to give a DO PASS to SB 2048.

Oakes Area Chamber of Commerce

412 Main Ave
Oakes, ND 58474-1637
(701) 742-3508 • Fax (701) 742-3139
oakeschamber@sevotech.org

January 2003

Letter of Support

From: Oakes Area Chamber of Commerce
412 Main
Oakes, ND 58474

The Oakes Area Chamber of Commerce is keenly aware of the impact hunting has on the state and especially our area. It is an economic boost for businesses from service to retail. Hunters patronize our eating establishments, motels, gas/C-Stores, automotive service, meat packing, grocery stores, medical, and a variety of retail shops to mention just a few areas. With the turn around philosophy of the dollar, these monies reach throughout our entire community.

Attracting hunters to the region is vital to our economy. We welcome them and the support they give to the area.

Ron Mahoney

Ron Mahoney, President
Oakes Area Chamber of Commerce

- *CITY OFFICES* -

423 Sixth Street
P.O. Box 1048
evils Lake, ND 58301-1048

Fax (701) 662-7612
TDD (701) 662-7610

January 21, 2003

The attached resolution from the Mayor's Business Committee, dated January 21, 2003, was reviewed and approved by the Devils Lake City Commission at their regular meeting on the same date.

Fred Bott
Mayor, City of Devils Lake

January 21, 2003

Attest:

TODD E. DALZIEL
Auditor
(701)662-7600
E-mail: todd_d@ci.devils-lake.nd.us

GARY A. MARTINSON
Assessor/Building Official
(701)662-7607
E-mail: gary_m@ci.devils-lake.nd.us

MICHAEL E. GRAFSGAARD
Engineer
(701) 662-7614
E-mail: mike_g@ci.devils-lake.nd.us

LYLE P. JAEGER
Public Works Director
(701) 662-7618
E-mail: lyle_j@ci.devils-lake.nd.us

J. THOMAS TRAYNOR, JR.
City Attorney
(701)662-4077
E-mail: tomtraynor@traynor-rutten.com

MAYOR'S BUSINESS COMMITTEE
City of Devils Lake

RESOLUTION

WHEREAS, Nonresident hunting in North Dakota should be promoted, not limited, and

WHEREAS, Economic Development efforts in North Dakota should include the promotion of the nonresident hunting for the benefit of local property owners and small businesses, and

WHEREAS, These nonresident hunters play an important part in the economy of the Devils Lake region and the entire state, and

WHEREAS, In a time when flooding in the Devils Lake Basin has caused much economic hardship, the development of North Dakota's hunting industry with the nonresident hunter is all the more vital.

NOW, THEREFORE BE IT RESOLVED the MAYOR'S BUSINESS COMMITTEE of the City of Devils Lake supports the continued promotion of nonresidents hunting as vital to the economy of rural North Dakota and expresses its concern with efforts to limit the number of nonresident water fowl hunters in North Dakota.

Chairman, Mayor's Business Committee

January 21, 2003

BACKROAD ADVENTURES

Dale Varnson

11250 53rd. St. NE
Brocket, ND 58321-9575

701-259-2143
701-259-2143

January 2003

For Distribution To Those Who Work On Legislation Or Committees Formulating The Enhancement Of North Dakota's Industries Now And Into The Future

Enclosed are letters and statements of concern by several businesses, landowners, and others, in the Lakota, Michigan, Lawton, and Langdon communities, located in Nelson, Ramsey, Walsh and Cavalier Counties.

The ideas and recommendations in these statements and recommendations need to be a part of North Dakota's rural development strategy for business success. Ultimately to lead to a sound legislative action, when necessary, to protect landowner rights and communities working with the landowners.

BACKROAD ADVENTURES

11250 53rd. St. NE
Brocket, ND 58321-9575

Phone 701-259-2143
Fax 701-259-2143

January 13, 2003

Dale Varnson
11250 53rd. St. NE
Brocket, ND 58321

Input for all;

I am a land owner that has started an outfitting business and am acting as a spokesperson for many local small town businesses, neighboring landowners, and myself as an outfitter with money invested in my hunting operation.

The ideal situation is not to have a cap on non-resident hunting as non-resident hunters are one of the biggest sources of tourism and economic boosts our rural communities have.

If a cap is put in place I want my ideas to be evaluated to allow outfitters that have invested in building their businesses guaranteed license access for waterfowl and deer so we can meet our financial obligations.

I feel an OUTFITTER and a GUIDE have two different meanings. Therefore I am suggesting we offer Outfitter licenses to Outfitters and guide licenses to guides.

OUTFITTER LICENSE-

Owner of an Outfitter must be a certified guide. An Outfitter is defined as a person running a business that provides full service hunting that can be proven by brochures, ads, websites, company pictures, and a determining visit form North Dakota Game and Fish Officer.

1 An Outfitter should be allowed up to 100 ND Waterfowl permits to be available to their clients. These permits should be filled by September 1st and returned to North Dakota Game and Fish by Sept. 10th with proper proceeds using county auditor & proper bonding. Any permits not filled by Sept. 1st should be sent back and become available to public until gone.

2 An Outfitter guaranteed to be issued 5 whitetail rifle permits per year Game and Fish input important on Mule deer as I am not familiar with Mule deer population in our State. Any left over permits available on a lottery to Outfitters . We have resource of abundant deer and the current limit of 100 permits available over the whole state is not enough.

3 An Outfitter License would include the cost of the owners personal certified guide license and two other certified guides working for the company.

GUIDE LICENSE- A Guide is defined as an individual person providing services to public or working for an outfitter as a guide. Individual guides should not have guaranteed license options but guide only under lottery or non-lottery issued permits open to public or to work for an outfitter.

An Outfitter license would cover all type of hunting,

Regular archery licenses would remain over the counter.

The outfitter license would guarantee access to 100 waterfowl and 5 whitetail rifle permits as follows.

ESTABLISHED OUTFITTERS NEED LICENSE GUARANTEES TO BOOK HUNTS, GET DEPOSITS, AND MAKE RESERVATIONS . WE HAVE STARTED NEW LEGAL BUSINESSES SUPPORT RURAL DEVELOPMENT AND NEED TO MEET OUR OBLIGATIONS.

MY PROPOSAL OF GUIDE AND OUTFITTER LICENSE FEES using guidelines on page one as facts.

WATERFOWL ONLY OUTFITTER LICENSE- up to 100 license until Sept. 1st		$500.00
DEER ONLY OUTFITTER LICENSE- Choose whitetail or mule rifle permits	5 whitetail OR ? mule deer	$1750.00
COMBINATION DEER/WATERFOWL OUTFITTER LICENSE- rifle permits		$2000.00
Fishing guide license could be added for same price an current		$50.00

If a cap is not put in place we would still need the Deer only outfitter license to be considered.

Also Several active and concerned hunters propose a doe only muzzleloader season. We feel if this season was run the same dates as archery season and available over the counter it would be a good way for people to harvest does and help control deer population. Although buck muzzleloader should continue to be limited in number and remain on a lottery system. People receiving buck muzzleloader permits would not be legal to purchase a doe muzzleloader over the counter. This special season should be on a year to year basis and be under the power of the North Dakota Game and Fish Department to run this type of herd reduction season as they will determine population explosions that will invite disease and lack of wintering grounds.

THANK YOU DALE VARNSON

Feel free to call me with any questions you may have in understanding my input. Please consider helping us as we are trying to run a professional and organized business and need to have some guarantee to give our clients.
(701)-739-0920 (701)259-2143

Dale Varnson

Ben Varnson
4877 112th Ave. NE
Lakota, North Dakota 58344-9481

Phone/Fax: 701 259-2127
e-mail: cayee@polarcomm.com

January 22, 2003

I am a resident landowner and farm in northern Nelson County, which is prime area for waterfowl and game hunting. As a landowner, I am concerned about local groups and clubs creating ideas and/or law adjustments that could negatively impact relationships of local hunters as well as out of state hunters. We have equal respect for out of state hunters and their willingness to hunt here and bring their resources, in part, to our communities.

I feel that out of state hunters should not be restricted any further and should be allowed to purchase hunting licenses to hunt in North Dakota. There are sufficient areas and habitat for resident hunters and out of state hunters. The financial resources brought into North Dakota from out of state hunters amount to many dollars and helps in many aspects of the natural industry we have here.

Ben Varnson

Ben Varnson

January 21, 2003

In regards to: ND Century Code section 20.1-03-07.1

Ladies and Gentlemen:

I am concerned with the changes that may be made to this state law.

Limiting the number of nonresident licenses issued and decreasing the number of days hunters can hunt could greatly affect our small café not to mention our town, county and state.

Our small café receives almost three times the profits during duck and goose season than any other time of the year, ninety percent of that comes from the nonresident hunters.

1. They stay at nearby lodges

2. They hire local guides

3. They shop in our local stores

4. They eat at our Cafe, which in turn,

Keeps and Produces more jobs in the state, which in turn,

Requires resident students to stay in the state to occupy the jobs, which in the end,

Accomplishes two of the states goals of

1. Keeping our youth in the state

2. Boosting the state's economy

OR

The bill can be approved and the state can pass up these economic opportunities.

Before passing or declining this bill, I suggest looking at the economic boost from the waterfowl season of 2002. Research the money the state received from lodging, restaurant, bars, fuel, retail, etc.

It is known that our area is the fly way for geese and duck. Let's not let limitations stop us from taking advantage of that attraction. With farmers having problems with land lost to water, allow us all to profit from the nonresident hunters who come to our state to hunt waterfowl.

Sincerely,

Rhonda Russo

Rhonda Russo
Assistant Manager
Russo's Cafe, Rickets,

MANBECK LAW OFFICE

Douglas G. Manbeck
Attorney at Law
Telephone: (701) 247-2400
United States Toll Free: 1-800-201-2401

320 West Third Street
P.O. Box 533
Lakota, ND 58344
Fax: (701) 247-2344

E-mail: manbeck@polarcomm.com

January 22, 2003

Senator Mike Every

Dear Senator Every,

I am a resident deer hunter who has hunted deer in North Dakota every year since 1978. I am a former hunter safety instructor. I and Lyle Dykhoff, Devils Lake, my hunting partner since I started deer hunting, do our own cutting and wrapping of our deer harvest. Lyle is 77 years old. This year we tent camped with a wood stove during deer rifle season.

Mr. Dykhoff bought a muzzle loading rifle this year before knowing if he would be drawn for a muzzle loading tag. Fortunately, he drew a tag. I applied, as I have every year since the muzzle loading season began, and did not receive a tag. I have enjoyed muzzle loading hunting when I received a tag, and use a black powder rifle I made from a kit.

In my opinion, the ND Game and Fish Department should have complete jurisdiction over the number of muzzle loading tags issued. I would suggest a doe only muzzle loading season at the discretion of the Game and Fish Department, with licenses available in the same manner as bow tags. Our deer population is growing extremely fast, and with the past few good winters, there have been many twin fawns that have survived. A doe only season with muzzle loaders would not severely impact the population, but could help control it. If the licensing is done at the discretion of the Game and Fish Department, they could control the harvest. I am not proposing eliminating the muzzle loading lottery for antlered deer, but requesting another extended season for does only muzzle loading.

At this time, **Section 20.1-08-04.5, NDCC**, limits the number of muzzle loading tags that can be issued, and this statute would need to be amended to permit a does only season under the jurisdiction of the state game and fish department.

Doug Manbeck

Source: S.L. 1985, ch. 279, § 1; 1987, ch. 281, § 1.

20.1-08-04.5. Governor's proclamation concerning the hunting of deer with muzzleloading firearms. The governor shall by proclamation provide for a muzzleloading firearm season following the regular deer hunting season to hunt deer with muzzleloading firearms in the manner, number, places, and times as the governor prescribes. Licenses to hunt deer with muzzleloading firearms must be issued by the director by lottery as prescribed by the director. The director shall issue two percent of the total white-tailed deer gun licenses available each year to hunters with muzzleloading firearms. Of the two percent, one-half of the licenses issued may be for antlered white-tailed deer.

Source: S.L. 1987, ch. 282, § 1; 1989, ch. 288, § 1; 1991, ch. 231, § 67; 1995, ch. 236, § 1; 1997, ch. 219, § 1; 1999, ch. 227, § 1; 2001, ch. 227, § 1.

Effective Date.
The 2001 amendment of this section by section 1 of chapter 227, S.L. 2001 became effective August 1, 2001.

The 1999 amendment of this section by section 1 of chapter 227, S.L. 1999 became effective August 1, 1999.

20.1-08-04.6. Governor's proclamation concerning the hunting of elk — Rocky mountain elk foundation raffle. The governor may by proclamation provide for a season to hunt elk in a manner, number, places, and times as the governor prescribes. Licenses to hunt elk must be issued by lottery, except as provided under subsection 7 of section 20.1-03-11, with only residents eligible to apply; however, the governor may by proclamation make available to the rocky mountain elk foundation a license to hunt elk in a manner, places, and times as the governor prescribes. The rocky mountain elk foundation shall hold a raffle under rules adopted by the commissioner with only residents eligible to participate. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle and all net proceeds must be used for elk management and related projects in North Dakota as described under rocky mountain elk foundation policies and objectives. The rocky mountain elk foundation shall submit reports concerning the raffle as the commissioner requires. Except for landowners who receive special elk depredation management licenses issued to landowners under subsection 7 of section 20.1-03-11 and persons who receive a special elk depredation management license issued by lottery under this section, a person may only receive one license to hunt elk issued by lottery and one nontransferable license to hunt elk through the rocky mountain elk foundation raffle in a lifetime.

Source: S.L. 1987, ch. 275, § 2; 1991, ch. 239, § 2; 1997, ch. 213, § 2; 1999, ch. 50, § 37.

Effective Date.
The 1999 amendment of this section by section 37 of chapter 50, S.L. 1999 became effective August 1, 1999.

KEITH & LINDA ALBRECHT
HICKORY HUT

1205 9th Street
Langdon ND 58249
701-256-2116
albrecht@utma.com

January 21, 2003

To whom it may concern,

We are writing in regards to the issue of "Out of State Hunting." We are very much in favor of it. We run a business that profits from out of state hunters. We run a state inspected meat market & do wild game processing. We are also farmland owners who have not had any problems what so ever with "Out of State Hunters." We have found them to be very considerate of our land, and always asking permission to hunt on it. The community of Cavalier County as a whole profits from the "Out of State Hunters". The hotels, restaurants, hardware stores & service stations are examples of other business in our corner of the state that count on the business, of the "Out of State Hunters." North Dakota is always concerned about the decreasing population. If we are restricting & discouraging hunters to come to our state, doesn't that go against encouraging people to come back to North Dakota?

Sincerely

Linda & Keith Albrecht

CENEX®

Farmers Union Oil Company

6139 Highway 1 • Lawton, North Dakota 58345-9204
PHONE: 701-655-3514 • FAX: 701-655-3517

Limiting the numbers of out of state hunters would be a loss of business for us at Lawton We have hunters buy gas and other supplies while they hunt in our area. I think we need to sell more license to out of staters instead of less. This will control it's own destiny as when the hunting is not a good less people will come and better hunting more will come. We need all the business we can get. I feel we should not limit as this is saying we don't want more business as these guys are good spenders.

Jerden Brorby Mgr.

From: THE JOHNSON STORE <jstore@polarcomm.com>
To: dalepam@polarcomm.com <dalepam@polarcomm.com>
Date: Tuesday, January 21, 2003 4:27 PM
Subject: Fw: Non-Resident Hunting issues

---- Original Message ----
From: THE JOHNSON STORE
To: dalepam@polarcomm.com
Sent: Tuesday, January 21, 2003 4:18 PM
Subject: Non-Resident Hunting issues

I am located in Michigan, ND. Hunting and fishing is the largest, if not the only form of tourism and tourism money for us.

I was very concerned when the issue of limiting non-resident hunters came up. The "compromise" of limiting the number to equal about the same as last year was done quickly and the repercussions of it have adversely affected my business as much as if non-resident hunting had been eliminated completely.

I was no longer able to provide the service of selling licenses to non-resident hunters. I would estimate that 80% of the licenses we sold to non-residents resulted in add-on sales of a variety of items, ammunition,gloves,thermos bottles, ect...
anything they needed at the time.

In the past, when hunters came to the Michigan area for waterfowl hunting, they would ask around or search out a place to buy their license, thus ending up in our store. This year, we honestly did not have any of these type of sales.

I am an avid hunter myself, and I haven't felt infringed on by non-resident hunters. I personally feel that they are more respectful of our area than some of the in-state hunters that come from our metro areas.

The current situation with licensing has been a major blow to my business, in an already very difficult rural economy. Please try to work out some alternate solution to this situation. I am just one case of many that have been hurt by this situation.

Respectfully
Mathew Kroke
Mgr/Owner
The Johnson Store
Michigan, ND
(701) 259-2332

1/21/03

1-21-03

P.O. Box 143
Michigan, ND 58259
To Whom It May Concern:

I am writing this letter in regards to the limiting of hunters coming into our area. We benefit greatly from having them come into Michigan. For the month of October we benefit from the business that the hunters bring here. If you were to limit them, our profit would not be a good as it has been in the past with their business, and we are a small community and every year helps us with making our businesses work. Please take into consideration of the small communities that are trying to make it.

Anyways, why would you want to limit hunters that come into ND for a few days and then leave when they have a license for 14 days. ND needs the money.

Thank you,
Tina Matheny
Manager
Legion Bar

TMM

Tina Matheny

MICHIGAN AMOCO, LLC
PO BOX 327
MICHIGAN, ND 58259

To Whom it may concern. We rely on out of state hunters as they are a maior part of our business in the fall. Limiting the number out of state hunters would greatly impact our business in a negative way. Living in a rural community you need all the outside business you can attract. So we would oppose a cap on non-resident hunting.

Tim Anderson: Partner

Managing Waterfowl Hunter Numbers in North Dakota

The Hunter Pressure Concept:

What it is and how it works

Mike Johnson
Supervisor
Migratory Game Bird Management

Managing Waterfowl Hunter Numbers in North Dakota

The Hunter Pressure Concept:
What it is and how it works

Mike Johnson
Supervisor
Migratory Game Bird Management

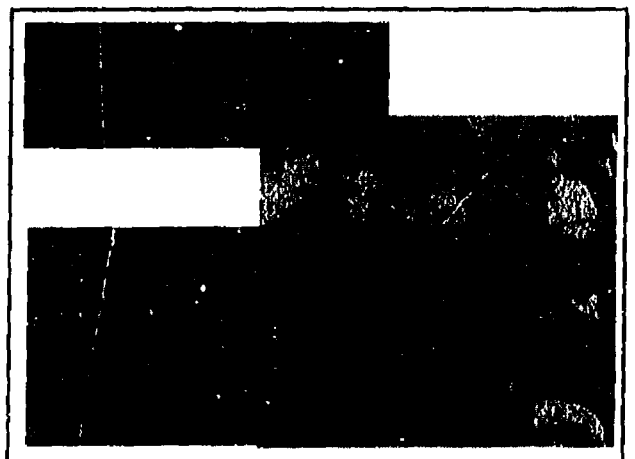
Why a Hunter Pressure Concept?

What is the Hunter Pressure Concept?

How was it developed?

How does it work?

What are the pros and cons?



Why was the Hunter Pressure Concept developed?

- Developed in response to large increases in non-resident waterfowl hunters between 1993 and 2001. These increases resulted in growing complaints by resident waterfowl hunters of:
  - Too many hunters
  - Too much hunting pressure
  - Crowding in public hunting areas
  - Excessive harassment of birds
  - Increased posting and more difficult access to private lands
  - Increased fee hunting and commercialization of hunting
  - Reduced opportunities for quality waterfowl hunting

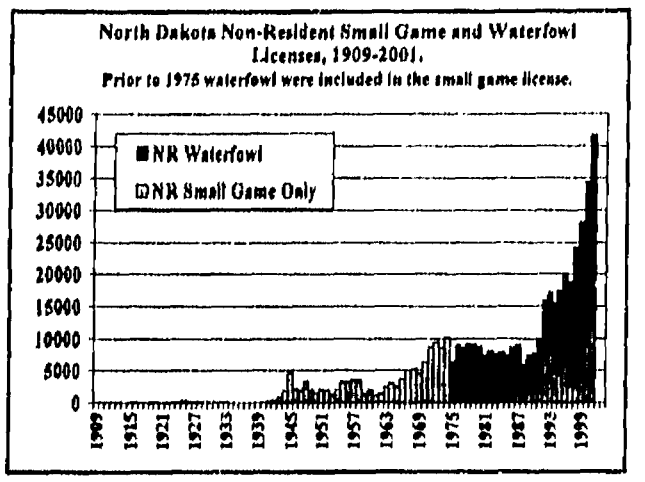
Why a Hunter Pressure Concept?

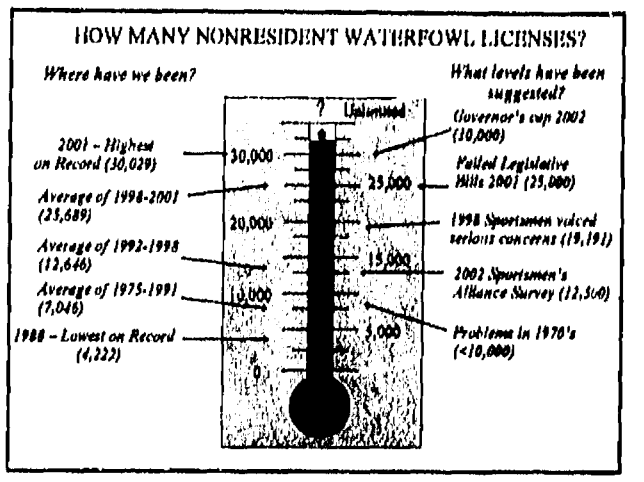
-- We were looking for a strategy for establishing non-resident waterfowl hunter numbers that was:

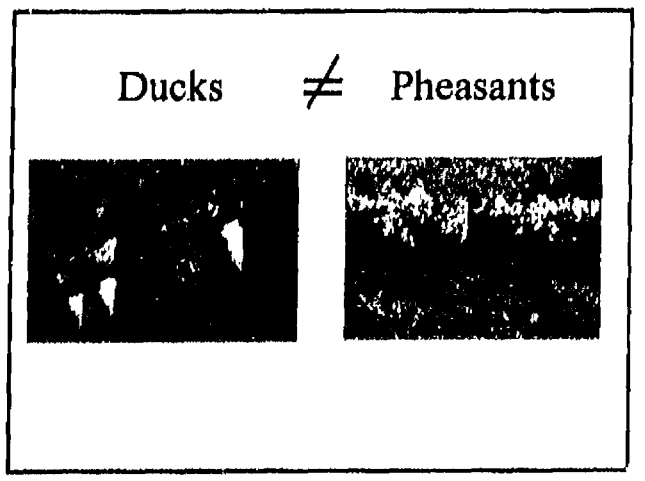
- Based on objective data that reflected the historical relationship between hunter numbers available hunting habitat.

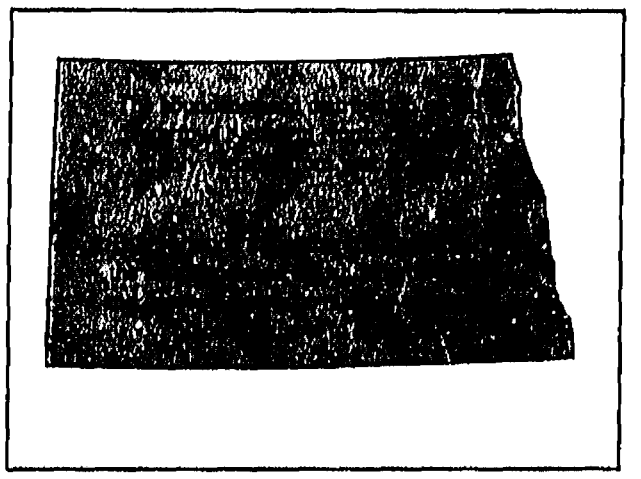
- Not "fixed" – but could be periodically adjusted to changes in hunting capacity – to maintain quality hunting

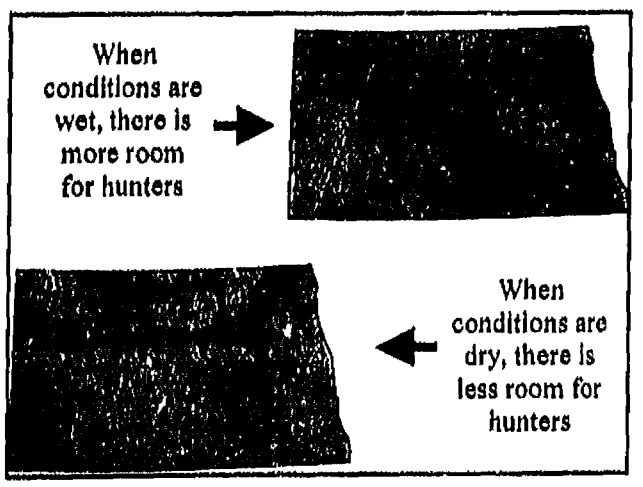
- A reasonable solution that would remove annual debate and contentiousness from the non-resident hunter number issue











Objective Approach:

"dealing with facts or conditions…without distortion by personal feelings, prejudices or interpretations."

Webster's Ninth New Collegiate Dictionary

Objective Approach:

Reduce annual debate, arguments, political wrangling, contentiousness and divisiveness in setting non-resident waterfowl hunter numbers for North Dakota

Objective Approach:

Agree to the rules upfront and let the data decide the answer.

How was the Hunter Pressure Concept developed?

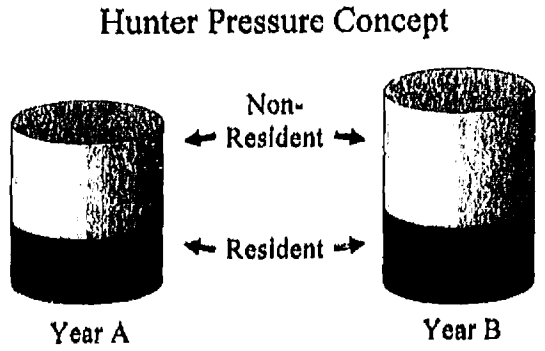
The Hunter Pressure Concept was developed by a team of Game and Fish Department biologists during spring 2002 as part of a effort to examine **all the potential solutions** to the non-resident waterfowl hunter issue.

It was advanced as one of 5 basic strategies that could be used to regulate non-resident waterfowl hunter numbers.

What is the Hunter Pressure Concept?

A system for allowing as many non-resident waterfowl hunters as we can reasonably accommodate each fall.

Basic
Hunter Pressure Concept



More specifically it is an:

"Objective" and consistent system for annually setting limits on numbers of non-resident waterfowl hunters based on:

- the condition of wetland habitats
- the number of resident hunters
- the differential "hunting pressure" exerted by non-resident waterfowl hunters compared to resident waterfowl hunters.

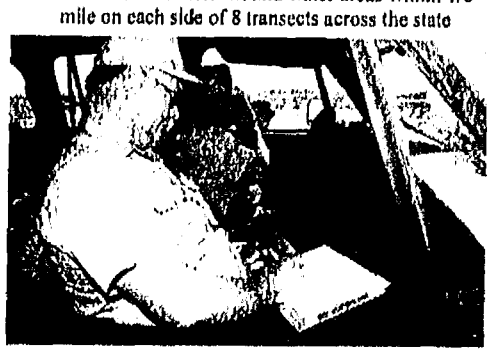
The Hunter Pressure Concept is based on two major data sets collected annually by the North Dakota Game and Fish Department.

1. Mid-May Statewide Breeding Duck Survey
2. Small Game and Waterfowl Harvest Mail Questionnaire

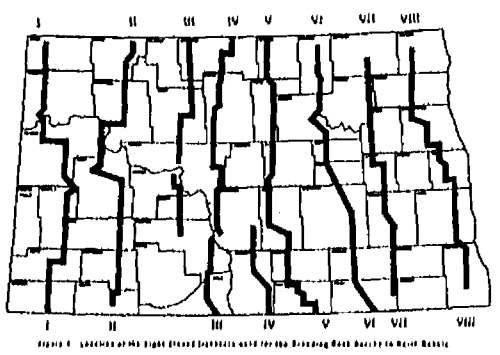
North Dakota Breeding Duck Survey

--1948 - Present

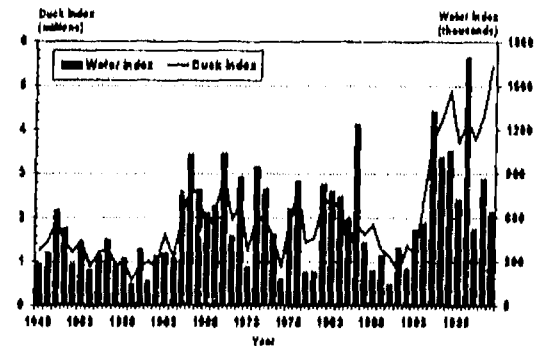
--Record all waterfowl and water areas within 1/8 mile on each side of 8 transects across the state



North Dakota Breeding Duck Survey Transects.
1,816 transect miles totaling 454 square miles



Breeding duck and water indices for North Dakota, 1948-2002.



Wetland Types

- Temporary
- Seasonal
- Semi-permanent
- Permanent
- Man-made
  - Ditches
  - Dugouts
  - Stockdams
- Streams and Rivers
  - Intermittent
  - Permanent

Wetland Types

- Temporary
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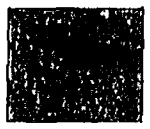
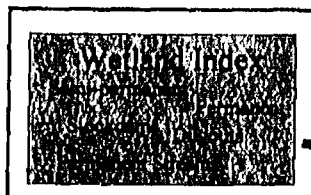
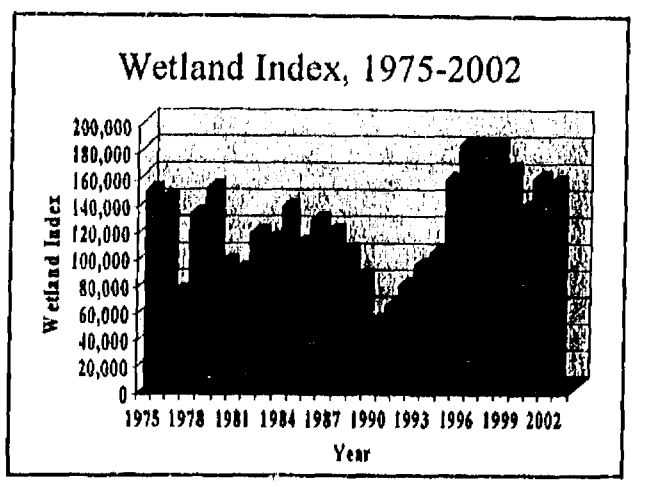
  - Intermittent
  - Permanent





Wetland Index:
An annual measure of the wetlands in North Dakota in May that are most likely to remain for the fall hunting season.

This mix of wetlands is most closely related to the number of waterfowl hunters each year from 1975 - 2001



The Hunter Pressure Concept is based on two major data sets annually collected by the North Dakota Game and Fish Department.

1. Mid-May Statewide Breeding Duck Survey
2. Small Game and Waterfowl Harvest Mail Questionnaire

The North Dakota Small Game and Waterfowl Harvest Mail Questionnaire

-- Conducted annually since 1953

-- Samples 10 percent of the small game license buyers

-- 2,500 to 3,500 waterfowlers surveyed annually

-- Provides *estimates* of hunter numbers, harvest and hunting activity

What is the "Current Hunting Pressure Factor"?

- A measure of the differential hunting effort of non-resident waterfowl hunters compared to resident waterfowl hunters
- It recognizes that non-resident hunters hunt harder and more aggressively than resident hunters.
- This difference can be expressed as the average number of ducks harvested per hunter per day.

Calculation of
Current Hunting Pressure Factor

Average Daily Duck Bag

Year	Resident	Non-Resident	Ratio (NR/R)
1985	1.39	2.00	1.43
1990	1.29	1.32	1.03
1993	1.25	1.70	1.36
1996	1.31	1.87	1.43
1999	1.43	1.91	1.33
Weighted Average	1.35	1.83	[illegible]

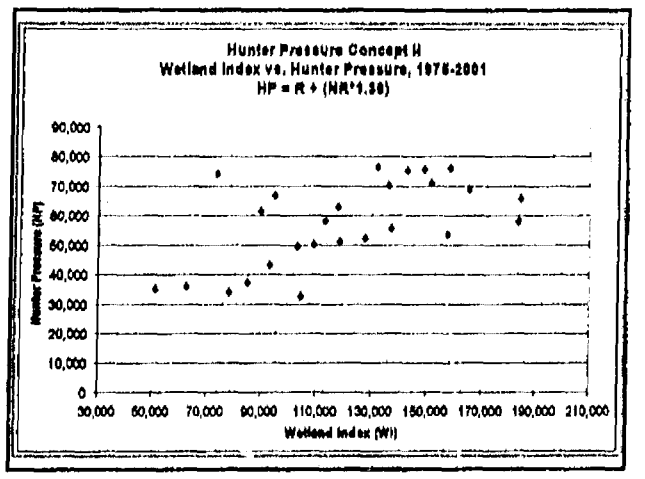
Non-Residents bag 1.36 times more ducks per day than Residents

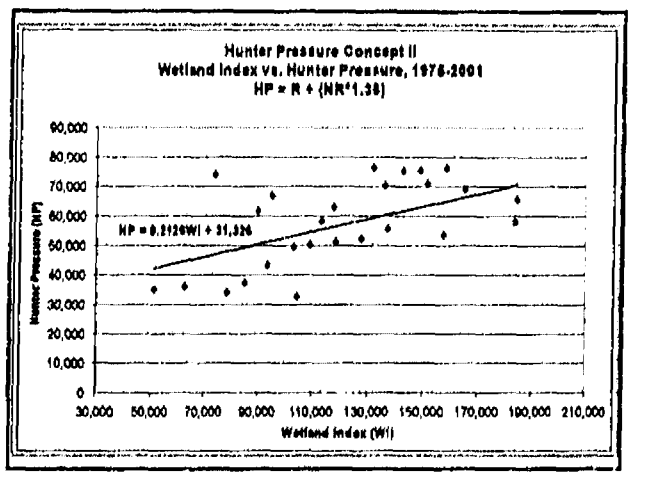
Hunter Pressure: An index to the combined hunting effort of Resident and Non-Resident Waterfowl Hunters in North Dakota

$$\text{Hunter Pressure} = \text{Residents} + \text{Non-Residents X } 1.36$$

or

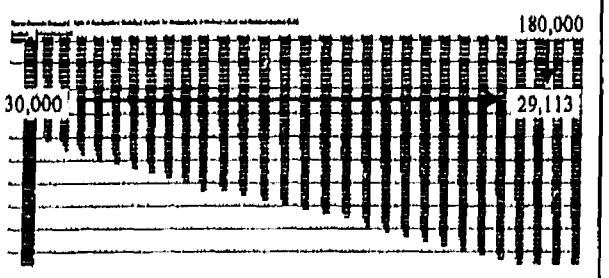
$$\text{Non-Residents} = \frac{\text{Hunter Pressure - Residents}}{1.36}$$



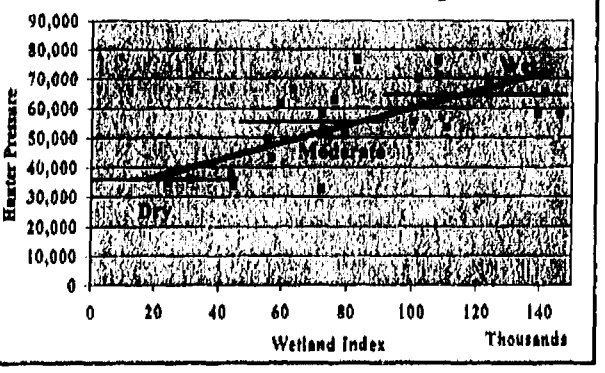


Hunter Pressure Concept Table

Read Wetland Index across the top and the Resident numbers down the left side to get Non-Resident number



Interim Study Committee Hunter Pressure Concept



Bill Language

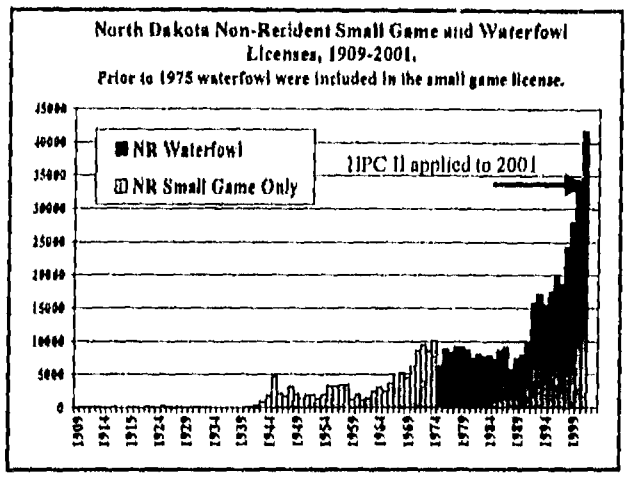
$$\text{Non-Residents} = \frac{\text{Targeted Hunter Pressure} - \text{Residents}}{\text{Current Hunting Pressure Factor}}$$

Targeted Hunter Pressure = 0.2126 x Wetland Index + 31,326

Residents = Number of resident waterfowl hunters in previous year

Current Hunting Pressure Factor = 1.36

Wetland Index = May Survey x 155.65



Is the Model Valid?

- We sought an **independent** appraisal
- David W. Smith, Ph.D., Professor of Statistics, New Mexico State University, Las Cruces, New Mexico

Independent Statistical Appraisal

- "...the wetland index is clear and unambiguous."
- "With regard to your regression, the hunter pressure index is clearly related to the wetland index. In view of the fairly simple model, the relationship is fairly strong."
- "...the model remains a very useful way to adjust hunter pressure for changes in wetlands."

Independent Statistical Appraisal

"...the hunter pressure index...is simply an index much like the GNP...because there is MONEY attached directly to this index...there may be attacks from those who wish to bend the index to their own ends."

Summary Points

Objectively predicts habitat conditions and the number of places available to hunt.

Objectively sets the level of total hunter units (hunting pressure) at an "acceptable level" based on historical information.

Encourages resident hunting and provides all unused capacity to as many non-residents as we can reasonably accommodate.

Summary Points

Reduces "hunting pressure" when habitat conditions predict fewer places to hunt and increased concentrations of hunters and waterfowl.

Gives preference to resident hunters while providing quality hunting opportunity to both residents and non-residents.

Summary Points

It is a compromise in that non-resident allocations may be more restrictive than they have been in recent years, but they may also be higher than resident hunters would like.

Annual non-resident allocation could be determined by June of each year to allow hunters and others to plan for the coming fall.

Conclusions

- The Hunter Pressure Concept offers an objective compromise between the high number of non-resident waterfowl hunters that have been allowed in the past and the number of non-resident hunters that resident sportsmen report as acceptable.
- It is designed to provide sustainable quality hunting experiences for all – residents and non-residents alike.

Conclusions

- Offers a way to reduce or eliminate annual debate and conflict over nonresident waterfowl hunter numbers.

Their Future is in Our Hands

Background and Information
The Hunter Pressure Concept (HPC) in North Dakota

The Issue/Background

The issue of the regulating the number of non-resident waterfowl hunters (NR) has plagued North Dakota for many years. In 1975, responding to complaints from resident waterfowl hunters (R), the legislature established our first license specifically for NR, limited the number of days they could hunt and mandated zones for distributing NR. This issue rocked along with minimal problems (at ≤ 10,000 NR) until the mid-1990's when record duck numbers and excellent habitat conditions (and likely many other factors which I could describe) resulted in increasing numbers of NR. By 1998 (about 19,000 NR) ND Game and Fish Department (NDGF) began hearing serious complaints from R about too many NR causing a multitude of problems, including too many hunters, too much hunting pressure, crowding in public hunting areas, increased posting, increased fee hunting and commercialization of hunting, and overall reduced quality in hunting experiences. R were requesting that a limit be set on NR. The 2001 legislature attempted to address this issue. A number of bills were proposed, several hovering around a cap of 25,000 NR. All of these bills failed and the legislature turned the issue over to a 2-year interim study committee.

In 2001 and 2002, the issue intensified pitting hunters against economic interests (businesses, guides and outfitters and some landowners). Fall 2001 saw 30,029 NR sold (a record number). In summer 2002, a statistically valid survey of R indicated they believed that 12,500 was the appropriate limit for NR. Economic interests feel that 30,000 NR is well below what they would like to see. Under intense political pressure from both sides, the governor set a cap of 30,000 for fall 2002, knowing that the 2003 legislature would be addressing the issue once again.

The interim study committee forwarded two bills to the legislature: 1) the Hunter Pressure Concept (HPC) and 2) the 10/10/Open Plan. The 10/10/Open Plan calls for 10,000 licenses to be made available in each of the first two 10-day periods of the season and unlimited number of licenses available for the remainder of the season. The 10/10/Open Plan passed out of the Interim Study Committee with only minimal support. HPC was developed by NDGF during the Interim Study Committee process but independent from it. It was presented to the public in spring and summer 2002 and received wide support from hunters. It was then adopted by the committee with strong support (14 to 2?).

The 2003 legislature is considering both the 10/10/Open Plan and the HPC. The HPC is strongly supported by R but is coming under strong attack from the economic interests. The 10/10/Open Plan has not been well received by either side. HPC was intended to be an objective process for establishing reasonable numbers of non-resident hunters. The HPC formulas produce lower numbers for allowable NR than economic interests would like, thus they are attacking the "science" of the system.

What is HPC?

We believe it is an objective system for establishing annual limits for NR numbers. It is based on several premises:

1. There is a limit to the amount of waterfowl hunting that ND can support without a significant decrease in the quality of hunting for both R and NR. Both R and NR have told us that hunting quality has decrease dramatically (at least in parts of the state) over the past several years.
2. The quality of hunting is related to the amount of hunting pressure (HP) that occurs during the season.
3. Hunting pressure exerted by R is different than the hunting pressure exerted by NR. There is good reason to believe that NR hunt longer and harder than R and thus exert greater hunting pressure per hunter. When hunters travel out of state to hunt they tend to hunt hard, all day, every day during their stay in the state. Resident hunters tend to hunt much more "leisurely."
4. We believe R are our number one constituents and they should have first priority for the "space" available to hunt. Any remaining space can and should be "filled-in" with NR.
5. The amount of space available for waterfowl hunting varies from year to year – based on the amount of habitat available for birds and hunters.
6. The number of semi-permanent and permanent wetland in the state in the spring provides a measure or index to the amount of hunting space available in the fall.
7. The historical relationship between the amount of habitat (hunting places available) and the hunting pressure exerted is the basis for predicting the hunting pressure that can be allowed in a given year and for calculating the number of non-resident licenses that can be sold.

How does HPC work?

We have annual data (from mail questionnaire surveys) on the number of hunters (R estimated from the surveys and NR from the number of licenses sold), the average number of ducks harvested by both R and NR per season (and thus total harvest by each) and the number of days hunted by R and NR. We believe that the number of ducks harvested per day is the best measure of the differential hunting pressure exerted by NR compared to R.

$HP = R + NR*1.36$

1.36 is the ratio of the average of the number of ducks harvested per day by NR divided by the average number of ducks harvested per day by R (Table 1). These are weighted averages based on 5 years of hunter harvest questionnaire data. These are the only data we have for both R and NR. We have R data for all years going back to the early 1950's. The ratios seem fairly consistent except for 1990 when we were in an extreme drought and the average daily duck bags of R and NR were similar. We have suggested that the bill language for the HPC should use an annual calculation of this differential hunting

pressure based on the five most recent years of data. We are now conducting NR surveys every year to collect these data.

Our measure of habitat (places to hunt) is based on a transect survey of breeding ducks and water areas conducted mid-May each year since 1948. There are 8 north-south ¼-mile wide transects across the state totaling 1816 miles or 454 square miles in area. We count all the ducks and all the wetlands on each transect. We expand the number of ducks and wetlands observed on transects by a factor of 155.65 to get an "index" to the total number of breeding ducks and wetlands in the state each year. We do not have any surveys that provide information on the number of wetland in the fall. Thus, we use only the counts of the semi-permanent and permanent type wetlands counted in the spring to generate the Wetland Index (WI) used in HPC. The assumption is that these wetlands are the ones most likely to remain in the fall and thus provide "places to hunt." Additionally, I iteratively tested various combinations of wetland types and hunter pressure for the years 1975-2001 to see which combination provided the best fit. Those used in the current WI had the highest R^2.

We formed a simple linear regression of the selected WI vs. HP for the years 1975-2001. 1975 is the starting year because this is the first year we have a known number of NR. The regression also includes the years 1999-2001 even though we know that these years had NR numbers much higher than what R desire. Basically, we used all the data we have. The R^2 for this relationship is about 0.31 – not high but significant. We know that there are many factors that affect the number of hunters – only one of which is the number of places to hunt. We think the WI will work as a suitable predictor for allowable HP.

How do we use the system to determine the number of NR allowed?
The formula for the regression line is: HP = 0.2126 x WI + 31326 where HP (hunter pressure) = R + (NR x 1.36), WI is the wetland index as derived from the current year NDGF May Breeding Duck Survey, R is estimated number of resident waterfowl hunters from the previous year and NR is the number of non-resident waterfowl licenses to be sold. WI includes only the semi-permanent and permanent type wetlands tallied (Types 4, 5, 6dug, 6p and PS). It excludes types 1, 3, 6d and IS.

Thus, you substitute for HP in the regression line formula and get the formula R + (NR x 1.36) = 0.2126 x WI + 31326

This reduces to: NR = ((0.2126 x WI) + 31326 - R)/1.36

Plug in the values for WI (for the current year) and R (from the previous year) and you get NR. We set a bottom limit to NR of 6000, so that we would never have fewer than 6000 NR.

Benefits of HPC

We believe the HPC is an objective approach that is based on our historical information. If the players can agree to this approach, it could eliminate annual political debate and contentiousness over the issue. It is based on two long-standing NDGF data sets. It gives preference to R, who we feel are our number one constituents. If the number of R declines we fill in the remaining space with NR/1.36. If conditions become dry we will have fewer total hunters. If conditions become wet we will allow more total hunters. Our data is available in June of each year, which allows time for NR to plan for and purchase licenses. We believe the effect of the regression equation is to average out the highs and lows of the historic HP vs. WI relationship thus it can be viewed as a compromise based on our historic information.

Notes:
Although not statistically complicated, the HPC is significantly difficult to explain to legislators, administrators, hunters and others. We tried to make our first approach simple by not using a regression predictor. Rather we calculated 3 steps of WI (dry, moderate and wet) with a calculated average HP for each. This approach was quickly adopted by hunters as a reasonable solution to the NR issue. However, many objected to the large jumps between the 3 wetland condition steps. Thus, the regression approach was developed to give a continuum of predicted HPs. Despite this increase in complexity the language for this concept has been incorporated into bill language and has been successfully explained to those involved. We purposefully avoided multiple regression type approaches because of the need to keep this as simple as possible. This was despite the potential of using more complicated approaches for developing a better predictor equation. The 6000 bottom cap was arbitrarily selected as a compromise to a lower limit for NR.

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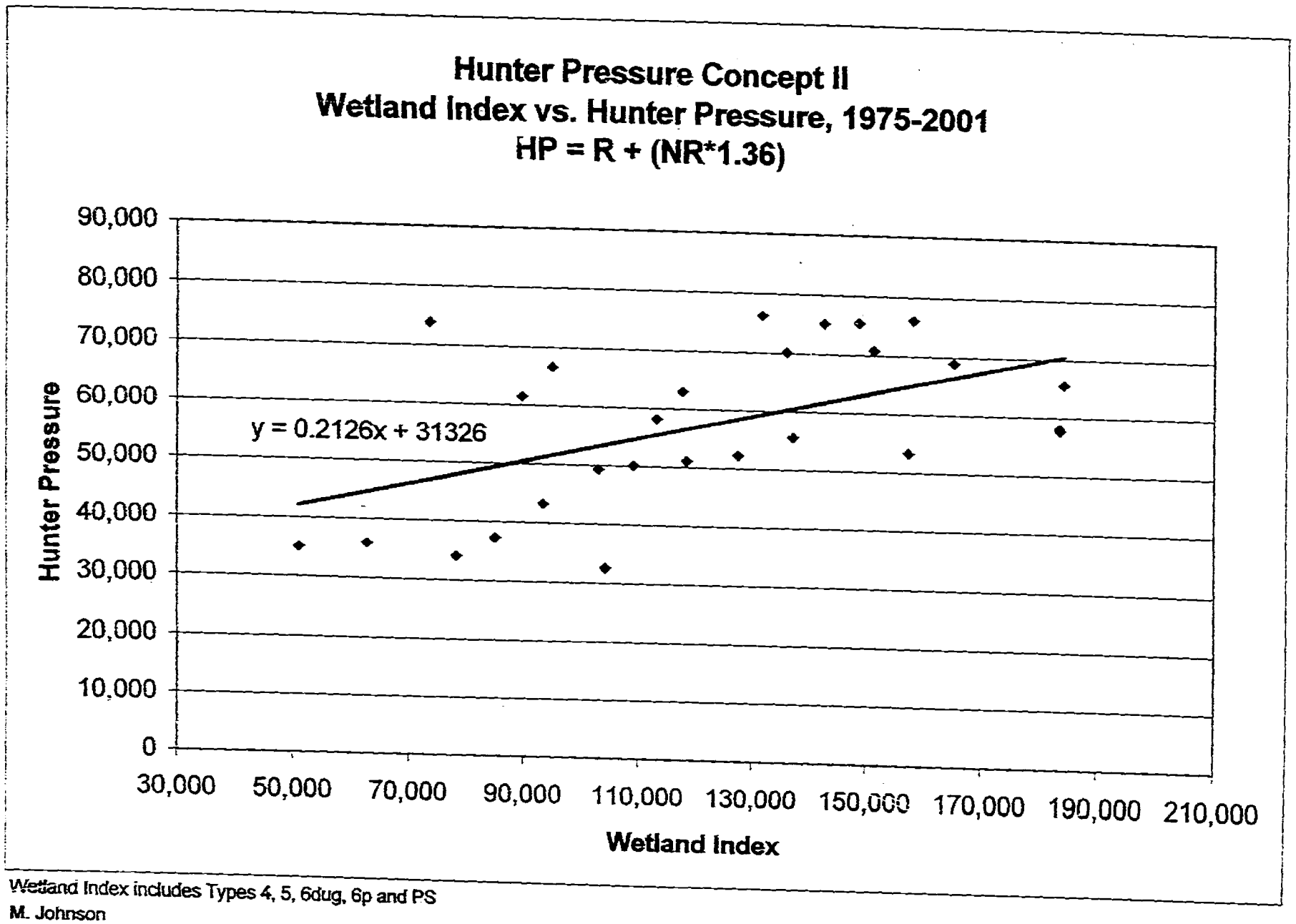
Revised 3 March 2003

Hunter Pressure Concept II
Wetland Indices and License Numbers

Year	Wetland Index	Resident	Non-Resident	Total
1975	148,646	67,267	6,043	73,310
1976	142,575	63,660	8,530	72,190
1977	73,467	63,117	7,933	71,050
1978	131,680	64,081	9,044	73,125
1979	151,292	59,053	8,682	67,735
1980	94,947	55,508	8,262	63,770
1981	89,654	52,079	6,931	59,010
1982	117,671	52,565	7,615	60,180
1983	113,158	48,575	7,085	55,660
1984	137,128	45,814	7,111	52,925
1985	109,111	41,470	6,380	47,850
1986	127,477	42,048	7,507	49,555
1987	118,450	40,890	7,505	48,395
1988	104,286	26,838	4,222	31,060
1989	84,985	29,394	5,778	35,172
1990	51,053	27,529	5,522	33,051
1991	62,727	27,857	5,928	33,785
1992	78,292	22,816	8,175	30,991
1993	93,390	30,271	9,534	39,805
1994	103,040	35,329	10,316	45,645
1995	157,362	37,054	11,997	49,051
1996	183,667	39,009	13,750	52,759
1997	183,511	36,953	15,561	52,514
1998	184,290	39,513	19,191	58,704
1999	165,145	39,244	21,873	61,117
2000	136,038	35,992	25,165	61,157
2001	158,140	35,310	30,029	65,339
2002	154,872		30,000	

Calculation of Non-Resident and Resident Average Daily Duck Bag in North Dakota.

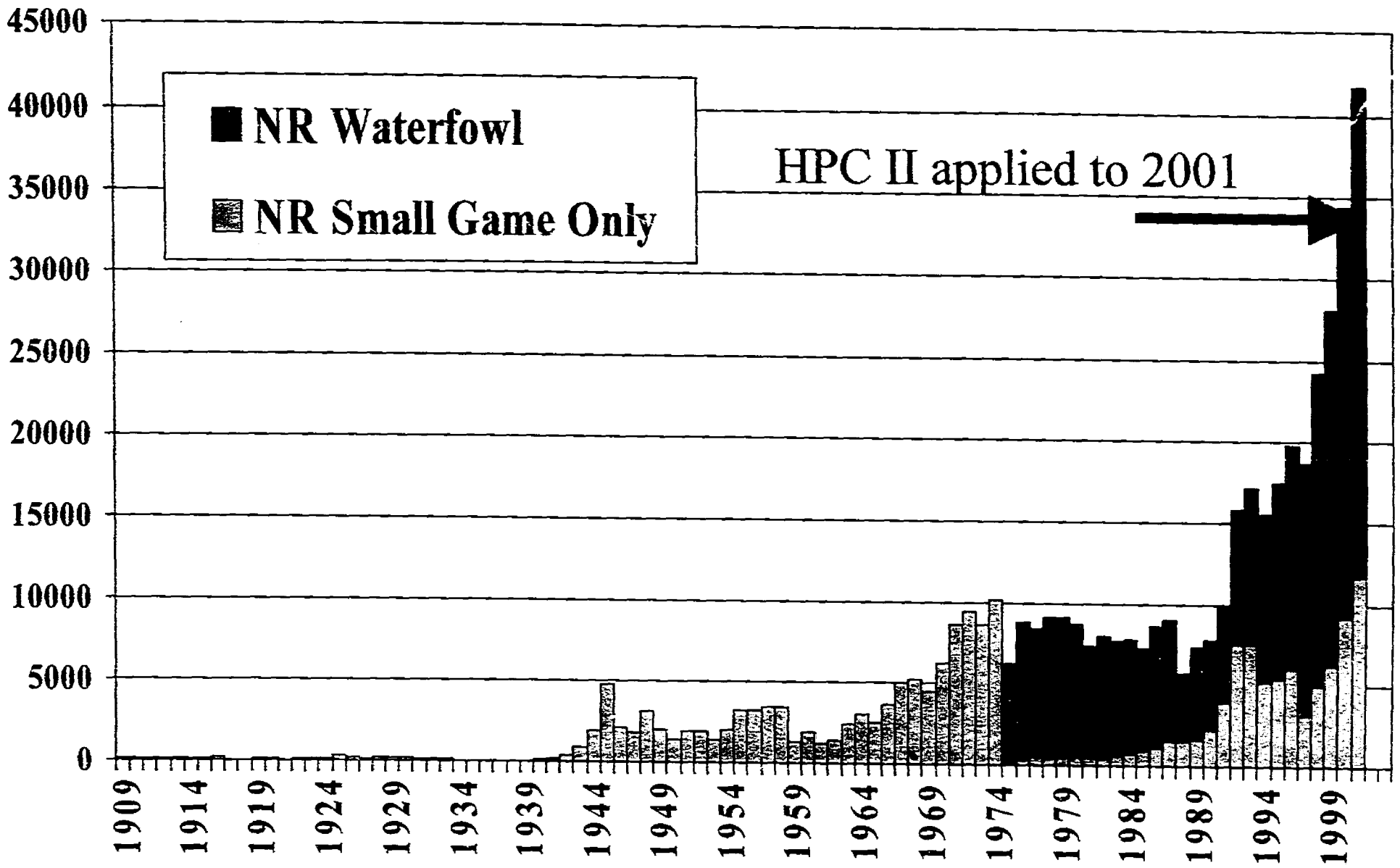
			1985	1990	1993	1996	1999	Total
Number of Waterfowl Hunters								
	Resident		41,467	27,529	30,271	39,009	39,243	177,519
	Non-Resident		6,380	5,522	9,534	13,750	21,873	57,059
	Total		47,847	33,051	39,805	52,759	61,116	234,578
Seasonal Duck Harvest								
	Resident	**Total**	139,090	88,094	118,055	204,796	239,794	839,829
		Average	4.56	3.20	3.90	5.25	6.11	4.73
	Non-Resident	**Total**	32,474	16,456	39,471	80,575	139,331	308,307
		Average	5.09	2.98	4.14	5.86	6.37	5.40
	Total		221,564	104,550	157,526	285,371	379,125	1,148,136
Seasonal Hunt Days								
	Resident	**Total**	135,597	68,547	94,446	156,816	167,568	622,974
		Average	3.27	2.49	3.12	4.02	4.27	3.51
	Non-Resident	**Total**	16,269	12,480	23,168	43,175	73,056	168,147
		Average	2.55	2.26	2.43	3.14	3.34	2.95
Average Daily Duck Bag								
	Resident		1.39	1.29	1.25	1.31	1.43	1.35
	Non-Resident		2.00	1.32	1.70	1.87	1.91	1.83
	Non-Resident/Resident =		1.43	1.03	1.36	1.43	1.33	1.36
Conclusion:								
Non-resident waterfowlers bag 1.36 times as many ducks per hunter-day as residents.								



Wetland Index includes Types 4, 5, 6dug, 6p and PS
M. Johnson
2-Jan-03

North Dakota Non-Resident Small Game and Waterfowl Licenses, 1909-2001.

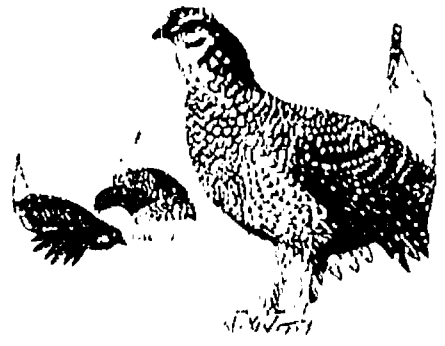
Prior to 1975 waterfowl were included in the small game license.



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 SB 2048, MARCH 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 strongly endorses SB 2048, the Hunter-Pressure Concept (HPC) for the following reasons:

- We believe that HPC provides an objective long-term solution for balancing allocation of a public wildlife resource based on sound biological principles, historical data, and changing environmental conditions.
- The Hunter-Pressure Concept was developed by waterfowl experts at the North Dakota Game and Fish Department. Their development of HPC included extensive evaluation and analysis of data, historical trends, and other potential tools to address this issue. Although this issue is about hunter management rather than harvest management, hunter management and hunter satisfaction are key components in the science of wildlife management. Therefore, this issue is a game and fish issue. We believe it is essential to support the wildlife management professionals' legitimate role and expertise on this subject.
- HPC is grounded on a strong correlation between the wetland index and historical hunter pressure. The science behind this model is sound and statistically valid.
- After much heated debate over the issue of a fair allocation of waterfowl licenses during the last legislative session, the 57th Legislative Assembly directed an interim study to help bring resolution and clarity. The Judiciary B Interim Committee held eight meetings and gathered hundreds of public comments. After reviewing all the information before them, Judiciary B Interim Committee gave the HPC a 15-2 endorsement as a preferred alternative to forward as a bill during this legislative session.

Dedicated to the wise use of all natural resources

The management of waterfowl hunters is necessary for the long-term sustainability of North Dakota's strong waterfowl heritage. The ND Game and Fish Department and the Judiciary B Interim Committee have looked at the issue extensively. They both support HPC. As an organization of wildlife and natural resource management professionals, the North Dakota Chapter of The Wildlife Society believes we need to support their extensive work and expertise. Consequently, The Wildlife Society strongly recommends a DO PASS from this committee on SB 2048.

Testimony to:

ND House of Representatives Natural Resources Committee on SB 2048

John French
1213 Belmont Road
Grand Forks, ND 58201

Mr. chairman, committee members, my name is John French. I'm a life long North Dakotan. I've been actively involved in Ducks Unlimited, Pheasants Forever, Delta Waterfowl, and I'm currently president of the Grand Forks County Wildlife Federation. After my family, hunting is the main passion of my life. And when I can combine it with my family, like when my son and I go waterfowl or pheasant hunting each fall, I'm about as happy as a guy can be.

Hunting has been a huge part of my life going all the way back to when I was a teenager and my dad gave me my first shotgun, a Winchester model twelve 16 gauge pump gun. All through high school my pals and I would hunt the eastern edge of the prairie pothole region, Kelly's slough, Petersburg, Michigan, etc. Through trial and error, and with the help of some of the old timers I learned alot about my sport. Now I'm 55 and after four decades I'm less concerned about filling my limit, and more interested in the pleasure of the outing and the quality of the hunt. About taking a kid out. About learning the habits of wildlife. And the camaraderie of our hunting camps from McVille to Minot and Ross to Regent. Today when I see my son make a nice shot on a pheasant or bring down a wary giant canada goose I feel such a strong emotion I can hardly talk about it. I'm a hunter. But more importantly my son is a hunter, and hopefully his son will be too. And that's why I'm here today.

Opponents of SB2048 have stated that the huge influx of out of state hunters and the commensurate diminished quality of hunting in our state is a figment of the imagination of a handful of resident hunters. Nothing could be further from the truth as evidenced by the turnout of resident sportsman from all four corners of the state, here today.

These people didn't have to be recruited and herded onto buses. They took the day off work and drove here because they are concerned about the future of quality hunting in North Dakota.

I first learned how serious this problem was when our local wildlife group held a forum a year ago in February to discuss the issue. A surprising 110 people showed up. When asked if the record numbers of out of state hunters were diminishing quality hunting in our state 105 of the 110 present raised their hands!

Even Governor Hoven recognized the problem and directed the Game and Fish Department to hold special advisory meetings through out the state to address the issue. But unlike last spring's 'Pheasant Gate' which was fought out in the media, waterfowlers were determined to tackle this problem properly. Wildlife groups met individually and discussed it. Then a summit of all the major wildlife groups unanimously agreed to endorse the Hunter Pressure Concept. A plan developed through countless hours of work by the professional waterfowl biologists at the North Dakota Game and Fish Department. From there we went to the Judiciary 'B' committee hearing held in Bismarck last September. The plan was presented and passed by a resounding 15 to 2 vote. Then it was off to the legislature where two weeks ago the wisdom of the Hunter Pressure Concept again won the day with a 26 to 20 passing vote. And now here we are...it's the bottom of the ninth inning and the House will decide the fate of a bill that has overwhelming support from thousands of resident sports men and women, the nationally respected professional biologists at the North Dakota Game and Fish Department, the Judiciary 'B' committee and the North Dakota Senate.

As near as I can tell, the only people opposed to SB 2048 are those that will have a financial gain by it's failure. They plead about the impact this bill will have on economic development. But what they're really talking about is economic impact. And what about the economic impact resident hunters have? We spend far more than non-residents.

They say we are unwilling to compromise. When in fact SB 2048 is a compromise. At the height of this problem North Dakota saw 30,034 out of state hunters. Under the Hunter Pressure Concept II, last year 26,500 non-residents would have been allowed, far more than most resident hunters had hoped for. Further more we attempted to reach out and blend SB 2048 with our opponents HB 1307. But they wouldn't hear of it. So 1307 was killed, and SB2048 is the last shot you've got. Don't let this golden opportunity slip away. For if you don't pass the Hunter Pressure Plan this session, I guarantee you we'll be back in two years, just like we were last session with HB 1269. This problem will not go away. It will only get worse. Remember: The Governor thought there was a problem, The Game and Fish thought there was a problem. The sportsmen, Judiciary 'B' committee and the Senate think there is a problem. So let's do something about it. SB 2048 is a great bill. It works year in and year out, wet cycle or dry. It is a plan for all seasons and all the right biological reasons, and it deserves your support. Thank you for your time.

1307/2048 BLEND

1. 3 10-day periods during first 30 days, like 1307.

2. HPC divided by three, with one-third of HPC-produced licenses allocated to each 10 day period.

3. A fourth period runs from 31st day to season end.

4. Number of licenses produced by HPC times 5% are available in period four.

5. Discretionary adjustment removed.

6. Thus, for example, if HPC produced 21,000 licenses, 7,000 for each of first 3 10-day periods, and 1,050 licenses for period four.

7. Anyone buying a period one-three license may return for one consecutive three-day hunt in period four.

8. Period four licenses good for one consecutive seven-day period.

9. Any licenses unsold for periods one-three at the end of a period are available for resale for any later period.

10. Period four licenses don't go on sale until 31st day.

11. Hunters may, two weeks prior to their period starting, obtain a refund for an unwanted license, and such license shall be available for resale in such period or carried over to a later period, as the case may be.

12. Only one license per hunter.

ADVANTAGES/EFFECTS

A. Create the "demand spreading" components of 1307.

B. The three-day return feature allows for additional late season commerce, in years when weather cooperates, while protecting against too much/unbridled pressure when pressure is least tolerable during late season.

C. Because the fourth period licenses aren't available for sale until the 31st day, they are in essence "held" for nonresidents who want to check late season conditions before committing. This would address a cap concern raised by certain commerce folks as pertains to nonresident "diver" hunters who wait until later to decide.

D. Format will likely produce the effect of HPC times 1.15% to 1.20%. This has been the consensus of the several who have considered this format.

E. As such, tourism gets a guaranteed upward adjustment from HPC (not discretionary), but annual politics and fighting over the 25% discretionary adjustment is avoided.

F. License resale features better ensure that all licenses will get sold and used – another frequent concern expressed by duck commerce people.

G. With the effects of 1358, virtual assurance that all waterfowl licenses are sold to active waterfowlers. Based upon comments by some duck commerce people last fall, this alone should produce an automatic and significant (5-10%) adjustment in allowable waterfowl hunters.

H. While period four allows for additional use by other nonresidents, the concerns to resident hunters from a totally open period and unquantifiable over-use during the late season are mitigated. The seven day duration of this license recognizes that late season can tolerate less pressure.

I. Resident waterfowlers get the assurances of general features of HPC – that when bird dispersion is more limited, there will be less hunters. This still represents a self-adjusting, permanent format.

J. Because the fourth period use is quantified, general resident waterfowlers should feel there will be duck-belt-wide late season opportunities when late season weather allows. And this format will protect against a complete over-run of the late season Missouri River resource.

K. This format heavily violates the KISS principal. But, this is a political solution that seems to go a long ways towards addressing the known and practical concerns of the parties involved, and this is a good case to favor a little more complication over simplicity.

L. This format will place additional administrative responsibilities upon G&F, but information technology will make those administrative responsibilities easier to deal with.

M. It seems there's something here for everyone – lots of 1307 elements (demand spread and additional late season commerce) and the basic, but relaxed, premise of 2048 (self-adjusting cap).

I am a rancher in the Kulm srea and I would like to address the non-resident issue.

I under stand they buy gas and food and support our local business, but due to the drought in our area, the water situation is down considerably and in some areas completely gone and a lot of the cover was hayed. And this situation doesnt look good for this ye

Last fall the hunting pressure was greater than any other time that I can remember. That is why we need some kind of a cap on the license being sold.

I believe the first cap last fall on license being sold should have been what Dean Hildebrand and his staff of the North dakota Game and Fish Dept. recommendeed.

I am also concerned on the resident hunter who lives in the state it is getting to the point where they are crowded out.

The residents and business of our smaller communities are on our volunteer fire department and ambulance and other community ser vices they also have family that enjoy hunting and are being crowded out. And most are on a limited income.

We also have to relize to keep our young people and families in our state, hunting is a big part to them thats why they have stayed here.

So I believe in the future we are going to have to come up with some kind of zoning so the Game and Fish Dept. can issue more linense to areas that have the water and cover and less license in areas that are in a drought situation.

In closing I have talked to a lot of farmers and ranchers and a lot of there feelings are the same as mine. So I have some of there signatures to back me up today.

We support the Hunter Presmure Concept Bill and would urge you to support it also.

Thank-you

Donovan Fey

#5

TO: North Dakota House of Representatives
Natural Resources Committee

FROM: Mark R. Hamilton
Wild Things Gallery
Dakota Square Mall
Minot, North Dakota

RE: Senate Bill 2048

Mr. Chairman and members of the committee,

My name is Mark Hamilton, I am the owner of Wild Things Galleries in North Dakota I have stores in Minot, Grand Forks, and here in Bismarck. Some of you may know of me, I am the person who wrote the recent add/article in the Minot Daily News regarding the nonresident hunting issue. I appear before you today to speak in favor of senate bill 2048.

In taking this position, I find myself at odds with many of my friends in the business community. The excellent people here on the other side of this issue.....those from GNDA, Tourism, and others, will tell you that we need all the nonresident business we can get. North Dakota is hurting and the extra dollars help all of us. It follows then, that any prudent business person should be marching to their drum beat, but I am not, and I would like to tell you why, and then briefly speak on 2048.

VERY SIMPLY, I BELIEVE THAT THE EVER INCREASING NUMBERS OF NONRESIDENT HUNTERS MEANS FEWER HUNTING OPPORTUNITIES FOR THOSE OF US WHO LIVE HERE, NOT BECAUSE OF A SHORTAGE OF GAME, BUT BECAUSE OF THE LACK OF ACCESS TO QUALITY HUNTING HABITAT.

MORE AND MORE HUNTERS BRING MORE PRESSURE ON THE RESOURCE , AND A WHOLE HOST OF RELATED PROBLEMS INCLUDING, OVERCROWDING, AND THE LEASING AND PURCHASING OF QUALITY HUNTING LANDS, AT THE EXCLUSION OF THE GENERAL HUNTING POPULATION.

The opponents of 2048 will argue that North Dakotas a big state, lots of land, lots of game, room for everyone they say. They would have you believe there is no down side, no harm, no negatives, lets open our doors they say. To that I would respond that they are either largely nonhunters and don't understand the issue, or they only see the money to be made, or perhaps they have their own private places to hunt and really don't care about anyone else and have little regard for preserving our hunting heritage.

The motivation of some who oppose this bill is obvious, they seek to gain economically, its really all about their checkbooks...And who can blame them for that? We all want to improve our bottom line and the money spent by nonresidents certainly helps. And the rancher who owns the wonderful pheasant hunting grounds in the southwest or the farmer who owns the wetlands in the Devils Lake area has every right to profit from his lands. That fact is undenyable, the landowner has every right to post his land, to lease it, or to sell it to the highest bidder....but thats where his rights stop...he does not own the wildlife resource, the wildlife cannot be owned by any individual or entity...it is held in trust by the state for the benefit of all who live here. And therefore, it is incumbent upon the state, it is incumbent upon you legislators to see that the resource is managed in the best interests of the majority of the people of the state and not just those who seek to gain economically. Its really just a very basic premise..THE PEOPLES WILDLIFE SHOULD NOT BE AN ECONOMIC COMMODITY.

To illustrate my point, I'd like to relate to you an incident that actually happened to me last fall. A group of us were hunting ducks in a pea field north of Stanley. I knew the farmer, the land was not posted, and we had hunted it before. Therefore I was surprised when the farmer drove up to our decoy set and said "Mark, I'd like to ask you to leave''. When I asked what was going on, he said that he was sorry, but he had leased the field to a group of 10 hunters from Minneapolis. When I respectfully asked how much they were paying, he said $6,000. Ten hunters were paying $600 each, or $6,000 for one quarter section of a harvested pea field.

Again, we cannot blame the farmer for this, its his perfect right to seek whatever profits he can from his land, BUT IT BRINGS INTO FOCUS THIS WHOLE QUESTION OF THE EXPLOITATION OF THE HUNTING RESOURCE FOR THE ECONOMIC BENEFIT OF A RELATIVELY FEW PEOPLE. I can guarantee you, there are many more like the Minneapolis ten, with far greater economic means than you or I, just waiting in the wings to lease or buy up the best of North Dakota.

Economics drives this issue and we cannot stop that, but we can pass legislation which will limit nonresident licensing and thereby discourage nonresidents from buying and leasing lands for their own private use, at the exclusion of us who live here.

I have heard the opponents of Senate Bill 2048 characterize us as some sort of a fringe group of whackos and duck hunting zealots who are against economic development. While reading the Minot paper recently I saw that a state senator acutally referred to us as such...zealots, he called us. And then it struck me... thats exactly the phrase used to describe Theodore Roosevelt 100 years ago when he fought tirelessly to enact his conservation legislation on behalf of all the people of this country. He too was called a zealot, and if thats the handle they want to put on us, we will wear it proudly, for we are in great company.

In Roosevelts time most of the public was either apathetic or totally opposed to the curtailing of what was viewed as THE RIGHT OF THE PRIVATE SECTOR TO PROFIT FROM A PUBLIC RESOURCE. As it was then, so it is now. In Roosevelt's time it was the miners, the lumbermen, and the market hunters who sought to have their way against the wishes of the general public. Today it is the monied interests from other states who have discoverd that our resources are for sale.

And now let me show you what this issue is really about. This is what its about. Its about our youth, its about our hunting heritage, its about us leaving this state a better place than we found it. And when the multitudes from Edina, and O'Claire and other places arrive here with their suburbans, and duck boats....they'll fill our motels, and our restaurants, and our bars, but they won't teach these kids one single thing about conservation, or this hunting heritage that so enrichens our lives and is their birthright.

Senate Bill 2048 is not a cure-all to this problem, it undoubtedly has some flaws, but its a start and I believe its the best proposal so far. Lets try to get the politics and special interests out of it, we ought to let the professionals at game and fish decide whats best for the resource. Therefore I would urge your support for this legislation.

thank you. Ma

To: Honorable John Nelson
Members, North Dakota House of Representatives Natural Resource Committee

Re: Senate Bill 2048

My name is John Erkmann. I am a resident of Anchorage, Alaska and am an avid waterfowl and upland game hunter. I've had the privilege of hunting in North Dakota for the past 14 years. My favorable impression of those experiences was reflected in an article that I authored which appeared in North Dakota Outdoors (Sept/Oct 1990). The article's main theme was the contrast between the easy accessibility of hunting to both resident and non-resident in North Dakota versus the formidable challenges of access here in Alaska despite the disparity of public ground in our state and the paucity of publicly owned ground in North Dakota.

During this same interval, I've had occasion to hunt South Dakota several times. The initial experiences were dramatically different. The easy access in North Dakota contrasted to the difficulties with access in South Dakota. My hunting there was necessarily at commercially operated farms that provided both native and "spring-release" pheasants, a far cry from the almost limitless access enjoyed to the North.

Unfortunately, those experiences are now much more similar due to the deterioration of hunting in North Dakota. I've seen more and more posted signs, encountered more and more leased land, and had the occasion of being forced to leave an unposted field last year after an early morning set-up for ducks by a farmer who indicated that he had leased the field to non-residents and that they were arriving later that day.

Even as a non-resident whose access might be limited as a consequence, I am strongly in support of legislation whereby game population management is conducted by professional wildlife managers rather than by politicians if it means that when I do have the opportunity to hunt, I can expect it to be the quality experience I've known in the past. I would hope that your actions could help maintain that opportunity for myself, my children, and theirs into the future.

John Erkmann

New Economy INITIATIVE

Tourism Alliance Partnership

Testimony of Cole Carley
North Dakota Tourism Alliance Partnership
Fargo-Moorhead Convention and Visitor's Bureau
on Senate Bill 2048
March 6, 2003

My name is Cole Carley and I am the executive director of the Fargo-Moorhead Convention & Visitors Bureau as well and a co-Chair of the Tourism Alliance Partnership. Following is my testimony on SB 2048.

I ask you to oppose SB 2048. Like many other bills, it's well-intentioned in wanting to safeguard the rights of North Dakotans to enjoy our state. But the rights of some North Dakotans to enjoy a hobby should not trample on the rights of other North Dakotans to try and make a living. That will be the effect if this bill is passed.

This is an economic issue. Our rural, land-based economy had been taking major hits in the past few years. The money that out-of-state hunters bring to North Dakota is new money, found money; money that wouldn't normally come here and money that can disappear almost instantly. If North Dakota continues down the path of severely limiting out-of-state hunters, that money *will* disappear.

The North Dakota Tourism Alliance Partnership wants to ensure the continued economic benefits that abundant hunting and fishing opportunities provide to the state. For this reason the Tourism Alliance Partnership opposes legislation that further limits visitation from non-resident hunters and opposes the limitations outlined in SB 2048.

A recent study conducted by the Department of Agribusiness and Applied Economics at North Dakota State University revealed total hinting and fishing has generated more that $1 billion in gross business volume, $30.5 million in general state tax collection and support and created 13,100 full-time jobs.

This study shows that the total direct expenditures by non-resident hunters and anglers increased by $33 million or 101 percent from 1996-97 to 2001-02. *It also demonstrated that the average nonresident hunter/angler tends to spend more in rural areas than urban resident hunters/anglers and as would be expected, non-residents have greater per person impacts on services such as lodging, guides and food.* This is very important to the rural areas of North Dakota where the autumn hunting season has become the equivalent of Christmas to a shopping mall – it can make or break the year.

North Dakota is and has been for many years attractive to outdoor enthusiasts from around the country. Any efforts to restrict out-of-state sports enthusiasts would have a direct negative impact on the state as a whole, and especially the rural communities that host so many of these sportsmen. This bill will not create more in-state expenditures by in-state hunters; it will restrict our state to selfish interests who seem to think that they have the divine right to land access simply by their residency. It's simple: Invite people to come and they may. Ask them to stay away and they will.

This bill is typical of an isolationist outlook, one that will not grow the economy of North Dakota. This is an issue full of passion and emotion. I do not envy your decision. But, I repeat, this is a matter of state economics. Do we grow or do we die?

As someone who represents an industry profoundly affected by this issue and who recognizes the sizable value of out-of-state money, I respectfully request that you reject this bill.

P.O. Box 2639 • Bismarck, ND 58502
Phone: 701-222-0929 • 800-382-1405 • Fax: 701-222-1611
www.gnda.com/neweconomy
A project coordinated by the Greater North Dakota Association

MARCH 6, 2003

TESTIMONY OF RANDY FROST, DEVILS LAKE CHAMBER OF COMMERCE

REGARDING SB 2048
HOUSE NATURAL RESOURCES COMMITTEE

ECONOMIC IMPACT ANALYSIS OF HUNTER PRESSURE CONCEPT (HPC)
(BASED ON WET CONDITIONS)

In creating this analysis, we had to assume that the goal of increasing the number of resident hunters would be successful and that overall the number of resident hunters would increase from the 2001 number of 35,000 to the 1995-2000 average of 38,000. Under a wet condition scenario, this would reduce non-resident hunters to 19,118, a loss of 10,882 non-resident hunters.

- This loss in non-resident hunters would have an economic impact of $19,195,000 (19 million)
- The positive economic benefit of increasing resident hunter numbers would be $5,613,300 (5.6 million)

The implementation of HPC would have a negative impact of $13,582,245.

$19,195,545
-5,613,300
$13,582,245

An additional loss in state sales taxes of $679,122.

An additional loss in local sales taxes between $135,000 - $203,000

If Governor had the discretion and increased non-residents by 25%, the negative impacts would decrease by $3,395,561.

If Governor decreased non-residents by 25%, negative impacts would increase by at least $3,395,561.

These economic impacts ignore any other possible effects and focus only on if a set number of non-resident hunters did not show up after implementing the HPC regulation.

Dean A. Bangsund, who was one of the research scientists who put together the Agribusiness and Applied Economics Report No. 507-S, has confirmed that these numbers are consistent with the intent of how it was reported, Department of Agribusiness and Applied Economics, North Dakota State University, Fargo, North Dakota.

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NORTH DAKOTA FARM BUREAU
TESTIMONY ON
SENATE BILL 2048

Good morning Chairman Nelson and members of the Natural Resources Committee. My name is Eric Aasmundstad and I represent the 26,000 member families of North Dakota Farm Bureau. I am here today to speak in opposition to Senate Bill 2048, the hunter pressure concept that would limit non-resident waterfowl hunter numbers.

I applaud the bill sponsors for their efforts in attempting to find a solution to the controversial issue of nonresident hunters shooting waterfowl that some seem to believe belong to the residents of North Dakota. Unfortunately, this bill would cause devastating economic harm to rural North Dakota and would be an insult to the state's landowners.

The hunter pressure concept is not a sound concept by which to limit hunter numbers. The hunter pressure concept falls short in a number of areas:

1. The North Dakota Game & Fish Department has no accurate means of tracking resident hunter numbers.
2. The hunter pressure concept can be manipulated.
3. The hunter pressure concept does not include broad enough parameters.
4. Senate Bill 2048, if passed, would be an economic disaster for rural North Dakota.
5. Senate Bill 2048 does not solve the perceived problem of access.

First, the North Dakota Game & Fish Department uses resident sportsmen or resident small game and general game and habitat license information to track waterfowl hunters. Only by random harvest surveys does it get any idea of waterfowl hunter numbers. As identified in Attachment A, the Game & Fish Department admits that the number of resident waterfowl hunters is estimated from its harvest survey. How can the Department

say conclusively they can track waterfowl hunter numbers without ever issuing a North Dakota waterfowl stamp?

Second, manipulation of the hunter pressure concept could occur if resident hunters bought an additional license for another family member. With 2001 **estimates** of 35,310 resident waterfowl hunters, only another 15,000 licenses would need to be purchased in a year of wet conditions to drive nonresident numbers to 5,000. Manipulation can occur without buying additional licenses. If every sportsman who filled out a harvest information survey indicated they hunted waterfowl, nonresident numbers would be reduced to 5,000. Manipulation by one resident hunter removes 1.36 nonresident hunters from the state.

The Hunter Pressure Concept utilizes a formula of 1.36 nonresident waterfowl hunters to one resident waterfowl hunter, supposedly based on hunter survey data. Even this formula appears flawed. The number of 1.36 was derived by the Game & Fish Department as the difference between the average daily bags of nonresident versus resident hunters. In other words, nonresident hunters supposedly shot about one-third more ducks per day than resident hunters. But let's put this in perspective. Is there anywhere in the formula to credit nonresident hunters as they hunted fewer days during the season than residents? No. According to the Game & Fish Department data, nonresidents hunted fewer days per season than resident hunters.

The silliness of this debate is really put into perspective when you consider that there were probably less than 700,000 ducks shot in North Dakota last year by all hunters combined. This compares with 5,423,157 breeding duck pairs in North Dakota in 2002 – an all time high (see Attachment B). This number **excludes** hatch numbers or fly-through ducks, so what would that number bring us to? Twenty million individual ducks perhaps? We know back in 1975 that there were 52 ducks per hunter – not counting the spring hatch or "nonresident" ducks – in North Dakota. That same number by 2002 grew to 134 ducks per hunter. How many ducks per hunter will be enough in North Dakota? This discussion of limiting nonresident waterfowl hunters has become ridiculous!

Third, while the hunter pressure concept includes a number of factors, it fails to include Type 1 or Type 3 wetlands, which is the most important for bird habitat and population. Last year, the Game and Fish Department offered an early goose season, added an additional week of hunting for resident hunters, and we believe it also issued special depredation tags for landowners because of high goose populations. Isn't it ironic that, at a time when waterfowl numbers are high, we are managing people, rather than waterfowl population, saying that the stadium is full when, in fact, prime duck production areas are reporting little pressure? The challenge seems to be distributing hunters across the state, so that **more**, not less, hunters can enjoy the bountiful wildlife North Dakota has to offer. The hunter pressure concept is flawed.

Two of the most often used phrases by resident hunters seem to be "There is nowhere left to hunt" and "The quality of the hunt is much diminished." These statements are falsehoods. There is adequate land on which to hunt in North Dakota – land with an excellent quality of hunt.

When I testified before this Committee on House Bill 1307, I spoke about a program the North Dakota Farm Bureau initiated to match sportsmen with landowners. The program, called Private L.A.N.D.S. (Land Access for North Dakota Sportsmen) was developed as a positive response to the perceived problems of access to hunting land. The program was limited to members in the first year as a means to eliminate any technical and logistical problems before taking it to the public.

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 hunting 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 that needed hunters to curb depredation problems.

We developed the program primarily because of complaints from resident hunters about access to waterfowl hunting areas. Interestingly though, only seven percent of the sportsmen requested access to duck hunting and eight percent requested access to goose hunting. So where is the access problem if so few hunters requested assistance in obtaining access to waterfowl hunting areas?

The data we gathered indicated there is **not** an access problem, especially in waterfowl hunting. A more accurate assertion may be that there may be a communication problem between waterfowl hunters and landowners. Ultimately the landowner will decide who, if anyone, has the privilege of hunting on his or her land.

Implementation of the hunter pressure concept last year would have been devastating to rural North Dakota. If the hunter pressure concept had been in place, fewer than 21,000 nonresident waterfowl hunters would have been issued licenses under the wet conditions scenario – assuming the Governor expanded the limit to include the maximum allowable increase of 25 percent – compared to the 30,000 limit imposed (Attachment C). In a year of moderate wetland condition, a maximum of 15,500 nonresident hunting licenses would have been issued, and in a dry conditions scenario a maximum of 5,050 licenses would have been issued to nonresident waterfowl hunters. Should the Governor choose to, nonresident waterfowl hunters could be reduced to no more than 3,200 in a dry year.

North Dakota Farm Bureau has held consistent in our position that non-resident hunter numbers need not be capped. We already have the mechanisms in place to control hunter numbers by means of bag limits, possession limits and time allowed in the field. There is no need to change the system.

And finally, Mr. Chairman and members of the Natural Resources Committee, please consider the negative economic consequences to rural North Dakota before you vote on this bill. And also, please consider the negative impacts passing this bill could have on access to private lands. According to a study authored by Dr. Larry Leistritz, nonresident waterfowl hunters spent an average of $688 per hunter in the state. If this bill had been in

place last hunting season, the businesses in the state would have lost nearly $10 million in sales opportunities. In addition, the State of North Dakota also would have lost a significant amount of sales tax, although this loss has not been included in the fiscal note prepared by the North Dakota Game & Fish Department.

In short, Mr. Chairman and members of the Natural Resources Committee, this bill would create economic harm, particularly to rural North Dakota. Restrictions on nonresident waterfowl hunters are unnecessary and ill-advised. We recommend you kill this bill and sent it to the happy hunting ground in the sky – where it belongs.

Thank you, Mr. Chairman and members of the Committee for this opportunity to present our views on this issue. I would be happy to respond to any questions.

Attachment "A"

Tom Bodine

From: "Gulke, Jerel F." <jgulke@state.nd.us>
To: <Mot@ndak.net>
Cc: "Schadewald, Paul T." <pschadew@state.nd.us>
Sent: Friday, January 10, 2003 9:52 AM
Attach: NRWDAT01.doc; NRWdat02.doc
Subject: waterfowl hunting info

Here is the information you requested concerning waterfowl hunters in ND

The 2 attached documents address the number of Non resident waterfowl hunters licensed to hunt waterfowl in ND by day. The 2001 the data is incomplete, because approximately one third of the NR waterfowl licenses were paper licenses and we do not have the information from these licenses. The data in the document represents approximately 20,000 of the 30,029 licenses sold in 2001. In 2002 there were not paper NR licenses sold, so we have a complete set of data. Please keep in mind these documents were not intended for public distribution, so the formatting is not the greatest, but they should serve your purpose.

Here is the additional information you requested

Year	HIP Registrations		Waterfowl Hunters	
	Resident	Nonresident	Resident*	Nonresident**
1998	33,582	16,072	39,513	19,191
1999	31,540	20,029	39,244	21,873
2000	20,763	19,908	35,992	25,165
2001	24,942	24,815	35,310	30,029
2002	22,718	27,987	*	30,000

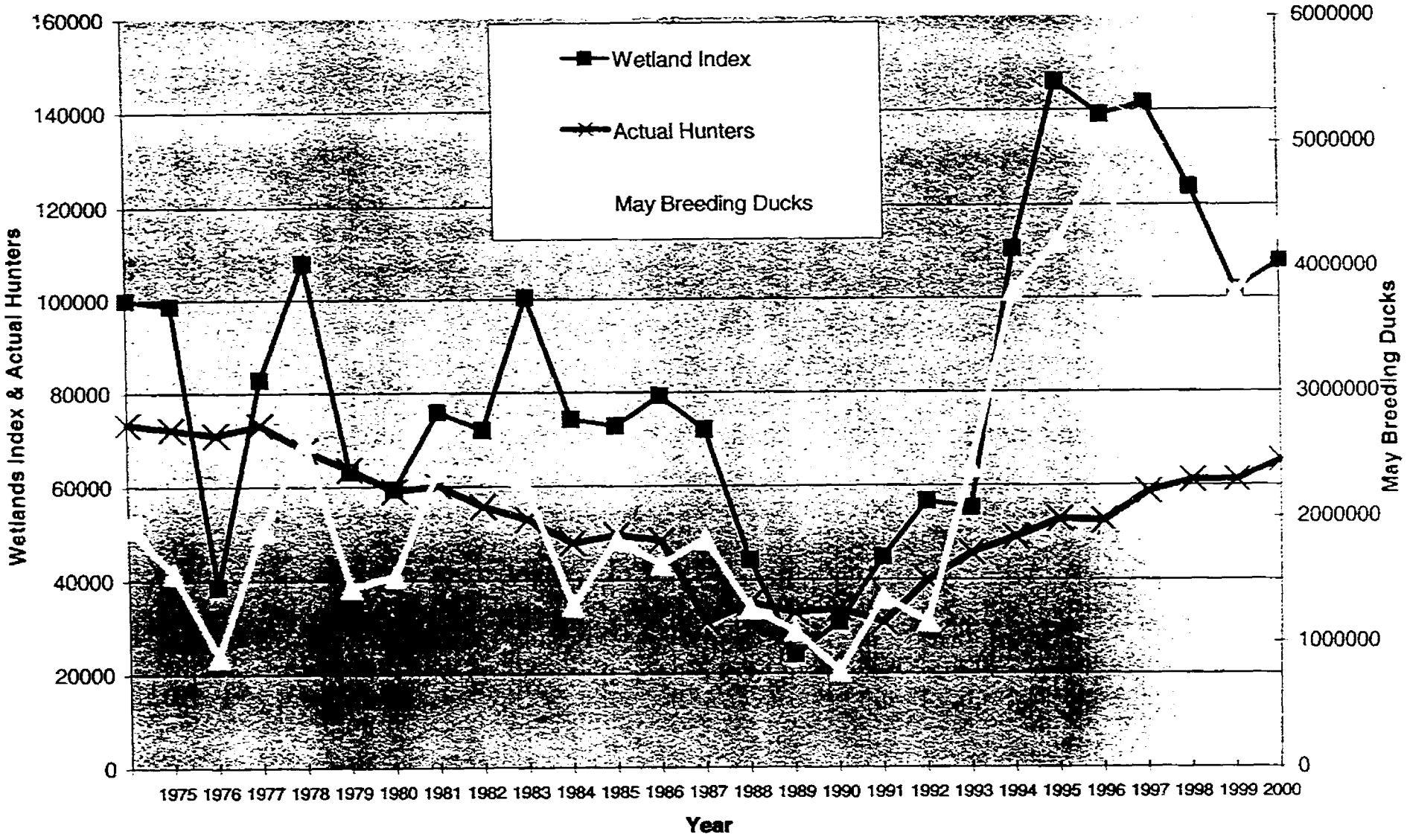
* The number of resident waterfowl hunters is estimated from the harvest survey, data is not available for 2002.
** The number of nonresident waterfowl hunters is based upon license sales

I cannot tell you the breakdown between the regular NR waterfowl licenses and the 7 day statewide NR waterfowl licenses for 2001 because the information is not available

for the paper licenses sold. They were recorded as NR waterfowl only.

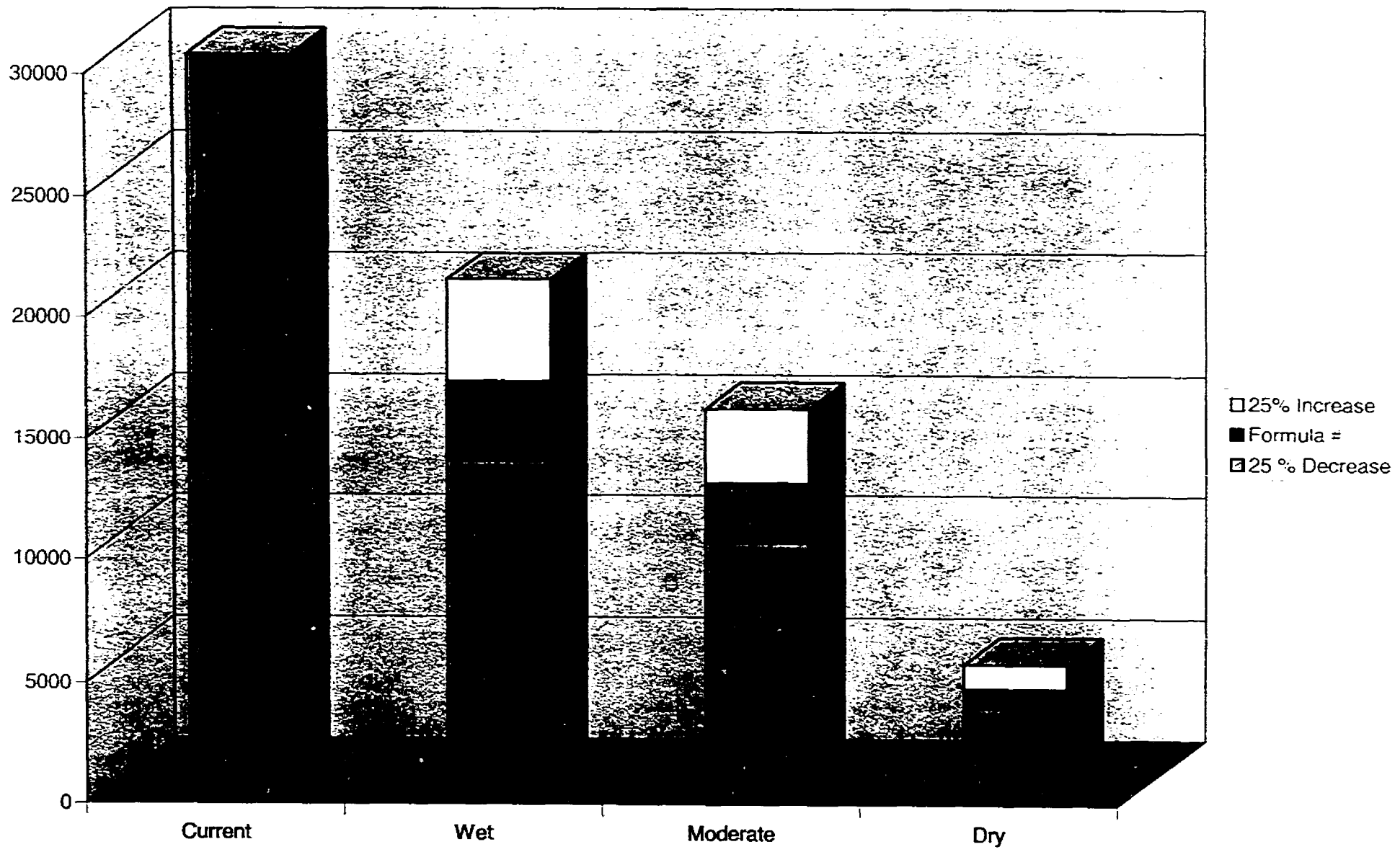
Attachment B

WETLAND INDEX, ACTUAL HUNTERS & DUCK NUMBERS

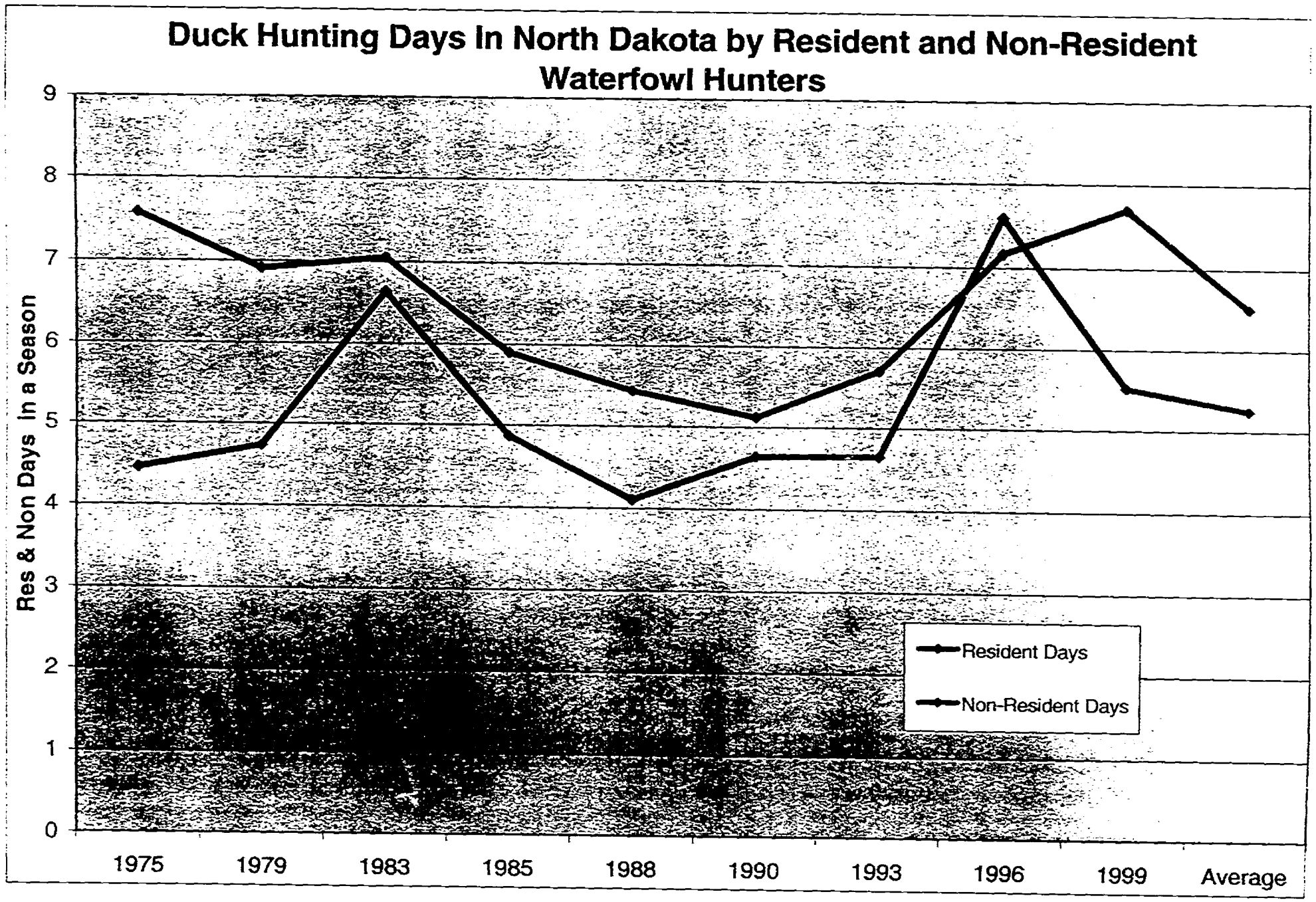


Attachment C

Nonresident Waterfowl Licenses Under HPC



Attachment D



DICKINSON
THE WESTERN EDGE

Convention & Visitors Bureau

March 5, 2003

Mr. Chairman and members of the House Natural Resources Committee, my name is Terri Thiel and I am the Executive Director of the Dickinson Convention & Visitors Bureau.

The Dickinson Convention & Visitors Bureau is opposed to Senate Bill 2048.

We oppose restrictions on the number of resident and non-resident waterfowl and upland game hunters in the state because we believe caps have a negative economic impact on the state and rural areas in particular.

While Dickinson may not have the waterfowl numbers in our area, we do have rural communities surrounding us that feel the same negative impact of our economy because of population out migration. We feel that the economic benefits resulting from non-resident hunting have given new hope to many of the rural residents and their communities across our state. While it may not be the sole income for these people, it is many times the one additional source of income that has allowed them to remain on their operation or in their rural business.

North Dakota is attractive to outdoor enthusiasts from around the country. Any efforts to restrict out-of-state sportsmen would have a direct negative economic impact on the state as a whole, and especially the rural communities that host so many of these sportsmen.

The Dickinson Convention & Visitors Bureau opposes legislation that further limits visitation from non-resident hunters and encourages you give this bill, **Senate Bill 2048 a "DO NOT PASS" recommendation.**

Sincerely,

Terri Thiel

Executive Director

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Chairman Representative Nelson members of this committee. My name is Patrick Candrian, from Mott, ND manager of Cannonball Company in Regent.
I stand before you opposed to SB 2048. I know that this does not effect pheasant hunting however feel we are heading in the wrong direction with many unanswered questions in regard to sportsman issues. Ask yourselves:

1. Why would the only state in the Union with less people in it today the in 1930 want to keep any one out for any reason?

2. Why would a state struggling with funding want to reduce revenue sources coming into there state?

3. How do we encourage business to move to North Dakota and created jobs when we slap them in the face with "but don't hunt here" ?

4. Why does the state of North Dakota feel that limiting non-residents will improve hunting for residents or increase access to private land?

5. How does Game and Fish explain the numbers of state water foul hunts to be 33,000 when only 22,000 HIP numbers were registered for North Dakota's ?

6. Last year farmers involved in the plots program were penalized for wanting to hay their CRP acres by having to designating twice as many acres for one year or matching those acres for two years. Many farmers contend they will never get involved with GFD again because of that . How does GFD feel they will obtain more land for public hunting when they keep alienating farmers and ranchers?

7. Landowner-sportsman relationships are the key to access. Why do resident sportsman feel government intervention will fix a problem only they can rectify?

8. ND statistics show residents contribute twice as much to the economy as non-residents . SD statistics show non-residents contribute twice as much to the economy as residents do. Why the discrepancy? Who's figures are right?

9. Tourism is the second largest industry in North Dakota next to agriculture which hunting is a large part of. Why would government want to shrink that resource?

10. A newspaper survey found that 43% of North Dakotans want as many nonresidents as possible, 32% wanted them limited and 25% had no opinion. Why would a legislative body that represents the people cave into the minority?

Dear Representatives I do not have the answers but one thing for sure SB-2048 is not the solution to the problem. I hope that you will give this bill a DO NOT PASS. I would like to conclude the first paragraph of a article out of Outdoor News . THE HAND THAT FEED THE DAKOTAS by a sportsman by the name of Chuck Haas from Hugo, MN. The article is on page 25 and goes like this: "I have mixed reaction when reading Outdoor News' Dec 27 issue about North Dakota's receipt of nearly $2 million in grants from the North American Wetlands Conservation Act . As a conservation-minded sportsman I am delighted the grant will assist a variety of waterfowl and wetland conservation programs, but as a tax payer and a nonresident of North Dakota, I can't dispel the notion that I and thousands like me are being fleeced or otherwise unfairly treated when a state like North Dakota simultaneously take our federal tax support to improve its public and private lands while discriminating against us by limiting our access to those very lands improved with public funds." I feel Mr. Haas has said a mouth full. Please take the time to read the rest of the article and THANK YOU.

Bring 'em on

North Dakotans like out-of-state hunters, but a lot of people just don't have an opinion on the subject.

That's the finding of "Prairie Poll" a survey sponsored by eight weekly newspapers around the state.

The poll found that 43 percent of respondents believe the state should bring in as many out-of-state hunters as it can. Another 32 percent want the number limited.

A significant 25 percent have no opinion one way or another.

The hunting issue has been a hot button of Gov. John Hoeven's administration which capped the number of out-of-state waterfowl permits this year.

It doesn't seem to have transferred to people's assessment of the governor, and they rated his popularity fairly high in the same poll. On a 10-point scale, 65 percent rated him at a six or higher.

Newspapers that sponsor Prairie Poll are in Crosby, Garrison, Grafton, Kenmare, Napoleon, Stanley, Wahpeton and Watford City.

The hand that feeds the Dakotas

I have mixed reaction when reading *Outdoor News'* Dec. 27 issue about North Dakota's receipt of nearly $2 million in grants from the North American Wetlands Conservation Act (NAWCA). As a conservation-minded sportsman I am delighted the grants will assist a variety of waterfowl and wetland conservation programs, but as a tax payer and a nonresident of North Dakota, I can't dispel the notion that I and thousands like me are being fleeced or otherwise unfairly treated when a state like North Dakota simultaneously takes our federal tax support to improve its public and private lands while discriminating against us by limiting our access to those very lands improved with public funds.

Restrictive nonresident practices include not only restricting access to state resources, but also imposing exorbitant nonresident license fees. Aside from the arguable fairness issue, these onerously high nonresident license fees threaten the spirit of our American outdoors heritage. The original design of our outdoor tradition was purposely intended to reject the European model that all wildlife belonged to the king and the privileged ruling class.

States charging excessively high nonresident fees deny the average American the affordable opportunity to hunt and fish. This encourages the creation of elitism within the outdoors community and presents the ultimate threat to our unique and cherished American outdoor heritage: continued broad-based public support of hunting, fishing, and responsible gun ownership.

Where's the solution in a situation so immersed in political overtones and linked with federal money? Look at the money. Federally funded programs are obliged to accept non-discriminatory provisions as a funding requirement. States like North Dakota, which has accepted over $17 million in NAWCA grants along with federal dollars from other programs funded by taxpayers as well Pittman-Robertson grants and duck stamps revenues, should, when using public funds on public or private lands, be required to allow equal access to those lands for everyone — residents and non-residents alike.

This sibling rivalry between residents and nonresidents must stop. That's because the narrow issue about equal and affordable access to public resources prevents us from seeing the broader issue about the continued survival of hunting, fishing, and gun ownership in an increasingly urbanizing society.

Chuck Haas

Hazen

I am taking time from my work today-which we all know is very hard for an independent business person in the hospitality industry-and for the first time in years I am questioning the importance of it, I feel, all sides have beaten this issue to death and the contrroversy continues.

I have testified and been to so many meetings across the state in the past several yeas and I continously here that we have land and land and more land and that we have so much public land that I truely wonder -who is giving what to who-who wrote what check for how much and who on the House or who in the Senate owes who for what.....because everywhere I go..... and 99% of the people I talk to.....and that is a ton-ask me what on earth is going on with this bill? Who have we elected to serve and quide us that can't see this picture? This is INDUSTRY-this is TOURISM-this is FREE advertising for one of the most economically deprived states in the Nation.

We are trying to put more taxes on the Hospitality Industry to promote tourism for Lewis and Clark-we are spending thousands of dollars on training and teaching agrinomics all across the state to save our farmers-we are lowering taxes and giving money back to every kid that will stay here and.....yet we are sending a message to everyone across the US to go away we don't want you here!!!!!!! , during one of the most profitable times of the year for everyone across the STATE OF ND.!!!!!!!!!!!!!

I have said,many times over, Dean Hildebrand personally told me on two or more occasions that this is not an issue for the Hosp. Industry-for Outfitters-for Resident Hunters or for Game and Fish. When the waters go away and there isn't enough ducks and geese-the people will simply stop coming to ND to hunt. If this is true-why are we here today?????? If this isn't an issue for GAme and Fish-why are they doing all this lobbying?

My immediate family owns over 20,000 aces of land in McIntosh county. They have some of the best duck, geese and pheasant land available in the state. They could not be here today but they asked me to tell you how they feel.

They have had in the last 5 years about 15 in state and 5 out of state people per year ask to hunt on their land. IT HAS NEVER BEEN POSTED. They, are a core group of about 15, hunt and fish every day of the season-they do not have a problem with too many hunters-in or out of state. They believe that the people that are trying to create this access issue are people that feel they have the right to trod on peoples property without permission-and feel they should have unlimited access to every man's land. They feel they are people that are not intelligent enough to share the gifts that God has bestowed on every man strong enough to endure our weather and smart enough to live within our means. I will stand here today and let anyone of you in this room talk to me about an access problem-I will find land for you to hunt on and I believe anyone opposed to this Bill would.

I live in Kidder County-2 years ago I called 50 farmers and not one of them wanted to post or get into any leased land deal-40 of them told me-if they ~~ask~~ NUMEROUS CO they are welcome until they cannot afford to pay their taxes-the other 10 told me they have family that hunts but if they ask and no family is around they are more than welcome. THESE ARE FACTS. I will give you the names of those farmers, if you like, and then you can make an honest, intelligent decision on this Bill.

I am terribly frustarated and discouraged with our government this session. A lay person doesn't trade and barter for their future. They are living it day to day-and trust me you will feel the effects

of this Bill and every Bill that doesn't promote and encourage tourism and private non-profit business as well as we will.

Your vote on this will effect many, many towns and business's and people that stay in business because of this huge assest our State has to offer or it will fall to a few who need only a little target practice and humble pie to ask-MAY I HUNT ON YOUR LAND MY FRIEND!

Susie White
Stark, ND 58482

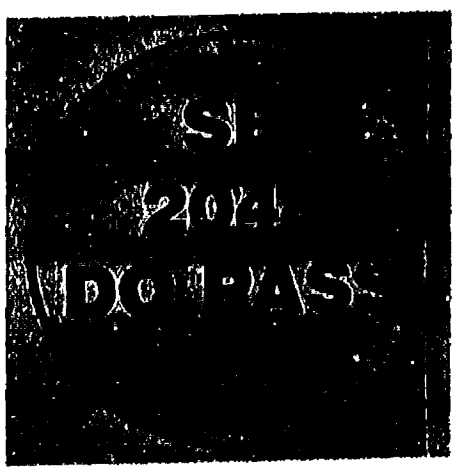
I am writing you in concern to the issues regarding hunting in our fine state of ND. First off, let me tell you a little about myself. I am an eighteen year old senior at Fargo South High school and am planning on attending NDSU in the fall of 2003 for mechanical engineering. My biggest passion in life is waterfowl hunting. I will go to any length to improve my hunting, and more importantly the quality of my hunting. That is why I am writing you. I am seeing a very disturbing trend in the quality of our hunting in North Dakota. Any waterfowl hunter will tell you the key to successful duck and goose hunting is being were the ducks and geese want to be. Period. If you get to where the ducks and geese want to be, then it is easy. Getting there, however, has gotten more difficult in recent years. Much of the prime land that is where the game wants to be is becoming more and more commercialized, making it difficult for someone like me, a full time student who has to rely on working full time in the summer and part time during the school year to subsidize my hunting for that year. Where else is there for someone like me to go? The public land in this state is sub par at best. I have seen PLOTS that were nothing more than plowed black ground.

I understand that the issue is very complex and must be looked at from all angles, including economic impact. By setting a dynamic cap on non-resident hunters you will continue to have full hotels throughout the state in wet years, but also keep the high numbers of hunters out when there isn't the amount of habitat for that number of hunters. An idea like the hunter pressure concept would insure that the maximum number of hunters are in the field hunting without disturbing the quality of the hunt, which is the reason that the non-resident hunters travel from so far. Another thing concerning economic impact, I am currently planning on staying in North Dakota for the rest of my life. The outdoor opportunities in this state are just too important to me. So far, outside of my hunting buddies, I am the only one that actually has a desire to stay in North Dakota. I would say that 70-80% of my friends and acquaintances will be attending college out of state, and most aren't planning to come back. I, too, will be out of here in a heartbeat if the outdoor opportunities become sub par in this state, just as they have in most states east of us. I will be just another non-resident that comes home for a long weekend of hunting and that is all that you will see of me. That is a big issue that you will have to think about when voting on these issues. I will be a resident of North Dakota paying taxes year round, plus all of my hunting expenditures in rural ND in the fall.

Something has to be done to address the rising difficulty in finding a place to hunt in North Dakota. I think everyone can agree on that. It has to be done in a balance between public land and limiting non-resident hunters. By limiting the non-resident, someone from out of state will think twice before leasing a chunk of land that he probably will only use for two long weekends a year. The public land in the state is nothing to brag about. Most of the PLOTS were established for pheasants, and most of the pheasants are run off the land after opening weekend. I have yet to see a nice PLOTS land that has had a duck slough on it that has been worth decoying.

I know that you have probably been getting a lot of e-mails pertaining to this subject, but I feel that it is my duty as a concerned citizen to tell you my feelings on this issue. To sum up my stand on this issue, I will be a strong supporter of the Hunter Pressure Concept in the legislative session as a way to preserve the quality of hunting in North Dakota. The economic impact has to be added into the equation, but can't be the deciding factor. By economic impact you can't just consider the non-residents, but you also must consider the resident hunter who has made the decision to stay here despite the lower wages and awful winter weather. Thank you for taking time out of your day to read my point of view. A response would be appreciated.

Sincerely:
Zach Herrmann



I was born and raised in North Dakota and as a young man worked as a ranch hand in western North Dakota. My father passed down a love for the outdoors and hunting and fishing, as did his father. These are an integral part of my life and who I am, and why I live here.

I have lived and worked in many parts of the country but have always returned to North Dakota because of my kindred tie with the land and the solitude that the spacious prairies of North Dakota afford. What I moved back to this state for, at great sacrifice in regards to income is disappearing at a rapid pace.

I have a small farmstead near the border of Stutsman and Logan Counties. I've been hunting in this area for almost thirty years. It is unbelievable what an influx of out of state hunters there have been in the past two years and it is unbelievable how much land has been leased up by local outfitters in recent years. A majority of the land I have hunted for all these years is now inaccessible because of these two factors.

There are two outfitters in this area that I am aware of. One of these outfitters advertises that he has 130,00 acres leased in just two counties. The combined land that they control is approximately 230,000 acres. Let me put this in context. The combined acreage in both the North and the South units of Theodore Roosevelt National Park amount to 70,446 acres. These guys control a chunk of land over three times the size of Theodore Roosevelt National Park right where I used to hunt. Now factor in the onslaught of out of state hunters and it is no wonder there is nothing left for the residents. And I'm just talking about the two counties that I hunt. I can't afford to drive to other areas to hunt.

I used to hunt during the week after the weekend warriors went home. That doesn't happen anymore because out of state people are here all week long. The road my place is on is about seven miles long and I have the only place on the road. There is constant traffic (the majority of it out of state) during hunting season now. And they don't seem to mind taking potshots at birds on the little slough on posted land next to the farm.

I'm not opposed to out of state hunters. Some of my best friends that come to hunt with me are from out of state. I just firmly believe from what I've seen happen in the past few years that North Dakota needs to take some of the same steps that every other state has taken to preserve that which those of us that have chosen to live here for.

If out of state people want to move here and make the same sacrifices that the rest of us do, I welcome them with open arms. We need residents to really make an economic impact, especially in these smaller rural areas. Out of state hunters are not going to keep these small towns alive or keep the schools open. They will affect a few peoples pocketbooks but there is too much emphasis on bringing in hunters. It is my understanding that over 80% of revenues from hunting come from residents of North Dakota. These are the people I think we should listen to.

The Jamestown newspaper ran an extensive article last year in regards to tourists coming to North Dakota. The tourists that responded to the questioners or whatever it was that these statistics came from indicated that only 15% of them were interested in hunting or fishing. Maybe the ND Tourism group should put a little more emphasis on activities the other 85% of the tourists are interested in.

I just think we need to reach a balance here. I think that we should let the game and fish experts do their job and be the ones that advise on these matters. I Strongly endorse the hunter pressure concept.

Sincerely,

Deane Fay

PO Box 7 Gackle, ND 58442

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 SB 2048, MARCH 6, 2003

Mr. Chairman and Members of the Committee:

I'm Harold Neameyer speaking on behalf of the Cass County Wildlife Club, an organization of over 200 sportspeople organized to promote conservation of wildlife, to promote sportsmanship in hunting and fishing and to support the proper management of these resources. The Cass County Wildlife Club supports SB 2048.

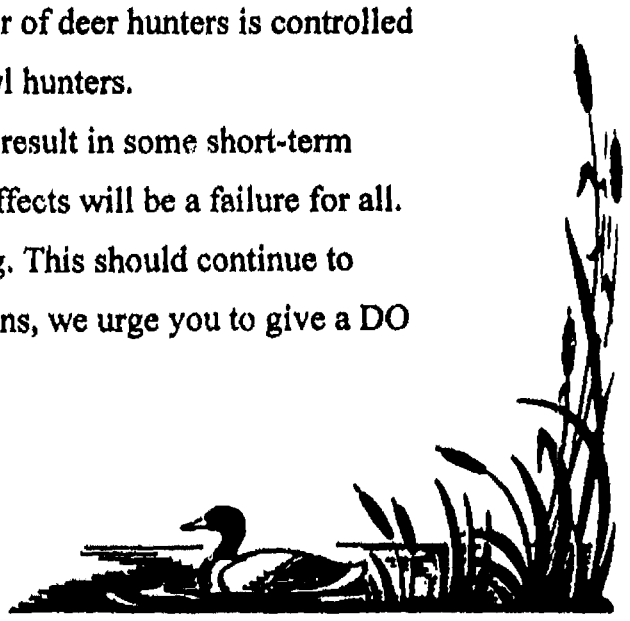
This is the only bill that uses past history, water conditions, hunting pressure and weather effects to arrive at limits on hunting numbers. Since this information is already available, it seems reasonable that it should be used. Other bills designed to control non-resident numbers lack any statistical basis.

We have to ask ourselves, why do non-residents want to come to North Dakota to hunt? The answer is simple; we have the best hunting for various reasons. If we want to keep it good for our own residents and non-residents, we must insist on controls that will keep it good. In other words, it's the quality of the hunt that nonresidents come to experience.

Controls and limits are something we are all familiar with. We have limits on numbers of birds, and other game we can harvest. The number of deer hunters is controlled by unit, why then shouldn't we have some limits on waterfowl hunters.

Operating a system with few or no caps or limits may result in some short-term benefits for a few hunters and businesses, but the long-term effects will be a failure for all.

SB 2048 also contains zoning for non-resident hunting. This should continue to spread hunting pressure. As avid hunters and concerned citizens, we urge you to give a DO PASS to SB 2048.



TESTIMONY REFERENCING ENGROSSED SB 2048
By Mike Donahue, Lobbyist #215
March 6, 2003

House Natural Resource Committee

The United Sportsmen of North Dakota and the N.D. Wildlife Federation urge a DO PASS for engrossed SB 2048.

Two years of interim work by the legislature has produced this product. Numerous organizations and individuals worked for this product.

We see it as a great vehicle to use in management of the resource, in this case of management of the pressure on the resource.

This bill is a good compromise. It takes care of the resident sportsmen and it provides for a fair amount for commercial interests. At the same time, it provides that we do not "kill the goose that gave us the golden egg."

Glen Sargent

WHY SHOULD YOU SUPPORT SB 2048?

SB 2048 provides for sustainable income from nonresident hunters without sacrificing the long-term interests of communities and businesses that depend on residents.

Some important facts:

- **Quality hunting is a key attraction of life in North Dakota.**
  - Hunting is more than a "hobby:" it is so important to participants that it is a key factor in life-changing decisions. It was the reason my parents moved to North Dakota in 1967 and decided to stay here when they retired in 1993. It was the reason I gave up better job opportunities to return in 1995. It was the reason my wife moved here from Indiana in 1997, and it is the reason my in-laws are considering retiring here.
  - My situation is far from unique. In fact, 93% of resident waterfowl hunters list quality waterfowl hunting as a major benefit of living in North Dakota.[1]
- **The deteriorating quality of waterfowl hunting is having a major impact on the quality of life for many North Dakotans.**
  - Just as beauty is in the eye of the beholder, participants judge the quality of hunting experiences for themselves. Clearly, many sportsmen feel deeply affected by the recent explosion in nonresident hunting pressure.
- **Costs are associated with every business venture. North Dakotans cannot afford to focus only on gross income and ignore the costs associated with unregulated nonresident hunting!**
- **If we lose just one household income in 600 because we have failed to preserve the quality of hunting opportunities for residents, the resulting loss will exceed gross expenditures by nonresident waterfowl hunters under the best of conditions!**
  - In 2000-2001, 35,215 residents hunted waterfowl in North Dakota.[2] The average income of a resident hunter is about $50,000,[2] most of which is spent in North Dakota. Resident waterfowl hunters thus contribute about $1.75 billion in direct expenditures to our state economy. In contrast, a record number of nonresident waterfowl hunters spent only $20.9 million in 2001-2002.[2]
  - Total direct expenditures of nonresident waterfowl hunters equal the total direct expenditures of about 421 resident waterfowl hunters, or about 1 household in 600. In 2000, there were 257,152 households in North Dakota.[3]

- **Because we have not regulated the competition for hunting opportunities, hunters have begun limiting competition by purchasing or leasing land. This practice has serious economic consequences for rural communities.**

  - Land in North Dakota is a bargain for wealthy hunters, who can afford to pay more than agricultural use justifies. Farmers and ranchers cannot compete.

  - When land is sold to nonresidents, income the property generates is transferred out-of-state. When land is sold to residents, the income is usually transferred to one of our larger communities. In either case, rural communities lose the income. This problem is escalating rapidly. For example, more than 15,000 acres of land in Stutsman County and more than 12,000 acres of land in Adams County have been sold to nonresidents in the past 5 years.

- **Because the quality of hunting is deteriorating in North Dakota, increasing numbers of residents are spending their tourist dollars in other states and Canadian Provinces.**

- **Unregulated exploitation is not sustainable.**

  - In state after state, intense competition has resulted in the monopolization of hunting opportunities by a privileged minority. Numbers of resident and nonresident hunters have dwindled as a result. Ironically, sensible limits on hunter numbers will ultimately allow larger numbers of hunters to participate and continue spending money in our rural communities.

- **Unless we regulate the competition for hunting opportunity, one sector of our business community will reap the short-term benefits while another bears the long-term costs.**

  - Guides and outfitters oppose caps of any kind because they will benefit over the long term from intense competition for hunting opportunities, no matter what happens to our communities as a result.

  - Schools, community services, and businesses that rely primarily on residents will bear the costs of outmigration, purchases of land by nonresidents, and out-of-state travel by residents.

- **The "Hunter-Pressure Concept" is a compromise that balances the interests of all affected parties.**

  - The Hunter Pressure Concept was <u>not</u> conceived by sportsmen and does not represent only their interests. Competition for waterfowl hunting opportunity was a contentious topic during the last legislative session, so the issue was referred to the Interim Judiciary B Committee for study. The Committee heard public testimony and considered a number of alternatives, including both the "no caps"

option favored by opponents of this bill and the more restrictive caps suggested by hunters. Ultimately, the committee decided that caps were necessary and recommended the hunter pressure concept, by a vote of 15-2. The hunter pressure concept was selected because it was considered to be the compromise solution that best served the interests of North Dakotans.

- SB 2048 was amended in the Senate to include a provision for increasing hunter numbers by up to 25%. Continued support for the bill represents a substantial additional compromise on the part of sportsmen.

- **SB 2048 is the <u>only</u> proposed plan that is been consistent with the biological realities of waterfowl hunting in North Dakota.**

  - Water conditions and game populations undergo boom-and-bust cycles in North Dakota. North Dakota can (and should) accommodate a certain number of nonresident hunters... but the number we can accommodate without adverse impacts will continue to vary drastically from year to year.

  - Fixed caps that serve the collective interest during dry periods will be unnecessarily restrictive during wet periods. Caps that are appropriate during wet periods will be too permissive during dry periods. If SB 2048 becomes law, we will not have to revisit this issue every time conditions change.

REFERENCES

[1]Survey of Resident Waterfowl Hunters conducted by The North Dakota Sportsmen's Alliance in 2002.

[2]Survey of Hunter and Angler Expenditures, Characteristics, and Economic Effects, North Dakota, 2001-2002, conducted by North Dakota State University.

[3]U.S. Census Bureau.

Respectfully submitted by:

Dr. Glen A. Sargeant
215 15th St. SW
Jamestown, ND 58401
(701) 251-1287

March 6, 2003
Testimony by Bill Mitzel
Dakota Country Magazine

Good morning. My name is Bill Mitzel. I'm publisher of Dakota Country Magazine, a monthly hunting and fishing publication. I live in Bismarck.

My involvement in this process of attempting to salvage our hunting tradition in North Dakota is of very serious concern to me and thousands of North Dakotans like me. We are not anti-resident. In fact, I don't believe nonresidents are the problem, as much as the proliferation of outfitters, many of whom are leasing up land at an alarming rate, thus shutting out both residents and nonresidents from the hunting scene.

Our hunting here in North Dakota, which I've proudly proclaimed is the last frontier before Alaska, is being threatened by commercialism. This has happened in virtually every state in the nation. We need only to look to our southerly neighbor, South Dakota, where the only viable land available to the general populous, other than over-crowded public land, are the road ditches. And in the current legislature, efforts are being made to eliminate that from them as well... all by commercial outfitters who have land on each side of a section, and simply don't want average Joe hunter sliding up the middle interfering with their operation. It's an extremely sad situation down there.

Leonard Spomer of Pierre was quoted in the Rapid City Journal testifying at the legislative session that 50,000 resident hunters in South Dakota have hung up their guns because they're tired of the hassle of trying to find a place to hunt. If you're concerned about economic impact, those resident hunters have stopped spending a lot of outdoor money in South Dakota.

Certainly any ethical hunter knows to ask permission first, and I'd estimated 98 percent of the hunters do that. But the way commerical hunting has taken over South Dakota has just forced many of them to throw up their hands and quit. Thus, their sons and daughters don't hunt and each generation produces fewer hunters, which will eventually result in the demise of this great tradition, save for the rich who can hook up with the outfitters who control the land.

Now, I realize you can't stop commerce in a free country like America. But I'm of the mind that something has to be done about this. There are outfitters in North Dakota who are leasing tens of thousands of acres of land, and while they say it's open to hunters if they ask, it is not. It may be open only if it's on the fringe area and if it's not being used by their customers.

The crux of the problem is that when the quality of the hunt gets to a point where it's no longer enjoyable, people will quit. They've quit in piles in South Dakota and

they're quitting here. That's why people from Tennessee, South Carolina, New York and Texas come here to hunt. They have no place to hunt in their own states because commercialism has taken over.

In my package is a print of an email I received last May where a couple from Illinois is selling memberships to a hunting club in North Dakota. The membership is $10,000 per member and only 12 members were allowed. I had trouble accepting that. I truly did.

On another note, I'm enclosing a photo that was in a Ducks Unlimited publication from South Carolina, which shows a picture of a group of DU officials after a hunt in central North Dakota. As you will see, it was the typical good ol boys photo of a group of guys standing arond a huge pile of ducks, which to me, displays a serious lack of respect for the resource, especially from officials of Ducks Unlimited, alledgedly a big part of the world's conservationists.

North Dakota is being sold out, much of it by people who have no stake here other than making a lot of money. But some things are more valuable than money, and hunting in North Dakota is one of them.

When Curt Weber, owner of the Fort Pierre Motel in Fort Pierre, South Dakota bought his business a dozen years ago, he was told by present Game and Fish Secretary, John Cooper, don't expect us to provide you with a living. Don't expect the resource or the department to make a living for you. It's too uncertain. Likewise, no one made any promises to me when I bought Dakota Country Magazine 23 years ago. And by the same token, no one owes these outfitters a living either... especially not off a public resource.

The hunters who live here and support the state fully do not owe anyone an apology for trying to keep what they have... the best hunting in the United States. We're fighting a tough battle against capitalism, a commerical pursuit that has won out in many other states. I hope that trend stops here.

No one is proposing elimination of nonresident hunters. A cap of some sort is a legitimate and morally acceptable compromise. If certain areas like Devils Lake and other areas wish to have unlimited numbers of nonresidents, that's well and good. Let's hear from the local hunters in those areas about their experiences and who have a vested interest in something like that.

In closing let me leave you with this true incident. A nephew of mine, a few years ago, had invited his new brother-in-law from Georgia to come to North Dakota for a hunt. He brought a couple friends who had never been out of Atlanta, never seen open country or fields or space. We drove into a stubble field on a dark morning, set up decoys and waited for light. When the sun allowed for enough visibility, one of the Georgia men turned around, looked everywhere for a minute, then said with surprise, "There's nothing out there?"

My answer to him.... "Precisely."

Please consider protecting our outdoor heritage and our outdoor resources. Thank you.

Subject: $10K to hunt in ND!
Date: Sat, 4 May 2002 06:27:42 -0500
From: "Doug Leier" <dleier@ndcoe.net>
To: <dleier@ndcoe.net>

http://www.rockhollowhunt.club.com/duck.asp

>From the website: click on the link to see the page

Enjoy the best hunting in the lower 48 states!
Sand Hills region North Dakota.
Hunt where the ducks come from.
Only 12 Memberships total.
This will be very exclusive!

We have made an offer on a 160 acre farm, over 90 acres of prime duck march shoreline, 70 acres tillable for flood able corn and cover stripes.

The lake is approximately 300 acres, and this part of North Dakota is the Mallard capital of the state.

More potholes per mile here than anywhere else in the U.S.!

We will have AERATORS and flooded grain, a real nice club house, duck cleaning facilities, a place to store your decoys, duck boats etc., and an indoor kennel facility.

We will be putting in several premium duck and goose pits.

Also leasing additional ground for Pheasant, Sharp Tail Grouse and Hungarians.

We plan to release additional Pheasants and Mallards to help the conservation effort increase harvest.

COST:

Cost is $10,000 per member.

Only 12 members.

1 time life membership fee.

If you decide to sell your membership, the club will buy it back.

$300.00 per guest/fee- to help with cost of maintenance and bird releases.

We will accept Visa or Mastercard, or payments to make up the $10,000 member fee.

If you are interested call soon!

Ask for Brenden and Mary Walsh
Rock Hollow Conservation Club
1971 Route 75 East
Freeport, IL 61032
(815) 232-5428
info@rockhollowhuntclub.com
intranet login

Site powered by
HuntingNet.Com

Doug Leier
ND Game and Fish
West Fargo,ND

701.277.0719 office phone/fax
701.799.3730 cell
website: discovernd/gnf/

mailbox:/Macintosh%20HD/System%20Folder/Preferences/Netscape%20Users/Bill%20Mitzel/Mail/Inbox?id=000101c1f36e%24b9a10ee0%24482d7418%40Douglasnumber=38023

My name is Bob Wetsch and I live at 4610 Ft. Lincoln Road in rural Mandan and I'm here to testify against SB 2048.

I'm not opposed to limiting the impact on wildlife resources based on environmental conditions even though I believe that when times are difficult for wildlife the true sportsmen recognize that and are going to limit their consumption of the resource whether they are residents of North Dakota or not. And the hunter pressure concept by the Game and Fish own admission is not a biological concept but a social concept, its not about wildlife management and I believe that. That's interesting because in the next breath defenders of the hunter pressure concept defend it as a scientific approach developed by the biological community to solve the debate about how many nonresident hunters should be allowed in state.

Lets look at the formula for deciding nonresident hunter numbers in the concept. The annual wetland index and breeding bird surveys are involved in deciding the total number of hunters, resident and nonresident which should be allowed each year. The wetland index and breeding bird surveys are the closest things to science in the development of the formula and lets remember that only accounts for resident waterfowl populations and we're talking about migratory birds. Once the total number of licenses is determined, the previous seasons number of resident waterfowl hunters is subtracted from the total number of licenses. Yet the Game and Fish by it's own admission says it has no good data on the number of resident hunters, only estimates or guesstimates based on hunter surveys, a 10% survey of resident hunters. I find it hard to imagine we don't have a better handle on the number of resident waterfowl hunters in the state especially since this nonresident vs resident hunter issue has been brewing for a number of years. But suffice it to say, that the actual number of resident waterfowl hunters in this formula is a guesstimate and that is a pretty important number since that is directly subtracted from the total number of licenses which should be available.

Moving on in the formula, we appear to have very good numbers on nonresident hunters. But then, once we have determined the wetland index for the year, the breeding bird survey of the RESIDENT waterfowl population and the guesstimate of the previous years number of resident hunters, the hunter pressure concept formula then proposes we divide the resulting number of licenses still available for nonresidents by 1.36 because we again have survey numbers which show that nonresident hunters shoot 1.36 more ducks per day than resident hunters. Now my question is if the hunter pressure concept is not a biological or wildlife management concept why are we doing that? What difference does it make how many ducks nonresident hunters shoot it's not about game management.

I know the Game and Fish is attempting to do what they think is best and is receiving a lot of pressure from resident sportsmen but maybe the Game and Fish should be more concerned about wildlife resource management than people management. A case in point, the Game and Fish was terribly slow to allow hunting of Canada geese statewide and we now have what could be described as a Canada goose problem. We have an early fall season to try to manage resident goose populations, we have farmers in southeastern North Dakota being prosecuted for attempting to manage Canada goose depredation on their croplands, and this year we are going to have the intentional elimination of Canada goose nests in southwestern North Dakota.

The hunter pressure concept is not a good concept, it's not scientific and it's a stretch to call it valid because for the most part it's not based on any factual numbers. Whether the hunter pressure concept is bad science or bad social science, it's bad and should not be written into law. If you are so inclined, at least continue along the lines of the amendments to the bill in the senate which allow for the governor to increase the amount of licenses, however at a minimum, increase the number of allowable nonresident licenses by 36% to reflect the divisor in the formula, or eliminate the divisor completely.

Thank you, that concludes my testimony, if you have any questions I will be happy to answer them.

p7

I was b ..id raised in Rolla, North Dakota, which many of you know is a prime hunting area. My family, as landowners, at one time allowed hunters on their land, whether they were resident or non-resident, made no ..fference to us. As we allowed hunters, resident and non-resident, on our land we started experiencing ..lems. We found empty shell casings, empty shell boxes, food containers, stamped out cigarette butts, pits ..n our land for cover, rutted trails where people would drive in the mud regardless if there was a dry trail ror them to use. We found that hunters did not respect our land or the opportunity to hunt it. So, we posted our land and allowed very few people to hunt on it. The people we let on.were hunters that would take the time to stop and ask, give us their name, a contact name or address, vehicle description, times they would be hunting, how many people would be hunting, and assured us they would leave our property as they found it. Those same hunters had enough respect to stop in after their hunt and Thank us for the use of our land, and those people were always allowed back to hunt again. Those that abused our land were never allowed to hunt our land again.

My husband, WHO IS A GUIDE, uses this same practice when looking for hunting land. He will contact the landowner, introduce himself, tell them where he is from and that he is a guide looking for land to hunt with his clients. YES, MU HUSBAND DOES INFORM THE LANDOWNER THAT HE IS A GUIDE! When he calls, he is courteous and asks the landowner if he is disturbing their dinner or if this is an inconvenient time. His experience in contacting the landowner in this way has always positive, did he always get to hunt their land? No—but the majority, at least 89% gave him permission to hunt and guide clients on their land. They just wanted to know who was on their land, when they would be there, and be assured their land would not be destroyed. When my husband was done guiding his people, he always took time to stop in and Thank the landowner, he would offer to help the landowner as thanks by working for him for a day, he would bring Thank You gifts to the landowner to show his appreciation. I think if more hunters would take the time to ask, be courteous and Thankful, they would be allowed access to many areas that are posted by the landowner.

..n our experiences, gaining access to hunting land is not a problem!!!! If you don't ask.....Well?

As to the statements....guides are leasing and buying up all the prime hunting land. My husband and I own only the 2 acres of land our house sits on, we do not lease one single acre of land, and we do not hunt my families land. Therefore—NOT ALL GUIDES ARE TYING UP HUNTING LAND.

From another point of view:

As a resident of North Dakota that moved away and returned two years ago, I strongly feel that limiting non-resident hunters is a huge mistake. I returned to North Dakota because of the opportunity to make a living in the tourism industry, my chance to live in my home state again. If we limit non-resident hunters from visiting this wonderful state—revenues will decrease and jobs will be lost to us. Will I then have to relocate out of my home state again to make a living? I certainly hope not!

When I left this state in the mid seventies, tourism was not significant, and the economy was poor. I could not find a job that would pay me enough to make a living in the industry I wished to work in. I am now a General Manager of a large hotel and bar & grill in Devils Lake, which depends on tourism to stay in business. Part of this tourism is non-resident hunters.

I feel that if we limit non-resident hunters, the loss of the revenues they spend in North Dakota will be severely hurt the rural communities that are struggling to make a living. I wonder if this bill is passed, how long will it be before someone decides that non-residents are infringing on their fishing and decide we should limit non-..dent fishermen as well. Where will it stop?

As a General Manager of a hotel, I have researched some statistics that I think are very important. I know from my research that non-residents spend a lot of money in our state. If you will look at the page supplied, you will see that last year, for the week set aside for resident hunters, the hotel showed only 3% of residents that could possibly have been hunters.

If you will look at the revenues for October 2002, you will see that revenues from North Dakota were $28,672.19, all other out of state, $43,918.26. I know from our reports that 48% of our North Dakota revenues is from business travelers, and 52% pleasure or otherwise. Of this 52%, our facts show that 39% of this is from sports events like hockey, basketball, darts, rodeos, etc. That leaves 13% unaccounted for, but as you can see for the one week in September there are events like rodeos, weddings, and construction workers. So what percentage is actually from resident hunters?

Where do these non-resident hunters spend their money? Only in hotels and restaurants? NO! My staff and I are asked where to buy things such as: clothing, shells, equipment, sometimes guns, gunsmiths, gifts for their wives and family, Ziploc bags to freeze their game, knives to clean ducks & geese, dog food for their dogs, veterinarians, pharmacies, the local hospital, boat repairs and supplies, postcards, postage, phone cards, portable grills for cooking, coolers, cigarettes. They ask where the casino is to gamble, they play pool and darts.... My point.....non resident hunters spend money on a lot of things that affect many residents and their income.

A no vote on this issue is very important. I don't think facts have been presented accurately to make any kind of decision as to whether non-resident hunters should be capped. I don't think facts have been presented to show what capping non-resident hunters and loosing their revenues would do to our economy and us. Until we get these facts.....DON'T LIMIT THE REVENUES THAT ARE MUCH NEEDED IN NORTH DAKOTA.

Karrie Ringeisen
PO Box 991
Devils Lake, ND 58301
701-351-2405

September 20, 2002 through September 30, 2002-Week set aside for resident hunters, only 3% (Instate Unknown) could have been resident hunters.

176 rooms rented

Rodeo	51
Business Travelers	79
Construction Workers	5
Devils Lake Address	3
Wedding Party	6
Instate Unknown	6
Out of State Unknown	12
1 Night Walk-ins	11
Out of State Hunters	3 (September 27th-29th)

Revenues by state--Period October 1st, 2002 through October 31st, 2002

Total Room Revenue $72,590.45

AL	2rms	$99.90
AZ	2	$57.90
BC	1	$55.76
CA	4	$199.80
CO	31	$798.11
FL	12	$646.08
IA	100	$3298.02
IL	44	$2659.29
IN	29	$1174.39
MB	4	$191.62
MD	1	$44.96
MI	24	$1166.93
MN	451	$23910.89
MO	2	$116.92
MT	14	$586.43
ND	693	$28672.19
OR	1	$39.95
PA	1	$28.95
SD	65	$2675.23
SK	1	$44.96
TN	2	$123.90
TX	29	$1718.92
WI	101	$4373.16
WY	6	$170.81

TOTAL NORTH DAKOTA REVENUE	$28672.19
OTHER STATE/CANADA	$43918.26

Out of the total revenue for this time period, 61% is out of state, 39% is North Dakota revenue, of which 48% is Business Travelers.

Chairman, and Members of the House Committee on Natural Resources

I certainly want to thank you for the opportunity to share my concerns. The three (3) main issues seem to be: 1. Hunter Access 2. Out of State Hunters and 3. Guides & Outfitters.

Recently I heard this comment, **"The rights of some North Dakotans to pursue a hobby should not trample on the rights of other North Dakotans to pursue a living"** and that appears to me to be exactly what would happen if SB 2048 would become law.

1. Hunter access:

A. This is not an East/West issue, rather people in all of our cities & towns have lost touch with the land, agriculture, and with their grass roots, in North Dakota! "Uncle Pete, where we used to go Hunting, died 15 years ago"! And, "my wife's brother-in-law lost his farm"! People have just "lost touch with the land"!

Actually, if any Hunter would go to 10 to 20 people on the land, (rancher-farmer) in the spring/summer and ask if they could help out some with the farm work, and that this coming fall, him and his son would like to do some Hunting, that farmer/rancher would be excited to have them come out and Hunt. But the folks in towns/cities are too busy golfing, fishing, or going to Disney World to ask about helping someone out! Then in the fall they wonder, "Why isn't this guy glad to see me"?

B. Economic Development and Out Migration are top shelf topic with, every city, plus the counties have their Area Development Boards and key people running them. What wrong? Here, all across North Dakota, we have this Hugh Natural Resource, begging to be exploited, --- and we have a few "do-gooders" who are making a --- whole lot of noise --- trying as hard as they know how to, -- KILL IT!!!! This is Economic Development for not only the BIG Cities, the Medium sized Cities, the small towns, but for ranchers-farmers all across the Great State of North Dakota. Why, why, --- why do these folks who are living their comfortable lives in the cities and towns, who have lost touch with the land, ----- work themselves into a frenzy trying to protect "their little world?"

2. Out of State Hunters: It seems there are four (4) things, the group for SB 2048 are demanding—

A. Caps on number of Out-of-State Hunters, and Limit the time they are here.
B. Break the state in Zones to discourage Guides & Out-of-State Hunters.
C. Increase license fee on Out-of-State Hunters to discourage them from coming. I say, if anything keep-- Out-of-State fees low to encourage them to come!
D. How does the Game & Fish's number of Out-of State hunters shoot 1.36 timeas many birds as North Dakota hunters fit into the equation? The birds are passing through to be shot at all fall and winter between here and southern Mexico. Actually the North Dakota Game & Fish is very limited is setting Migratory waterfowl regulations!

3. Guides: What an opportunity for the right people who live in North Dakota to start new and varying ventures in guiding. These "right people", residence of North Dakota, are some of the best ambassadors our Great State can have! Personally, some of our quests, chairman of the board & CEO of Winabago Industries, a member of the board of Proctor and Gamble and many for influential, decision makers, all seeing the best of our state. There is endless potential from one corner of our state to the other. SB 2048 is a direct attack on Guides & Outfitters and the potential New Growth this blooming industry has for our State. We need to do what we can to continue to develop the industry, not hinder it!

CONCLUSION: In North Dakota we have Republicans, and Democrats, and we've even had the Non-Partisan League, but it looks like now, we have the start of the "Sportsman's Party", their motto, "give it all to me, I want mine"!!!! It seems to me that this is the attitude being exhibited by the --- so called --- "sportsman's groups"! In fact, in my opinion, their behavior is anything but -- sportsman like!

I want to share one of my favorite "Hagar" quotes: **"Of words of wisdom, words divine, of silver verse and golden line, there are no three words quite so fine, as these three word 'I GOT MINE'".**

Your work is cut out for you, and I hope that just plain Common Sense will rule! I want to thank you again for listening to me.

Yours truly,
Fred W. Evans

Good morning, Mr. Chairman and Committee Members. (opy
Thank you, your time is much appreciated.

My name is Deb Roppel. I am from Alsen, N.D. and I am opposing SB2048.

I talk from a few points of view; a land owner, Lost Prairie Lodge owner, and someone with a family of resident as well as nonresident waterfowl hunters.

Alsen is located 30 miles south of Canada, 50 miles north of Devils Lake, 40 miles N.E. of Cando & 80 miles west of Mn. It is an isolated, desolate area in Cavalier County, where the nearest gallon of milk is 11 miles away, an evening meal is 25 miles, fast food is 50, and a shopping mall is 120. The school our kids attend has 126 students (K-12 with a 500 mile radius). Our town has dwindled to an elevator, a post office, a dying rod & gun club, a half a dozen occupied houses and a building that my husband and I purchased, as one last attempt to salvage our dying community, rather then having it moved out. Since there are no people in the area to offer housing to, I tapped into a resource that the community has been involuntarily raising for years without compensation, the birds. The lodge has 3 weeks to generate income to spread across one year of fees, taxes and fixed costs. Of those three weeks 100% of revenue was generated by nonresident $$. Those same dollars enabled me to donate $2200 back into community functions, all without one single phone call from a resident hunter. The nonresidents also supported local cafes, bars, stations and motels. What is wrong with communities promoting and profiting from a product that everyone in the area has paid for?

I'm sure you have heard about outfitters spreading across the state and the complaints of losing increased posted land. Truth is, the majority of these so called outfitters are people who can't sell a house for the lack of a buyers market, no people to rent it out to, land owners who are supplementing their depressed agricultural financial state or perhaps people who don't want to see a nice building leaving the community. People who decided to take a chance, people who aren't afraid to work hard. People who are willing to start a business in the middle of nowhere, in their own community, on their own land or perhaps with the help of a neighbor who wants to see the business generate revenue for the community.
What is so wrong with that?

Most infrastructures of rural communities' consist primarily of dirty gravel roads. Gravel roads that are maintained by landowner tax dollars, perhaps resident hunters aren't aware of who pays for the roads they drive on. Rural communities are surrounded by endless miles of dirt, crops, potholes, darkness and waterfowl. The birds have the privilege of eating and destroying our crops and nesting in our potholes, yet resident hunters feel there is no compensation due, they call it freelancing. The majority of the people behind the voices that complain about quality hunting enjoy the privilege of being surrounded by neighborhoods, paved roads, streetlights, restaurants, malls, theaters, & grocery stores filled with food on sale. Why is it that the same voice that complains about driving a couple thousand of miles to scout and hunt birds for a quality hunt in North Dakota (while driving past a premium hunt with a small fee), is probably the very same voice that brags about countless hunting trips to Alaska other states, spend money there and become a nonresident hunter themselves, without batting an eye? Meanwhile we drive several thousands of miles for doctor appointments, groceries, or Sam's Club trips just to maintain a common person's quality of life?

Comments have been made that this should not be a rural verses urban issue, as local land owners and rural businesses would like nonresident hunting promoted, bringing with it economic revenue and benefiting our quality of rural living, not just the quality of a hobby, a sport. Aside from rural revenue, it brings people and interaction into areas that resident hunters care not to travel, much less leave cash. Resident hunters consider paying a land owner for hunting ground demeaning and literally scold nonresident hunters over the internet for doing so, calling them sportsmen "wanna be's". One hunter told me *quote* "The day that I have to pay money to hunt on someone's land is the day I sell my gun!" *unquote.* Why should rural people be left with nothing but footprints and empty shell casings? It is the land owners and the trickle down effect on the local businesses that suffer the burden of the birds. Please consider how each of voice describes "quality", what it means to each and how "quality" speaks louder then "quantity".

My husband and I have farmed together for over twenty years and have sacrificed a great deal to accumulate the land we own, land on which waterfowl freely feed and nest. Our 21 year old son has chosen to retain his North Dakota residency and farms with us, too. Our two sons enjoy hunting but have also learned a great deal from lodgers that enjoy the youth. Most of the lodgers are seasoned hunters. "Kill" is not a goal. The attitude they maintain is "a bad day here is better then anywhere else on opening day". Most are here to enjoy "no where", not to fill limits. Local hunters were never turned down and were never charged. Among the nonresidents that enjoy hunting is family. With 2048 set up the way it is, there is no way that members of my family, or yours, could come to North Dakota and purchase a license without planning ahead months in advance. These are people who buy a license for a weekend or two don't come close to bagging a limit.

I understand that with any situation, there is a need for compromise, but the compromise needs to be based on facts and not by voices that feel this state and the land owners owe it to them. The NDSU surveys concerning the amount of revenue generated by residents verses nonresident were grossly imbalanced with a total of 29,034 questionnaires being sent out to residents and 7,199 sent to nonresidents. That would be more then 80% of the 36,000 resident hunters and less then 25% of the 30,000 nonresident hunters, *(and* of those resident dollars, what percent was actually spent in the darkness of rural communities, who live with and pay for the feeding and the nesting grounds of the birds*?).* If you do weigh decisions on surveys and opinions, consider that Delta (a nationwide organization established in 1911) declares that Cando area has the most productive nests in the nation with 50% of them being mallard nests. Consider the fact that the U.S. Game and Fish found bird populations at an all time high last year with a phenomenal amount of birds. Consider the fact that there has been $10,000,000 of Federal Partners funds appropriated to North Dakota as well as $17,397,893 invested in 600.000 acres for habitat improvement, without one penny going to farmers that feed the birds, and still the quality is not good enough for 36,000 resident hunters with 30,000 nonresident hunters and it never provided a quality hunt. Was it because farmers were posting their land? As of yet, it is still a land owners right to post and the less rights are restricted, the more the rights retained are excercised. Posting has not yet begun if unpromising demands keep up. Consider the fact that our schools are closing while people from North Dakota cities send their dogs to obedience schools.

I carry with me a signed resolution from the Cavalier County Commission apposing caps on nonresident licenses.

Should the driving factor in this legislative decision be based on the opinions of resident sportsmen accustomed to FREE hunting ground and statistics that are manipulated to enhance these opinions? Or should there be clout carried by voices of the local communities and the local landowners who raise the birds and bear the economic costs of doing so. The revenue generated from nonresidents not only benefits the rural communities but it also benefits the state's overall economy. It is every bit as necessary as resident revenue. Why would the state of North Dakota want to severely restrict the amount of revenue being brought in because of squeaky wheels that want FREE grease as well as a free week?

Perhaps there will be a need to limit licenses in concentrated residential areas of North Dakota, perhaps bag limits for all hunters need to be lowered, there are other options but 2048 is not the answer. Hasn't rural North Dakota been handicapped long enough?

Please vote SB2048 "Do NOT Pass".

Thank you for your time.

DEB ROPPEL

Be it therefore resolved that the Cavalier County board of commissioners do not support a cap on nonresident waterfowl hunting licenses. Cavalier County has an abundance of waterfowl and a cap on nonresident waterfowl hunting licenses would cause harm to economic activity and tourism within the county.

Chairman– Cavalier County Commission

x Richard Vanderse

presented by
Kyle Blanchfield

North Dakota Professional Guides and Outfitters Association

House of Representatives, Natural Resource Committee:

As you listen to today's hearing on Senate Bill 2048 our association is asking you to consider the damaging consequences of this legislation and urge a DO NOT Pass vote on SB 2048.

We ask you to not support this bill because:

- **It offers little compromise, and is very punitive to our industry.**

- **The biological value of this legislation is overstated and has nothing to do with managing wildlife resources. The attempt of the HPC is to manage people.**

- **The direct result of this legislation will be the artificial shrinkage of the state's economy. Especially hard hit will be rural North Dakota. Many will testify that hunting is keeping residents in North Dakota. Why then did 87% of ND counties lose population from 1990 to 2000? At a time with relatively few nonresident hunters and record hunting opportunities.**

- **Our industry and association consists primarily of rural farmers and ranchers that have turned to guiding and outfitting to supplement farm and ranch income. Limiting our earning potential will only worsen an already difficult rural economic environment.**

- **North Dakota is already the second most restrictive state in the country regarding the limitations placed on nonresident waterfowl hunters. Our businesses are already feeling the backlash of an unwelcome attitude we are sending nonresident waterfowl hunters.**

- **Can North Dakota afford to send valuable customers packing? Will the non-hunting residents of our state be willing to sacrifice State services for the unqualified benefits of less nonresident hunters?**

- **The real focus should be access. This issue is already being addressed with legislation that will increase funding for private land access programs to the amount of over 3.5 million dollars.**

Please consider all of the issues and vote DO NOT PASS on SB 2048.

DALE & PAM VARNSON
11250 53rd. St. NE
Brocket, ND 58321-9575
Home Phone 701-259-2143

March 01, 2003

My name is Dale Varnson, I am a landowner and farmer in Nelson and Walsh Counties of North Dakota. I also offer hunting services and opportunities on the land I own and rent to farm. As I visit with my neighbors and friends that farm a large area around me, we all agree that limiting non-residents is not an option. SB2048 will not help resident hunters gain access to private land. Landowners will control who hunts, when they hunt, and if they hunt at all. All the landowners I have visited with also agree that it is unfair for urban populations to use their legislative pull to take away landowner rights. Laws made controlling who hunts or gains access should be made by the landowner. The landowner has hosted and produced wildlife at their own expense, on their own personal property which they pay taxes on. I feel people from out of state, as well as residents from out of our immediate area, are all non-residents to our rural communities. They should all be given equal treatment other than license costs. In the past we have had more favorable experiences with out of state hunters than in state hunters. Out of state hunters do not take it for granted, they respect and appreciate the opportunity to come here and witness world class hunting that their states do not have. I feel certain resident hunters, not all but more than likely the ones fighting for this bill, are greedy in their hunting. They could learn ethics of hunting from out of state hunters. Those that are in favor of this bill have no consideration for rural community businesses or landowner rights. **PLEASE VOTE NO ON SB2048**. Supporting SB2048 will have a very negative outcome on resident hunters gaining any access at all. Land owners are talking now if this bill is passed they will consider joining together and locking up land and posting land that currently does not get posted. We do not appreciated people from town trying to make laws that govern our land. I talked to one farmer the other day that said him and two other farmers could lock up one whole township if things get out of hand. Hunting is not suppose to be easy or guaranteed. A seasoned sportsman or hunter should realize that scouting and landowner relationships are two major factors. Our residents need to put more time in and start hunting rather than trying to keep people out. They need to show respect to landowners, form friendly relationships with them and there will not be access problems. However trying to overpower them will never be a solution for gaining access. I am 32 years old have grew up in this area and have hunted here as far back as I can remember. There has never been a problem with overcrowding of hunters out here. If the problem exists in a certain radius of our urban populations, the people in those areas need to adapt and hunt farther away from town. Urban hunters all leaving town at 5:00 on a Saturday morning to go hunting can only drive so far before sunrise happens. They need to spread out and quit blaming non-residents. My dad and I own and rent several thousand acres of land and last year we only had about six hunters ask permission to hunt. Hunting is great heritage to our state and the only source of tourism to our rural areas. Please do not try to take away business from rural North Dakota or the right of a landowner to decide who hunts. If that happens, I know there will be a problem with non-local resident hunters gaining any access to hunt at all. **PLEASE VOTE NO ON SB2048** so the LANDOWNERS of NORTH DAKOTA remain understanding and workable.

Thank You For your time and a **NO** on SB2048

Dale Vanson

WHY SHOULD YOU SUPPORT SB 2048?

1. The Hunter-Pressure-Concept (HPC) was developed by waterfowl *experts* at the North Dakota Game and Fish Department.

2. HPC received a 15-2 endorsement from the Judiciary B Committee as the preferred alternative for resolving what has become a contentious annual debate over the number of non-resident licenses that will be issued each year.

3. Quality hunting is a key attraction that weighs heavily on many resident sportsmen's decision to live in North Dakota. Sportsmen believe that we are losing this attraction.

4. Loss of quality hunting opportunities contributes to loss of population in North Dakota.

5. The waterfowl resource is a *publicly-owned* trust resource that belongs to all citizens, whether their interest be commercial or non-commercial.

6. It is in the best interest of *all* North Dakotans to find a compromise that balances the interests of *all* affected parties.

7. SB 2048 is *not* an all or nothing plan. It provides *compromise*. A survey of resident hunters conducted one year ago revealed that resident hunters believed that a fixed cap of 12,500 non-resident licenses should be established. SB 2048 in its original form would have allowed 24,000 non-residents in 2002. SB 2048 + 25% would have allowed 30,000 non-residents!! How can opponents of this bill in good faith argue that SB 2048 does not provide for compromise?

8. Waterfowl hunting opportunities in North Dakota are *limited*. Therefore, any plan for managing waterfowl hunter numbers that features *unlimited* numbers of licenses is *not* a compromise plan.

9. SB 2048 provides a plan that adjusts automatically each year for changes in available hunting opportunities (i.e., number of wetlands) and use by residents.

10. This is *not* a landowner rights issue as some opponents claim. The bill does not prevent any landowner from posting, leasing, or fee-hunting their lands. Sportsmen respect the rights of landowners to restrict access to their property.

11. This is *not* a rural versus urban issue as opponents would have you believe. Many resident hunters, even those who live in urban areas, have rural backgrounds. Many resident hunters are farmers or rural landowners.

12. Resident hunters are deeply concerned about the economic plight of rural North Dakota communities. SB 2048 provides a means to *sustain* the economic benefits provided by *all* hunters.

13. The hunter-pressure-concept is *not* radical or unprecedented. Many states limit numbers of non-resident licenses for numerous game animals or birds, including waterfowl.

Presented 6 March 2003 to the House Natural Resources Committee by

Terry Shaffer
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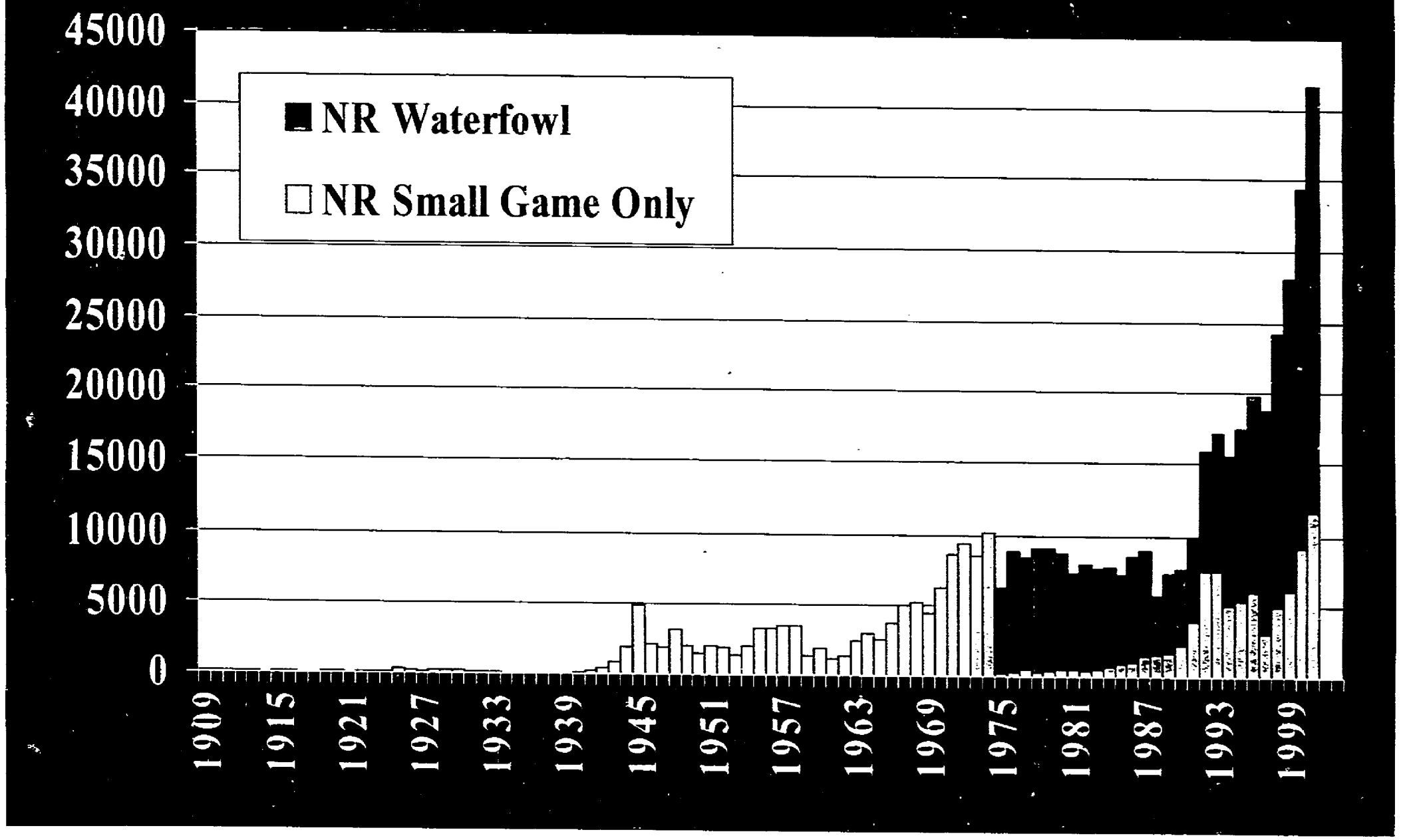
Jamestown, ND 58401
701-252-1665

North Dakota Non-Resident Small Game and Waterfowl Licenses, 1909-2001.

Prior to 1975 waterfowl were included in the small game license.



Sus n economic benefits pr ided by all hunters

TERRY SHAFFER, Jamestown

A recent survey of North Dakota legislators by the Associated Press found a majority of respondents opposed annual restrictions on numbers of nonresident hunters in the state. Anticipated loss of economic benefits provided by nonresident hunters to rural North Dakota was the primary reason for opposition. While there is little dispute that dollars from nonresident hunters benefit rural North Dakota, there has been little consideration for what it takes to sustain the source of revenue that we all seek.

Reader's Place In The Sun

Sustainable economic benefits should be a priority for all concerned, the key to which is to keep the resident and nonresident public involved in hunting by providing them with a satisfying hunting experience.

Waterfowl hunters go to considerable effort to locate ducks or geese and set up for a hunt. They avoid crowded situations in which birds are likely to be disturbed and chased off by other hunters. Although the level of crowding tolerated by hunters varies, the level of disturbance tolerated by birds is quite predictable. Too much hunting pressure drives them out of an area and eventually out of the state. Most hunters accept that disturbance occasionally will occur, but they also expect that with effort they will find a place to enjoy a satisfying hunt. When overcrowding and disturbance happen consistently, the enjoyment and satisfaction that hunters get from their time afield is diminished to the point that they go to another area to hunt, they lease or buy their way into a less crowded situation, or they give up hunting entirely. None of these options sustains the current economic benefit that hunting provides to rural North Dakota. Moreover, when land is purchased or leased it becomes unavailable to other hunters, and the crowding and disturbance worsens on land that remains accessible.

This continuing cycle affects both residents and nonresidents alike. Left unchecked, the situation deteriorates to one in which the vast majority of land is tied up by a select few. The number of hunters declines substantially, and the motels and diners in rural North Dakota sit empty in October.

The demand for quality hunting land among the affluent continues to increase in North Dakota annually, driving land prices far beyond reach of the average North Dakota farmer. Witness what has already occurred in the prime pheasant areas of southwestern North Dakota. New owners of lands in that part of the state jet in and out for a few weekends of quality hunting on their uncrowded personal hunting reserves each fall. For the remainder of the year, these owners reside in Minneapolis, St. Louis or Philadelphia, while their rural North Dakota farmsteads sit empty, and access to their property is denied to all, including their neighbors. Revenue that these absentee landowners derive from the Conservation Reserve Program and other programs leaves the state with them.

Resident hunters, having originally been drawn to the state or enticed to stay because of the once first-class hunting opportunities, begin questioning why they continue to stay. It is certainly not the beaches, mountains, weather, or wages that keep them here. As these folks and their families depart the state, the schools, hospitals, banks, car dealerships, hair salons, and a host of other businesses, including motels, restaurants, and service stations feel the impact state-wide. Loss of hunting access contributes to North Dakota's continuing population loss. Can we really afford so called "economic development" that discourages, rather than encourages, population growth in our state?

How do we know this can happen in North Dakota? Because it has happened elsewhere. The above sequence of events was documented as they occurred in Texas in a recent article from a journal for professional wildlife managers.

The only difference is that Texas did not lose population; it has other attractions, such as beaches, warm weather, and good wages. Texas is, however, losing public support for hunting. Such a small percentage of residents hunt, that there is little support for hunting as a recreational pursuit. As the article points out, initiatives and referendums already have ended some forms of hunting in other states. It may happen in Texas and it can happen in North Dakota too.

North Dakota has been blessed with a proverbial Golden Goose in the form of first-class hunting opportunities. Current overcrowding of hunters and short-sighted thinking by some lawmakers and their constituents are threatening to ring the neck of that Golden Goose. We must act now to see that no harm comes to the Golden Goose so that our rural communities and hunters can continue to benefit from one another.

The North Dakota Game and Fish Department has developed a system known as the hunter-pressure concept that would allow the number of nonresident duck hunters to be capped at a level each year that the resource can withstand without resulting in overcrowding. If the number of resident hunters declines, the system allows for more non-resident hunters. The concept is fair and objective and provides a means for sustaining the economic benefits provided by both resident and nonresident hunters.

Jamestown Sun 1-25-2003

All Names at this Address: Minot State University
500 University Avenue, W
Minot, ND 58707

North Dakota State Legislature **Letterhead**

~~January 6, 2003~~ March 6, 2003

~~Minot Community Leader~~ Dr. Bryce Fifield
~~The Chateau~~ Minot State University
~~Address~~ 500 University Avenue, West
~~Minot, ND 58701~~ Minot, ND 58707

You will be pleased to know that the North Dakota Legislative Session has begun ~~in~~ the wind down in Bismarck. We do enjoy the fantastic state that you live in. Tom Seymour needs your input and legislative support for the final days of the legislature.

Your legislative support could include sending Tom Seymour email [tseymour@state.nd.us]. You may want to visit Tom's Web site at [Tom.Seymour.Net]. My committee assignments are: Agriculture, Finance and Taxation, and the Joint Constitutional Revision Committee. I am on the Board of SRT and teach at ~~the~~ Minot State University and do enjoy being a leader in the Minot community.

Some people are fearful about Minot's and North Dakota's future. There are a lot of anti-everything groups growing in our communities. What we need are positive thinking, creative leaders in office to make responsible, effective decisions that will ensure a brighter future for North Dakotans. Yes, Tom Seymour decided to run for the ND State Senate so that he could represent you in making decisions to improve North Dakota and meet your and your business needs. The lack of funding has made it tough to meet your goals.

Feel free to call me at 1-888-635-3447 to leave your comments and ideas.

Please let me know your thoughts and your involvement in the legislative process.
~~Please let me know that I can count on your support and I will try to be one of the best senators in North Dakota.~~

Sincerely,

Tom Seymour
North Dakota State Senator
District 5, Minot

Jill A. Shaffer
8585 37th St. SE
Jamestown, ND 58401
701-252-1665
March 6, 2003

Honorable Legislators:

With respect to the issue of economic benefits of nonresident hunters, I will address the enormous economic benefit that *residents* contribute to this state. I moved to North Dakota about 7 years ago to take a temporary position in Jamestown. At the time, becoming a North Dakotan was not in my long-term plans. However, I met my husband, and here I still am.

My husband and I recently wed. Our guests stayed in local motels, ate at local restaurants, and filled their vehicles at local gas stations. Many visited the Buffalo Museum in Jamestown, or took in the Medora musical on their way to or from our wedding.

We recently purchased a home in rural Jamestown. Our four horses, all purchased from local ranchers, needed room to romp, so we again invested in North Dakota by buying additional acreage, half of which we rent to a neighboring farmer. As members of an equestrian drill team, our spring and summer revolve around hauling our horses to performances in rural North Dakota communities, such as Steele, Streeter, and Linton. As anyone who has pulled a rig understands, we need to gas up frequently, and we stop to eat, in places like Medina, Napoleon, and Taylor. The horses require trips to the veterinarian, visits from the farrier, feed from the local feed dealer, hay from our neighboring farmers, and tack from the local farm store.

My husband is also an avid fisherman. He and his brother, a former Minnesotan turned North Dakotan, and some friends make several over-night trips each year to Devils Lake and Lake Sakakawea. These outings find them spending the night in motels and eating in restaurants in places like Pick City, Garrison, and Devils Lake.

In the fall, my husband and I hunt. It is not unheard of for us to drive 150 miles in one day, scouting for a place to hunt. We eat and gas up in places like Cooperstown, Goodrich, Kensal, and Edgeley.

As you may see, we are expecting a child. Soon we will be purchasing a crib, bassinette, car seat, and large quantities of diapers and wet wipes. We will need full-time daycare services. Our annual daycare expenses will be equivalent to the combined expenditures of 7 nonresident hunters. I stand before you, honorable legislators, as the future of North Dakota. I grew up in Wisconsin and my family still lives there. My husband grew up in Minnesota. Our roots are not in North Dakota. But we intend to raise our family here. Why? We love it here! We love the wide-open spaces, the less-crowded atmosphere, and the prime recreational opportunities. We want nothing more than to raise our child as a North Dakotan.

However, over the years, my husband has become increasingly frustrated over the deterioration in quality hunting opportunities. **We are especially frustrated that many leaders in our state have not been informed of the long-term economic costs of**

failing to manage our hunting resource for the benefit of <u>all</u> North Dakotans. For the past four hunting seasons, my husband and his brother have been making annual trips to Canada to escape the intense hunting pressure that they have encountered in North Dakota. Access to quality hunting opportunities is why my husband stayed in North Dakota in the first place. If he leaves, I leave. Our child—your future—leaves, and of course we take our horses. Another rural property stands empty, and our income goes out of state. **These economic *costs* need to be considered in the decision-making process. And, the economic *benefits* that residents bring to rural North Dakota need to be considered.**

Recently, FOX News announced that Allied Van Lines was moving more families per capita from North Dakota than from any other state. I hope that my family is not soon to be Allied Van Lines' next customer. I ask you, legislators, not to push us to become the latest out-migration statistic of this great state, but instead, to take steps to preserve the foundation of North Dakota's economy—those families that live, work, and recreate here year-round.

Thank you for your time.

People opposed to the HPC bill have tried to make this an urban versus a rural issue. I do not believe this to be the case. I do not hear people discussing this matter at all. I think it is a ploy by the guides, outfitters and tourism to keep the issue burning.
If there are no caps established in the McIntosh County area next year the majority of the good duck hunting areas will be closed to residents and non-residents. The landowners of McIntosh County are good stewards of the land and the resources on their land. Many are getting tired of seeing the wildlife constantly being harassed day after day, week after week.
We have a very good lake about one-fourth mile north of the South Dakota border, after the first week of intense pressure, the ducks cross the border to feed because of the lack of pressure. They come back to roost in the middle of this lake. It doesn't take very long before the duck boats show up and then the ducks leave. If the legislature doesn't start to deal with this the landowners will, then more access will be denied to all.
The drought in this area will also contribute to lack of access, by eliminating many sloughs, this will transfer more pressure to the remaining water. Everything north of us is either leased to an out of state owned outfitter or just locked up, south of us we have the border, there is simply, not much room left.
As for economic development, this is a joke, it is economic impact! They are not setting up buildings, employing new families or bringing new people into these communities. Their effect is short term financially. Outfitter's claim the non-residents hunter spends almost twice as much per day as the resident hunter and in October that may be true, but what happens on, January 17 or March 6 or June 10th. Ten months out of a year the resident hunter spends more. And twelve months of the year the resident hunter **CONTRIBUTES** more.
The Ashley area business will do just fine with reasonable limits on non-residents, and lack of hunters will not cause this town to fold up. Farm prices will affect Ashley more, hunting will not save any small communities, do not let these guys tell you otherwise.
As it is now there maybe a surplus of non-residents, they camp on section lines, in groves or wherever. They bring their own food and supplies. They are really not contributing that much, but they are consuming and we are the losers.
Please pass the HPC, lets give it a try at least for a few years.

Thank-You

Wes Schlepp
Ashley ND

John W. Solberg
3356 Kent Dr.
Bismarck, ND 58503

Tel: 701-250-9511

Comments Regarding SB 2048.

Mr Chairman and members of the House Natural Resource Committee:

Hunting, and more particularly waterfowl hunting, is my passion. I cherish the customs and traditions of the sport and get more enjoyment from this activity than anything else I do. I have lived in 6 states, including Alaska, prior to living in North Dakota. The waterfowling opportunities, uncrowded cities, low crime rate, beautiful scenery, and the nicest people in the world, all contribute to the quality of life that attracted me to move to this Great State. I can attest that North Dakota's waterfowl resource is a crown jewel.

But - in my short time as a North Dakota resident, I've witnessed drastic changes in the quality of my recreation. Here are some thoughts/observations from one resident waterfowl hunter:

- I support in spirit and financially, the rural communities and resident landowners in North Dakota.
- I fully support landowner rights and the personal control of their property.
- I am not anti non-resident...in fact, I hunt with numerous non-residents. I know of no other resident waterfowl hunters that are anti non-resident.
- I realize a limited niche/need for hunting guides.
- I do not accept a low quality recreational/hunting experience - usually associated with too many people on too little ro low quality ground (High density/pressure).

  How does one fix this? Either lower the number of people, increase the availability of access to quality land, or a combination of both.

- I do not support commercial hunting interests (guides) controlling availability to huge amounts of the best quality waterfowl habitat and denying/restricting my access to a publically owned resource. To do so, provides huge benefits to a few and is unfair to many by concentrating them on remaining lower quality land - further degrading the quality of my experience. I contend that 20,000 acres of guide - locked land will typically have a much higher attractiveness to waterfowl than 20,000 acres of PLOTS land.
- If I am being forced into paying for my access, let me compete fairly with the guide for the hunt and land access DIRECTLY WITH THE LANDOWNER. No middle man. If I

have to pay for access, let the LANDOWNER benefit fully from my payment.

- Guides should be allowed to sell their services only on land OWNED SOLELY BY THEM. Help provide the hunting majority, both residents and non-residents, an EQUAL CHANCE for access to their resource.

Mr. Chairman and committee members, North Dakota is famous for its premiere waterfowling....but the quality of this activity has rapidly been degraded by TOO MUCH HUNTER PRESSURE. Support of the Hunter Pressure Concept represents a huge compromise by resident waterfowl hunters who, under last years water conditions, preferred 10,000 fewer non-resident waterfowl hunters than the HPC would have allowed.

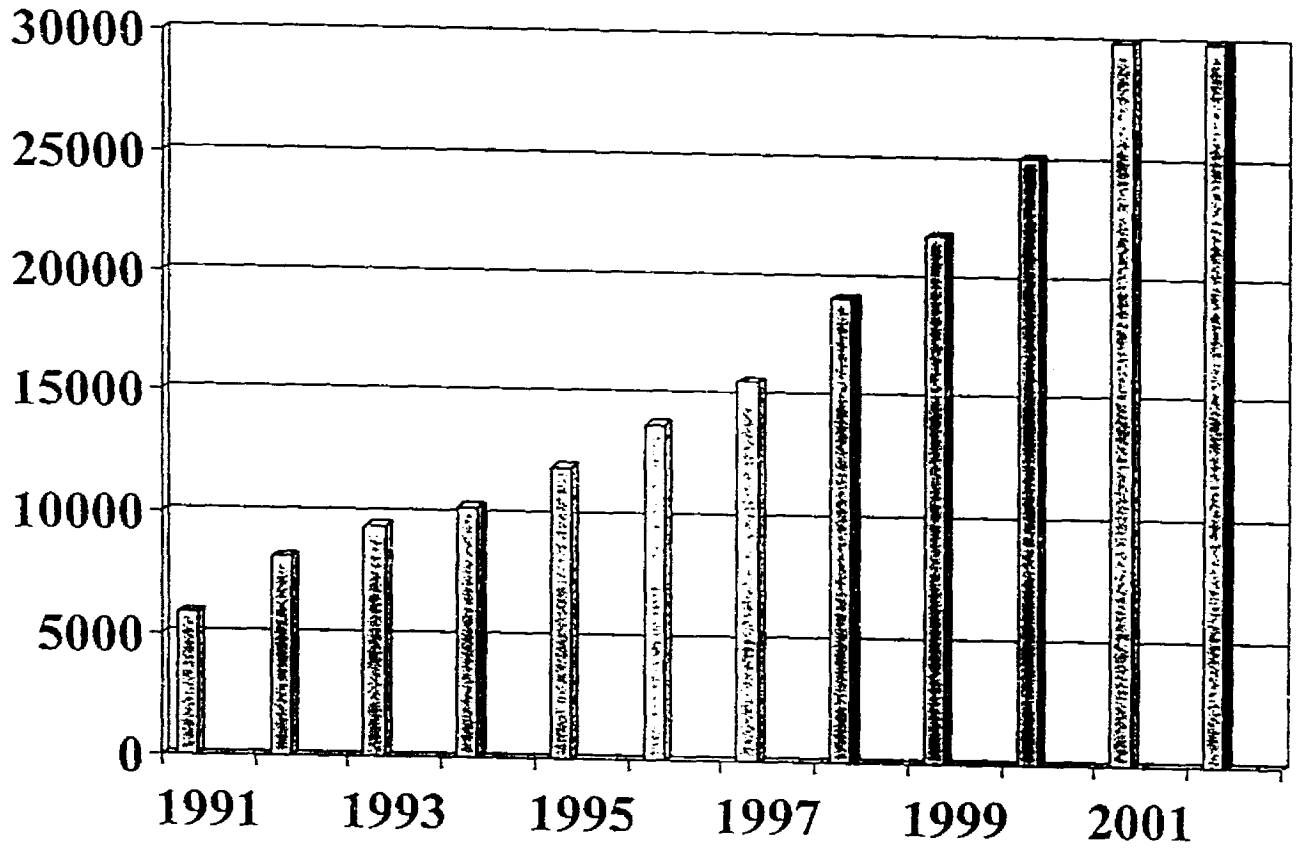
You have the opportunity to reduce this pressure by taking control of hunter numbers. If controlled, the resource and activity quality can be regained and sustained and landowners, rural communities, waterfowl hunters, and guides WILL ALL BENEFIT.

If allowed to continue without control, the quality waterfowling once common in North Dakota, will be lost forever. Waterfowling in North Dakota won't be special anymore. It will be crowded and exploited.....just like it is in most other states. If the uniqueness is gone....why would anyone travel to North Dakota to hunt ducks??

Mr. Chairman and committee members, PLEASE **DO PASS SB 2048**. It is a compromising plan, written by professionals, that will help sustain quality waterfowling in North Dakota for generations to come.

Thank you.

ND Nonresident Duck Hunters



SB2048 Hunter Pressure Concept

Legislators,
I urge you to Vote YES for this bill. Management of our natural resources should be left in the capable hands of our wildlife professionals with the Game and Fish Department. This bill represents a reasonable compromise between the opposing opinions. Hunter pressure on populations is real. We can look at other states such as Minnesota that did not keep pressure in check and quality hunting is only in the past for Minnesota. The Game and Fish Department has developed a quite elegant plan to adjust hunting pressure to what the resource can handle. Trust our biologists.

Please do not let your decision be based on issues that have been mistakenly linked to the Hunter Pressure bill. This is not a land owner rights issue. The bill has nothing to do with what landowners choose to do with their land. This bill does not empty motel in small towns. There will be plenty of non-resident and resident hunters to use motels, restaurants etc.; including my family and me. Furthermore, small towns that are banking on hunters using their services are mistakenly expecting a continual yearly influx of people vising their towns. This will not last for two reasons. First, the quality of the hunting experience will continue to diminish until people stop coming, similar to what has happened in other states that did not regulate hunting pressure. Second, there will be another severe drought. The ducks will not be here.

There is an issue of quality of life in North Dakota. I have lived in the state for 25 years. I stayed because North Dakota provided excellent hunting in quality settings. We longer have that. I married a North Dakota native 5 years ago. He also once loved the hunting in North Dakota, but that has changed. He is now retired and my job can be preformed from another state. Without the quality hunting opportunities, we have no compelling reason to stay. That means my salary, my husband's retirement check, our taxes, our car purchases, our grocery purchases, etc., will go to another state. I don't think you can replace my family with a non-resident hunter.

Please trust your Game and Fish biologist and vote for this compromise. I would not come to you for advise on my medical decisions. Doctors are educated and trained to help me, you are not. The biologists at the Game and Fish Department are well educated and trained, you are not. Trust these fine biologists.

Marsha A. Sovada, Ph.D.
3711 87th Ave. SE
Jamestown, North Dakota 58401

Marsha A Sovada

Barney

Testimony 2048

I was talking to a college student from the Minneapolis area last week who graduates from NDSU in May. He was very serious about coming to work in North Dakota. His reasons were simple - he loved to hunt here. He said that he had heard rumors that the laws might change to make it more advantageous to be a North Dakota Resident for hunting privileges. For that reason alone he wants a job in North Dakota and preferably in the central part of the state because of the waterfowl hunting opportunities.

If this session decides to go against the resident hunter these opportunities will disappear. Every year there is more land posted by guides and outfitters, reserved for out of state hunters. Not only do they tie up the private land but they over hunt and burn off the public hunting areas first.

The quality hunting and fishing is the reason that I chose Bismarck as a home. The way things are going for the resident hunter is enough of reason for me to move elsewhere. I talked to 3 of my hunting buddies that are not from this area and live here for the same reasons that I do, they all agreed that they would seriously consider moving if the hunting situation gets any worse. I also talked to a guy that I work with, and he said that when he graduated from college he had a job offer in Minneapolis with higher salary, but decided to stay here for the hunting and fishing.

When you vote on SB 2048 and other bills concerning hunting issues please don't forget the resident hunter. Remember we live here year round and we; pay taxes, own houses, raise kids, and vote. I don't have anything against out of state hunters but there is only so much hunting area to go around and as their numbers increase the hunting opportunities decrease. I don't have any figures but common sense tells me that people living here, and people that wish to move here for hunting reasons would bring a lot more money to the state than people that come for a couple of weeks a year in the fall.

I realize that I have only a few opinions, but I would have to believe that most resident hunters feel the same way we do. If you choose to vote against us, not only are you encouraging residents to move out of state, but you are passing up an opportunity to attract new residents.

Shawn Barney
Bismarck, ND

Mr. Chairman, Nelson and Committee members

Supporters of no caps have adopted "commercialization" as their clear message. Our North Dakota constitutional duty is to protect these publicly owned resources, keeping in mind first what's best for the resource and second what's best for the residents of this great state, as well as the landowner having every right to control access to their property. The majority of us believe in an equal opportunity for all. Some wrongly believe this state owned resource can be sold for personal gain.

Allowing unlimited nonresidents has already made poorer quality hunting for waterfowl and pheasants and has affected equal opportunities for residents to hunt.

Our past legislation has fought in so many ways by not letting the Game and Fish Department buy just the easements for wildlife and yet very little is proposed to make it more difficult for individuals to take over a piece of land that have no intention of that land cash flowing or contributing to the 'year around' economy of the surrounding area.

The small communities are hurt more by limiting opportunities for residents to support them. The studies show that this is exactly what's happening when permission isn't granted and the quality of the hunt is diminished by too many hunters.

We must start somewhere in limiting the numbers of waterfowl and pheasant hunters. And nonresident hunters that enjoy a quality hunt will tell you as well, to please limit us, because we couldn't do it in our state and don't let it happen here too.

Conrad Carlson
1923 Billings Dr
Bismarck ND 58501

258-0013

"The keystone for protecting the public's resources under the public trust doctrine is that the State must administer its trust interests consistent with trust purposes and values. The duties imposed upon the State are those of a trustee, not simply the duties of a business manager trying to cut a deal. The key to carrying out the public trust duties of the State are its powers to regulate as well as protect the State's fundamental rights in trust properties and the use of those properties."

Thomas S. Collins
4760 Wildrose Crescent
Bismarck, ND 58503

North Dakota House of Representatives
Natural Resources Committee

- Quality of life is why I choose to live in North Dakota. The vast quality hunting opportunities is one of the biggest reasons I continue to live in North Dakota and plan to retire in this state. However, the overwhelming number of non-resident waterfowl hunters in recent years has seriously jeopardized the quality of waterfowl hunting and thus my quality of life.

- I have noticed that in recent years too many hunters, especially non-residents, have caused mallards to leave the state, and geese and cranes to not migrate to North Dakota during the season because of too much hunting pressure.

- Records from the North Dakota Game and Fish Department show in the past years, primarily 1970-1990 we averaged around 8,000 non-resident waterfowl hunters. The past few years we have averaged around 25,000. We have increased the pressure three-fold.

- In recent years, the North Dakota Game and Fish Department estimated that 70% of the waterfowl harvested in North Dakota are by non-residents even though there are approximately 40,000 resident waterfowl hunters and 30,000 non-resident waterfowl hunters.

- Our legislators years ago, passed a bill restricting the number of non-residents deer hunters to 1% in each zone. Last year there was 1,400 non-resident deer hunters. They knew that too many non-residents would harm the quality of deer hunting. If only bring money to the state matters, then why not propose that non-residents are allowed to harvest 70% of the deer in North Dakota!

- North Dakota will always have tough winters to endure. Quality of life is the best thing we have going in North Dakota. Recently, there is serious concern about out-migration of North Dakotans. If we allow to many non-residents hunters, then we have sold out to the few guides and outfitters, and a few businesses that will slightly increase their profits, and severely hurt the quality of life to most residents.

- We have all heard a lot of different figures when it comes to how much money do non-residents bring to North Dakota. No doubt there are some that spend a large amount of money. I have been duck hunting in and around small communities for years, but an overly large number, such as 30,000 non-residents, are not adding much to the economy to North Dakota. In the town of McClusky where I stay and hunt, their two motels are always full. Even 10 years ago, when non-residents numbered around 8,000, these two motels were booked one year ahead of time. My brother, a Minnesotan, has stayed in McClusky for the past three years. He however, can never get a motel room, because the

non-residents have already filled the rooms. So he pulls his camper and brings my father and his two sons, usually two trips a year. He brings his own food, guns, and shells. The only thing he spends money on in North Dakota is his camping spot and gas for his truck.

- My Minnesotan brother, his two sons, and my father, on their two trips spend about six nights at $9.00 per night, and buy about 8 tanks of gas at $30.00, and each buy a duck license at $10.00 each. That comes to a total of $334, divided by 4 = $83.50. The point being that once you get to the saturation point, the dollars per hunter declines and not much is being added to the economy because most bring their own campers.

- **PLEASE VOTE IN FAVOR OF SB 2048 as passed by the Senate.**

- Please retain our high quality of life in North Dakota.

- Please continue to give me the reasons to want to live and retire in North Dakota

Thomas S Collins

John Dahlen
2202 Lincoln Ave
Devils Lake ND 58301
dwmaster@stellarnet.com

March 05, 2003

Chairman Nelson and the members of the Natural Resource Committee:

My name is John Dahlen, I am 34 years old and would qualify as one of the residents ND is so desperately trying to retain. A portion of my salary is dependent on hunting and fishing activities in the Lake Region, the region I have lived and hunted my entire life. I will only be testifying on what I know - Devils Lake and the Lake Region. I enjoy hunting with my two non-resident brothers and my many non-resident friends and do not want this affected negatively. I would tell you I am going to leave the state if I am not allowed to hunt with them if You would believe me. The state Game and Fish Dept. compares North Dakota to a stadium and apparently have been lead to believe there is more than one hunter in most of the seats. I agree with the stadium analogy. It is then interesting to note we don't impose limits on the number of non-residents that fill our sold out stadiums in ND, to watch our state owned teams. Using the ideas proposed by this bill we should impose on all stadiums in ND that they keep a certain number of seats open, in case a resident of ND should want to attend that particular stadium never minding that there are not many residents that want to watch that game. The trouble with the management practices proposed by this bill is that there is more than one stadium in ND. You see We have our own stadium in Devils Lake, and its a world class hunting stadium, I would not propose to limit anybody else's ability to fill their stadium and I strongly ask that no one limit the number of hunters in the entire state because they believe their stadium is to full, there are many stadiums in North Dakota that are not even close to a sell out. I testify before you, there are many community stadiums that are definitely not even close to a sell out. Please vote NO on Senate Bill 2048, it will potentially not allow us to even come close to filling our stadium. Fargo, Grand Forks, Minot, Jamestown or any other community can propose any bills to restrict their stadium they want so long as it doesn't affect other communities that need and want more hunters, let us manage our stadium. This is in the best interest for the Devils Lake area and the residents who live there and have no problem finding a place to hunt.

I was ignorant to this problem when it came into the light last season, so I went out in search of new access to land I hadn't hunted before in the Maddock and Hamberg stadiums. I found most of the land not to be posted, so I passed that up and found posted land. I was not asked for money and was not turned down ever. So I then accepted my non-resident brothers challenge to get on to land we had wanted to get on to for 15 years, but passed up. It was posted quite largely and often "Swamp Busters NO Hunting". On my way to the farm, that I thought would be the logical owner of the land, I met a lady walking her dog, so I stopped to introduce myself. It turned out it was her father-in-laws land and was given a number I could call that evening, but she assured us it would probably not be a problem. We had a great shoot that next day.

John Dahlen
2202 Lincoln Ave
Devils Lake ND 58301
dwmaster@stellarnet.com

I even stooped (not a typeo) to meet some of the landowners who's land I had hunted for 20 years for the first time (a practice usually left to non-residents).

In closing I want you to know I hunted for five days straight in the Maddock Stadium and met only two other parties that were hunting and yes they were non-residents, one of the parties walked up on me and my two kids while we were hunkered down on the edge of a slough. They were very polite, they offered their dogs to retrieve a couple of mallards I had down and went on their way. Two other parties in five straight days of hunting from Minnewauken to Hamberg, do you really think that is to crowded or do you believe those folks could be allowed a few more customers.

There is not a problem of overcrowding in a majority of the stadiums in North Dakota. One thing you can do for me to improve my quality of life is propose a bill that would limit the number of Hockey fans in North Dakota. Just lower the number of fans in the whole state until the Engelstad is not crowded. So I could get one of those front row seats in the engelstad for my two kids and myself. Kind of a shellfish idea isn't it, I had better find a mental health doctor that shares my ideas and propose it another way.

Thanks for your time,.
John Dahlen

My name is Monte Ellingson from Crosby and I am speaking in favor of SB2048. I drove from the NW corner of the stated because I am a concerned resident of this state. I do not represent a special interest group. I am here because I love living in this state and enjoy what it has to offer. I sum this up with the phrase "Quality of Life". There are a number of things that keep me here such as low crime rate, good schools and friendly people. But the number one reason I have lived here all my life and hope to keep doing so, is the quality hunting that we have. And to be more specific-the quality duck hunting. But it is fading.

I remember an article in the ND Outdoors in the 1970's that was titled "A million ducks in Divide County." (That's were Crosby is located) We had concentrations of ducks everywhere. That has changed. We are lucky to see 5-10% of that number now. Despite having good water conditions for the past 10 years and good duck numbers nationally, we are not seeing them. One of the reasons is how farming has changed in Canada. There is very little fallow. It has been replaced by specialty crops such as lentils and peas. And let me tell you, waterfowl love peas. Every pea field is literally covered with shelled out peas. The birds spend very little time and energy feeding. More time is spent loafing and getting fat. Why should they go south until they absolutely have to? When they go south, they usually fly right on by us. When it gets cold in Canada, it is usually cold here too.

Although we do not see the huge number of waterfowl hunters that are in other parts of the state, we have our share. The birds that are here usually concentrate in just a few areas. This concentrates where the hunters spend their time and it gets to be a competition for a hunting place. Unless something changes, we do not have enough quality hunting for more hunters. People talk about the number of resident duck hunters declining. This is true. It is my best guess that we are losing the part time duck hunter. The diehards are still out there. We are replacing them with non-resident hunters who would also qualify as diehards. The result is increased pressure on the birds. There may not be as many hunters overall now, but I would bet that the average duck hunter out there now is more proficient.

In the mid 1980's, I worked as a carpenter. Work gradually slowed down and I was laid off in the winter months. I was completely broke. I remember counting pennies out of a jar to buy groceries. I could have very easily moved away at that point. Yet I stayed. I did not want to leave ND. I battled my way through it and things have worked out just fine. The quality of life kept me here. I now have been married for 3 years and have a son and a step son.

One of the worries of ND politicians is out migration. By placing a cap on non-residents, I think you will encourage people to stay here. You will also encourage people to move here. Perhaps some people who are retiring may choose to buy a place in ND to spend their time because of the quality hunting we have. Wouldn't that be something! In migration because of hunting! Well this is not unreal because it is happening. I have many friends who have chosen to move to ND to work and live because of the quality hunting. They may not get the same wages here as other states, but it comes back to the quality of life thing again. My mother lived in a small town in central ND with a population of about 50 people. One day I was there visiting and asked about some of the new people in town. She said, "Oh, they are duck hunters from Wisconsin. They bought those two houses and moved here with their families and got jobs too!" Last year my mother sold her house to a duck hunter from Wisconsin who moved to ND to be a resident, not just a two week visitor. Passing this bill can bring new residents to our state and not encourage the resident to leave if you do nothing.

There are other things that are factors in all of this. As more and more people are out in the field competing for the quality hunting spots, buying and leasing land will take place. What happens if we end up with corporate farming? Perhaps someone will say that they will throw in X amount of dollars in your farming operation as long as they can hunt on your property exclusively. There will be less land to hunt and both sides will lose. What about drought? It has a huge impact on duck numbers. Living in ND, we know that dry times will come every so often. When we see duck numbers go back to where they were around the early 90's, do you think 30,000 non-residents plus the residents will all find ducks to hunt? I think not. That is why this concept is the right way to go. By limiting the number of non-residents, both will come out ahead in the long run. Without limits, business places will profit in the short term, but it will catch up with them later. Once it gets too crowded, the people with the money will win. They will control who hunts where. The resident hunter will be out in the cold as well as many of the non-residents unless they are financially in a position to still participate.

The ND Game & Fish Dept. does a good job managing our resources. We need to let them do this and to manage in the best interests of the people of ND first, not those from other states. The people who live here all year, pay taxes, support schools, buy groceries and eat at restaurants should have some benefit over the person that comes for only 2 weeks a year.

This bill was introduced by the Judiciary B Committee. After the last session, this committee was appointed to study this issue. After a series of 8 public meetings and hundreds of comments from the public, this concept was endorsed by the committee. By having a cap that could vary from year to year, we will provide quality hunting for both residents and non-residents.

I have a chart (show chart) that shows the number of non-resident waterfowl hunters over the past 12 years. You will notice the steep uptrend in numbers. Water conditions were also improving as time went along, until about 2000. Last year there was a cap that stopped the sharp upward trend. Without a cap, where would this thing end? The increases were getting larger and larger every year.

In closing, if you do not pass this bill, I will probably not up and move from the state. At least not right away. Once things go down the tubes, and it will if left unchecked, then I probably will be gone. My challenge to you is this. (show picture) This is my son Isaac. He is 1.5 years old. I would love for him to grow up here, go to college, put out my decoys and become a life long ND resident. I know he'll be a hunter. It's in my family's blood. Don't make ND a playground for the rich. By passing this bill, you will greatly increase the odds of Isaac staying here and enjoying the quality life that ND has to offer. Will you please give him that chance?

Thank you for your time.

Dear Chairman Nelson and Members of the House Natural Resources Committee,

I urge you to support passage of 2048 (Hunter Pressure Concept 2).

I feel that the bill is already a major compromise and do not support any amendments that would allow increased non-resident licenses at any time during the hunting season. I support removal of the Governor discretion amendment; however I will support the bill as is.

Realizing the many serious issues you are deliberating this session, I would like to thank you for your dedication and service to all North Dakotans and for your consideration of my views. I understand that many in the Legislature are a little frustrated by the amount of attention being given to hunting issues. However, I would like to explain why these issues are so important to me and many other North Dakota voters

I do not resent or want to eliminate non-resident hunters. However, the tremendous increase in non-resident hunter numbers and the resultant increase in outfitter and non-resident leasing and purchase of land over the past few years threatens the tradition of hunting by the average North Dakota citizen. Hunting is not just another economic activity. Hunting is tradition, sense of community, the passing on of skills from parent to child, and participating in nature. Hunting is developing an understanding and appreciation for the land and those who care for it, developing and maintaining friendships with landowners. During the hunting season, I regularly host and hunt with friends from Colorado, Kansas, Iowa, and Wisconsin. These friends come to North Dakota because of the quality hunting experience that is no longer available in their home states. I have discussed the hunter cap issue with all of them, and every one has had the same response: they come to North Dakota to get away from the crowds and would be much happier to have a quality hunting experience some years than fight the crowds and buy their way into hunting opportunities every year.

Wildlife and hunting belong to the people but we do need to regulate harvests and hunters to maintain populations and maximize opportunities. We can choose to limit hunter numbers numerically through bills such as 2048 or financially through overcrowding. The HPC 2 approach gives first preference to resident hunters (as do all states - be it for waterfowl as in SD or elk in MT) and allows many non-residents, regardless of financial status, to have an equal chance at hunting waterfowl in our state. Our other option is to allow non-residents to limit themselves. If we continue to allow unlimited numbers of non-residents or charge exorbitant license fees, the result will be a continued expansion of outfitters, increases in leasing and purchase of hunting land by wealthy non-residents, and an eventual elimination of all hunters except the very wealthy. As seen in many other states, once the rich are allowed to buy the hunting opportunities, they impose a much lower cap on other hunters (restricting both residents and non-residents) than is called for in 2048.

Hunting is a quality of life issue that brought me to North Dakota. I would not have come to North Dakota had I not found a job, however, I looked for a job in North Dakota because of the hunting opportunities that far surpass those in most other states. I am seeing these opportunities being sold for the short-term benefit of a few. I hear a great deal from the economic interests demanding that we find ways to attract new people to North Dakota, but these same interests don't care about us once we get here. Rather than protect and support the quality of life that attracted us to live here year-round, they would rather squeeze one more nickel from a tourist. I was raised in Iowa, lived in South Dakota for 6 years, and came to North Dakota 5 years ago. I have seen how upland game hunting opportunities have diminished in these states as hunters were forced out by lease and purchase of hunting land by wealthy and commercial hunting operations. Iowa has no waterfowl resource to speak of (they drained all the wetlands long ago), and South Dakota has maintained quality waterfowl hunting opportunities for residents and visitors alike by restricting non-resident waterfowl licenses much more than 2048 will do in North Dakota. To a large degree, North Dakota has already sold out its best pheasant hunting opportunities, but we have a chance to stop these trends before waterfowl hunting becomes nothing more than a chance for the rich to kill something.

Learning how to scout a good hunt, meet landowners, pick good shots, clean and prepare game, and develop a good working dog are all things that can be purchased. However, when these things are purchased, the hunter becomes nothing more than a killer of animals and I see no redeeming quality in that. If we, as a state, place money over all other values, why not concentrate on year-round, long-term economic development? If we claim to need more non-resident hunters to save our rural economies, I would ask why we would want to base these economies on a few weeks or months of hunting activity? Why promote further economic dependence on unpredictable wildlife populations? If we're going to be all about money, why not keep those small towns alive by allowing casinos on every corner? Why not allow 24 hour alcohol sales or allow non-resident corporate farm investment? Why not become Nevada and allow brothels? The reason we don't do these things is that they are not compatible with the quality of life and sense of community that we, as citizens of North Dakota believe in. Hunting is a part of this quality of life and I am asking you to help preserve what makes our state a great place to live.

Mike Estey
12951 71st Ave NE
Bismarck, ND

North Dakota
Sportsmen's Alliance

1205 6th Avenue NE
Jamestown, ND 58401
Phone: 701-252-1586

I am Larry Knoblich, representing the North Dakota Sportsmens Alliance. The Alliance has been demonized as a small group of noisy zealots with a passion to close the state to nonresident hunters and bent on taking the rights of the landowner away. We feel much like the patriot would have felt riding through the countryside with shouts of "The British are coming!" only to have the occupants of those villages shout back "Shut up you parocial SOB, those brits spend lots of money while they occupy our towns!" In fact we have lived in dread of the rural areas being taken under control by the large commercial outfits that have convinced the landowner that it is economic progress to have hundreds of thousands of acres controlled by the leasor. The landowner who has been convinced that a few dollars per acre is the landowners access to financial stability. Much like convincing the wheat farmer that 3 cents from each loaf of bread is a boom to the farmers bank account.

Certain areas of our state will argue that they have an abundance of waterfowl and see no problem. I recommend they get their contacts to work harder to get the word out about their great fortune in waterfowl. Someone's not doing their job.

" Ask and the gates may open," and,"Do your homework," are often thrown out as the resident hunters final solution to the problem. I know of three fellows that remodeled the inside of a farmer's house, with wiring, plumbing, sheet rock, etc. When they returned the following fall there were denied access because an outfitter had leased the farmstead and the guys that did 'their homework' were out on their own, out of a hunting spot.

It has been stated that there are over 100 acres of land in ND for every resident hunter, yet urban sprawl devoures 2 million acres of land each year in the US and in Minnesota about 30% of the land is not huntable because of the sprawl. These are some of the reasons that nonresidents flock to our state. We are accused of being restistant to change. "Commercialization is a fact, lay back and enjoy it." Again a reason why so many nonresidents want to come here. They enjoy our freedom to roam!

We have been accused of trying to destroy the landowners way of life and leaving nothing behind but our trash and footprints. In fact we know how important the landowner is and that we will be living with them not only for the three weeks that some outfitters claim to have in their outfitting season, but we will be here for everyday of the year, for the rest of our lives and we will continue to help pay for the roads that all of us travel on as well as the other amenities that all of us residents enjoy.

We realize that constitutionally we have no right to hunt, exactly like the population of England and Europe have no right to hunt. We know that the game in ND belongs to the people. Much like our horse that wanders on the neighbors land, we would appreciate the neighbor allowing us to go onto the land to get that horse like we have in the past century.

We hear the analogy of the stadium that can only hold so many people and Devils Lake feels that stadium can never be filled. If two aspirin are good for you then an entire bottle should be great for you." I have a friend that coached on the NFL. He told me that when they played at Oakland his and other coaches wives sat in the special visitors box. Their wives were spat upon, had beer poured over them and generally mistreated. Not everyone enjoys a full stadium, albeit in this case the resident fans were the culprits. We do not want to get into a spitting match. We need to back off and show respect for each others views. You are the people that need to sift through the testimony and correspondence. We all need your expertise.

I had a legislature tell me that what I stood for made lots of sense but if he supported the concept, his people back home would kill him! I know it's a tough call, but if you lose your job as a legislature because you did what you felt was right, then the worst thing that could happen to you would be to come back here as a lobbyist. And ride the halls, shouting, "The British are coming!"

Respectfully,

Thank You! L. Knoblich

Larry Knoblich
NDSA

"To Lobby for the Good of North Dakota Sports Persons"

January 30, 2003

Dear Editor

I recently attended the Senate Subcommittee hearing on the Hunter Pressure Concept Bill in Bismarck. I was fairly pleased with the turnout. Hunter numbers were a little low, but most of them probably had conflicts with jobs and were not able to attend. There were a lot of guides and outfitters and that, too, was understandable, because hunting IS their job. The major players on their side did not speak, but were definitely talking to the people who did. They were very well organized.

I may be wrong, but it seemed as though certain senators from the areas where duck hunting is a business, had their minds made up before they sat down at the table. Both sides made their arguments and for the most part, both arguments were predictable. One side expressed the economic impact of hunting and seemed to stress the fact that farmers and small businesses would go out of business if not allowed to have as many nonresident hunters as possible.

The HPC would have limited 2002's non-resident numbers somewhere in the area of 23,000 hunters, a number comparable to 3 or 4 years ago. I'm not sure how many gas stations, cafes, bars or other small businesses went out of business four years ago, because of these "low" non-resident numbers, but I don't believe there were many. There were no failed businesses in the Ashley area where I am from. In fact they all did quite well.

The biggest resistance to limits is coming from those who want to expand their operations. Leased acres are increasing accordingly and that trend will continue. The hunters addressed this loss of access and the loss of the hunting "heritage", that is to say, passing the hunt from father or mother, to child. This trend is also occurring and will continue.

The latter of these two trends is the one that concerns me the most. Bill Mitzel, Editor of *Dakota Country* brought his grandson, Devon before the committee. Devon read a statement that he and his grandfather had prepared together. It was a simple statement that said in effect he'd like them to consider reasonable limits so that he too could enjoy "quality" hunting as a resident of this state. He received an ovation from both sides and even a comment or two from the senators. He did very well for an 8 or 9 year old.

Later a farmer from the duck belt, who appeared to be affiliated with an outfitter, slammed Mitzel for exploiting his grandson. That got my attention. Then it became clear – these kids are the outfitters enemy. In their perfect world, these kids would become so frustrated with the lack of access or the fact that their father – the mechanic or carpenter down the street, couldn't afford the fees and they would eventually quit hunting. At some point we'd only have good hunters left, the non-resident with the fat checkbook.

Senator Heitkamp stated in an interview that there was no representation from rural North Dakota., only from the urban areas. I was there with three of my friends, we never spoke, we just observed. Every argument has essentially been made. We just wanted to see the major players.

In the Ashley area we have good duck and pheasant hunting. We get the double whammy. Non-residents are a permanent fixture for 10 to 12 weeks a year. They are everywhere. They're buying houses that should be burned down, allowing even more of them to come. This frees up more rooms at the motel, so even more of them come. Those that have houses now have storage available so possession limits become meaningless. The wildlife is hounded seven days a week for two or three months straight. On opening weekend of pheasant season we saw six groups in one two mile stretch of gravel, that's over 20 hunters, there was not a North Dakotan among them. Our park has eight hook-ups for RV's, there were 36 of them. They were parked in shelterbelts and on PLOTS grounds. The "quality" of opening weekend was gone.

My hunting partners are 9, 11 and 12 years old. We had hunters walk into our decoy spreads hunting pheasants. A group of seven surrounded our decoy spread on another occasion and shot at the ducks before they got to us. There are no "undiscovered" spots anymore, they have found them all, their sheer numbers have resulted in this. As a result, both residents and non-residents have seen a huge drop in the "quality" of their hunts.

The value of agricultural land has gone up as a result of these out-of-state groups or hunt clubs. They are paying more for the land than the farmers can cash flow it for. Young farmers are being out bid for land by hunters, this costs the local businesses who serve these farmers.

As the tentacles of the outfitters spread, all of these new non-resident visitors will concentrate more pressure on the land that is still huntable. This will also concentrate more and more residents into the same areas. The "quality" for all is degraded. Eventually if you don't pay, you won't hunt.

So, the outfitters and guides will continue to spread and discourage our youth. Eventually it will be a sport for the elite, and many of the locals out here in Smalltown, North Dakota will have lost one of the main reasons we have chosen to stay here.

I'll probably be all right, I'm old enough, but my hunting partners probably won't be. Money will destroy their opportunities, and they will have one less reason to stay in North Dakota.

Finally, I own a bar and grill in Ashley and will probably benefit financially from these unlimited numbers. However, I will accept a little less and will do just fine with reasonable limits, so everyone, including non-residents can enjoy a quality hunt. I fully support HPC and would like to see the legislature at least try it for a few years, before we give everything away to the guides and outfitters.

Thank you
Russ Lehr
Russ Lehr
Ashley, ND

If we as North Dakotans limit the hunting licenses of non-residents, then the state of Minnesota should limit the attendance for non-Minnesotans to attend Twin's or Viking's games.

It would be too costly for North Dakota to give up this chance to help the businesses of our state. If I were an out-of-state hunter, I would be outraged to hear about a cap on non-resident hunting licenses. When we limit non-resident hunters to come to North Dakota, we are also limiting the businesses in North Dakota, and you as well as I know that would be that last thing we need.

It would be foolish for North Dakota to waste this opportunity to bring the state income. North Dakota should embrace all of the opportunities to bring the state any form of benefit, and allowing the out-of-state hunters to come into North Dakota and hunt would be just doing that. Also, what harm could it do to let people come into our state and see what is has to offer.

North Dakota's few years could be very important if we allow our out-of-state friends to come here. If we intrigue people from out of our state to North Dakota, we could be able to get more people to come and work in North Dakota. I would love for North Dakota to take full advantage of this opportunity, and all other opportunities of this importance.

As North Dakotans we should be good hosts to our neighbors, so they will get a good idea of North Dakotans, that is unless you want them to think people from North Dakota are really like the actors in the movie "Fargo."

In conclusion, I would appreciate it if before you vote for, or don't vote for this bill that you would think about all the businesses of North Dakota, including hunting

stores, and hunting guides, and also for the people who come probably only once a year to get away from their busy lives to come enjoy North Dakota and hunt game.

Also at this moment I would also like to thank you all once again for listening to my opinion on this issue.

I am a farmer from Barnes County and also an avid hunter. There is proven trend that all of us see in the last decade; that is to commercialize wildlife resources of all species, and it is unacceptable.

100 years ago North Dakota was one of the first to establish limits on ducks, and the North Dakota legislature has followed that established precedent numerous times in our history. 2048 is another time to reestablish that precedent. No doubt the market hunters of 100 years ago said their personal "economic development" was more important. The North Dakota legislature said that was not the case, and the legislature stood by that position time and time again.

2048, the Hunter Pressure Concept, was the most popular choice of North Dakotans in the 8 Game and Fish advisory meetings held around the state last spring. 2048 came out of the Judiciary B Committee with a 15-2 DO PASS recommendation. 2048 received a DO PASS from Senate Natural Resources, and also from the full Senate. It is a bill that has had every conceivable testimony wrapped around it and thrown at it for almost a year, and the concept that is 2048, has stood every time.

My farm is adjacent to I-94 west of Valley City. As I work my fields in October I see what I call the MINNESOTA EXPRESS, headed west to hunt. More every year. They perch on our fence like blackbirds looking at our sunflowers. Nonresident hunters come here from states that have squandered their own resource. They come here from states that once faced the same decision you gentlemen face today.

As a farmer I see an unrelenting race to buy or lease farmland for hunting to lock in the "opportunity" before it is gone. This trend to bid up land for hunting is detrimental to all farmers and to rural communities. It is a detrimental trend that lasts year round, unlike a benefit that lasts a few short weeks of the hunting season. I urge you to support 2048. Thank you for your time, Dick Monson, Valley City, North Dakota

Dear Representative Nelson and members of the House Natural Resources Committee:

My name is Sheldon Schlecht and I own and operate Sheldon's Waterfowl and Upland Bird Hunts based out of Streeter, North Dakota. Our small town population is 160. I oppose Senate Bill 2048 in its entirety due to the fact that we have worked hard for the last 15 years to establish our business and Senate Bill 2048 has no guarantees that I will still be able to operate my business. I employ 38 people, 32 part-time and 6 full-time. During the last 14 years I have sold approximately $327,000.00 worth of non-resident hunting licenses for the state of North Dakota. My marketing techniques insure that the state of North Dakota has not spent a penny on me bringing people here, but they have certainly reaped the benefits. I attend 9 sport shows across the country every year, touting the beauty of North Dakota as well as the outstanding hunting and friendly people. Many of the 300 clients that we entertain each year also bring their families here in the summer to vacation. One of the pasta plants wouldn't be here if not for a non-resident hunter who loved it here and turned his dream into a reality. The city of Napoleon will also benefit with a new business set to employ over 300 people. The man starting this business has hunted waterfowl here for years and loves the people and the area. Who knows where the next big business will be? It may be started by another non-resident.

Please look at the expenditure sheet I have enclosed for the fall of 2002 and remember that this does not include the 314 people who bought airline tickets and flew into Bismarck, or the money they spent at Scheel's or at the casinos. Our business has an economic impact over $274,000.00 in a town of 160 people. This whole bill is not about pressure, but rather access, and this will not help hunters gain access. We have neither charged, nor denied residents access to our land. However, once a restriction is placed on non-residents, this will change, and I speak for approximately 47 farmers and ranchers who are in total support of our business.

Sincerely,

Sheldon Schlecht

621078
STREETER GROCERY
103 SOUTH FLORENCE
STREETER, ND 58483

Dear Representative Nelson and members of the committee:

I oppose Senate Bill 2048 since my grocery store is greatly supported by our local hunting lodge. They spent nearly $19,000.00 in my store last fall for groceries to feed their non-resident hunters. This is approximately one-third of my total sales for the year. Without this business I would have to close my doors since our city population is not only dwindling, but aging as well. Streeter only has about 150 citizens, and we need all the non-resident support we can get, along with the resident support. Less than $100.00 was spent by resident hunters in my store, as I asked each and every stranger who they were and whether they were resident or non-resident hunters.

Thanks for your consideration.

Sincerely,

Peg Perman
Manager - Streeter Grocery

DJ'S BAR AND LOUNGE
110 N. FLORENCE ST
STREETER, ND 58483
JEFF GLODREY OWNER
701-424-3728

Dear Representative Nelson and House Natural Resources Committee:

Non-resident hunters in the fall play a very large role in not only my business, but the total economy of Streeter. I kept track of the money spent in the local bar which my husband and I own and operate. We found that non-resident hunters spent the following amounts:

$2300.00 in off-sale purchases

$ 370.00 in tips

$2032.00 in off-sale purchases for local hunting lodge

Resident hunters spent the following amount:

Less than $400.00 total in our bar.

My personal income from the non-resident hunting business provided me with an additional $4000.00 in wages for bird cleaning, as well as $1000.00 in tips. As you can see, I definitely need the non-residents support to keep my doors open and stay off of the government support programs.

Sincerely,

Penny Voldness
Owner - DJ's Bar
Streeter, ND

Testimony by Alan B. Sargeant given to House Subcommittee on March 6, 2003 in favor of SB-2048

My name is Alan Sargeant and I live near Jamestown. I am retired. I have hunted waterfowl, especially ducks, for 52 years, 17 as a resident of Minnesota and the past 35 as a resident of North Dakota. I hunt ducks from the first day of the season until freeze-up. I keep a diary of each hunt, make my own decoys, and have my own ethics on how to hunt. Quality duck hunting gives me a great deal of pleasure and is a major reason why I still live in North Dakota.

For me, quality duck hunting is much more than shooting ducks, its a cherished outdoor experience. I would rather not hunt than have a poor hunting experience. A good experience is not setting up decoys and have someone move in on you or racing to a marsh to beat someone else. I had little quality ducking in Minnesota. The reason was simple -- too many hunters. It was common to come home without firing a shot.

North Dakota has some of the finest waterfowl hunting in the Nation, albeit the season is short. That's why so many hunters want to come here. The quality of the hunting, however, is dependent on hunting pressure. Waterfowl learn rapidly to avoid hunters by congregating in undisturbed sites or leaving. As waterfowl hunting pressure increases in North Dakota, the quality of hunting will decrease -- it already has. I started noticing the change about 3 years ago, when water conditions were exceptional and there were about 20,000 nonresident waterfowl hunters. The situation was much worse this past year, when many marshes were dry. This season, probably even fewer hunters than the previous year concentrated on the remaining marshes. The disturbance factor to waterfowl and between hunters was high. Because the nonresidents hunted every day, resident hunters who had to work, or were in school during the week, were left with slim pickings on weekends. The end result was decreased quality of hunting for everyone, but especially for residents.

There are some who would have us believe that the more nonresident hunters the better, that our waterfowl resource offers more than enough for everyone, and that the economics of having unlimited numbers of nonresident hunters is good for the state. If the resource offers more than enough for everyone, why then is there so much leasing of land for paid hunting only? Commercializing waterfowl hunting to the extent that it excludes resident hunters isn't my idea of an incentive to live in North Dakota. Certainly we have enough waterfowl hunting to share with a goodly number of nonresidents, but sharing is different from giving away the store.

The notion that the number of nonresidents should not be adjusted to the number of water areas makes no sense to me. The prairie

is dynamic and we are always only a drought away from having limited waterfowl hunting opportunities. The same number of hunters on half as many wetlands doubles the hunting pressure, on a quarter as many wetlands it quadruples it. The last drought ended in spring 1993 and was 5 years long. If you recall, Devils Lake was drying up and those vast expanses of recently flooded land, currently excellent for waterfowl hunting, didn't exist. In fall 1992 there were only a handful of places to hunt within 70 miles of Jamestown because nearly all the marshes were dry. I hunted hard, but managed to shoot only a few ducks in spite of limited competition. Where would you have put thousands of nonresident duck hunters in North Dakota that year.

Finally, some thoughts about hunting impacts on our economy. The issue involves much more than gas, food, and motel rooms in fall. I read and hear much about outmigration and the need to attract and keep people in North Dakota. The facts are that there are more good reasons not to live in North Dakota that there are reasons to live here -- that's why we have a problem. Quality hunting can be a strong incentive for attracting people to live in North Dakota or for onticing those that live here to stay. It was a major factor in why my wife and I moved to North Dakota and why we chose to retire here. It was also a major factor in why my son returned to live and raise a family in North Dakota. Those who settle or remain in the State because of hunting spend nearly all of their money here, even when hunting is poor. Those who come to hunt in fall have only a seasonal benefit on our economy, and only when hunting is good. Don't expect to see much of their money when the duck or pheasant populations crash, as is sure to happen. I urge you to help protect the interests of North Dakota's resident hunters by restricting the number of nonresident waterfowl hunters to moderate sustainable levels, and adjusting their numbers to the numbers of wetlands available for hunting.

SB 2048

My Name is Donald Baasch from Valley City. I support SB 2048.

I hunt with nonresidents and they have the same concerns that I do about the quality of hunting in ND. They also think that it's deteriorating, even though numbers of game is very high. One of those non-residents is a young hunter who now is looking at ND colleges because he thinks that ND is a great place to be. His state has been commercialized to a point where he no longer has a place to hunt.

A freind of mine is from out of state and now lives in ND. He didn't hunt much before he came to ND, but now he hunts every chance he gets. He has concerns about hunting in ND.

This bill is not an anti- nonresident bill. If this bill does not pass, a large portion of hunters, resident and nonresident alike, will be disappointed. It will fall back to the governors office if this bill fails. If this bill passes, the mainframe will be in place and Mother Nature will determine the majority of the rest of the equation.

Baasch

Chairman Nelson asked a question earlier about hockey seats. My son plays hockey so I thought about this. I would do whatever I could to watch him play.

My neice is playing in the State Basketball Tournament in Minot and her parents are gaurantees 12 seating tickets for the games. They can give them to who they wish.

If someone buys 25 seats at the Ralph Engelstad arena and only lets 5 people sit in them, I may get mad enough to try to change this. If 4 people each buys 25 seats, and only let 5 people sit in them, there would be 100 seats bought but only 25 people to sit in them. I am willing to do what I can to change things for my freinds and family.

Please support 2048. Thank you

Don Baasch

Baasch
2/

My name is Kevin Hayer
I have lived in ND my entire life.
I shot my first duck with my father at the age of ten. That was 32 years ago and I can remember it like it was yesterday. I have hunted every chance I can ever since.

Over the last few years the quality of my hunting has been deteriorating more and more every year.
The two major contributing factors are the large scale leasing of land by outfitters and unrestricted license sales to nonresidents.

I do most of my waterfowl hunting in two counties – Stutsman and Kidder. According to advertising by six outfitters in these two counties, they control 239,000 acres. That is 373 square miles.
They do not lease just any land, they lease the best land.

Now let's compare how much land the state of ND has enrolled in the plots program. According to the Game and Fish Department they have about 224,000 acres. So we have six outfitters in two counties controlling more land than the entire state of ND has enrolled in plots.

At the same time, we are experiencing record numbers of nonresident hunters.
The number of NR waterfowl hunters has gone from almost 12,000 in 1995 to just over 30,000 in the year 2001, which was an all time high. This is an increase of 150%.
NR pheasant hunters in the year 2000 jumped from 14,525 to 22, 236 in 2001. This is an increase of 40% in one year.

There is a perception that limiting the number of NR hunters is something new. The fact is that all states with good hunting all have some sort of NR restrictions.
Let's take a look at our neighbor – South Dakota.

SD caps it's NR waterfowl hunters at 6,000. These licenses are distributed by a lottery in which the dead line for applying is June 21.
These 6,000 licenses are broken down as follows:
3,800 are ten straight day licenses at a cost of $105.
2,000 are 3 day licenses at a cost of $75.
The remaining 200 license are good for the entire season in five counties and cost $105.

If you want to hunt pheasants in SD, a license costs $100 and is good for two five day periods. They also have a resident only opener.

Another of our neighbors, Montana, recently passed a law capping NR pheasant hunters at 11,200. Cost of their license with needed stamps is $127. Montana also has a resident only opener.

Now let's compare ND's NR bird hunting regulations.
An NR small game license is good for the entire season. This year it was from September 1 through January 5th. A total of 127 days. The cost - $85.
For an additional $10 you can receive an NR waterfowl license, which is good for two 7 day periods. NR's are limited to one license per season.
North Dakota has no resident only openers.

Recently the house passed HB 1358 by a vote of 84-8. HB 1358 would no longer require NR waterfowl hunters to purchase a small game license and would raise the fee to $85. Some people on the other side of this issue claimed that 10 to 15 % of last years waterfowl licenses were being unused by pheasant hunters buying them for the additional $10 just in case the opportunity arrived. By using their logic if HB 1358 passes in the Senate then there should be an automatic 10 to 15% additional licenses available next fall to the HPC. According to fiscal notes on HB 1358 and SB 2048 if both bills get passed, there would be another $660 thousand dollars a year for additional habitat programs.

Also from the other side, are claims that the resident waterfowl hunters could be dishonest and purchase ~~our wives~~ for our wives waterfowl licenses so we can manipulate the HPC. To purchase a license in ND you to have a hunter safety certificate number if you were born after Dec. 31 1961.I do not believe many of our wives are going to take a weekend to attend a hunter safety course so they could be dishonest and manipulate the HPC.

The resident hunters do not want to close the door on NR waterfowl hunters, but we also believe we can not support a unlimited number either. Any fixed cap won't work because the environment changes from year to year. The HPC adjusts with water conditions and hunter numbers.

It has been a long time since ND has made any major changes in regulating NR hunters. In response to wealthy NR and out of state corporations leasing large tracks of prime hunting land in the early 70's the 1975 legislature passed law restricting NR waterfowl hunter to two five day periods a year.

Now we have come to another crossroad. Do we do nothing and loose our quality hunting and heritage forever or do we put our trust in our

March 6, 2003

Testimony before the House of Representatives on SB 2048

I'm Ray Greenwood and I live at 3755 87th Ave SE, Jamestown, North Dakota. I've been an avid hunter for over 40 years and I like to hunt ducks a lot. You've heard all the arguments in favor of SB 2048 and soon you'll hear from the opponents, all the arguments against this bill. A lot of the arguments from both camps center on emotional issues. But there's a more straight forward reason to support the bill. That is, because it is based on a process developed by the North Dakota Game and Fish Department. This is the group of wildlife professionals in our state mandated to manage our natural resources. The Department is under the direction of the Governor. Are the Department staff not doing his bidding? The hunter pressure concept was not developed in a vacuum. It came out of a process that involved many public meetings. If the opponents of this bill are so interested in exploiting our natural resources, why weren't any of them involved in the process that gave rise to this bill. It's to all of our benefit to have a sustainable harvest of wildlife resources. Let's let our lead wildlife agency manage the harvest, not the chambers of commerce, tourism groups, and guide services. They're great on exploiting resources. Your job in evaluating this bill is to provide some level of protection. I urge you to vote in favor of SB 2048.

Ray Greenwood

Hunting is a quality of life issue that brought me to North Dakota. I would not have come to North Dakota had I not found a job, however, I looked for a job in North Dakota because of the hunting opportunities that far surpass those in most other states. I am seeing these opportunities being sold for the short-term benefit of a few. I hear a great deal from the economic interests demanding that we find ways to attract new people to North Dakota, but these same interests don't care about us once we get here. Rather than protect and support the quality of life that attracted us to live here year-round, they would rather squeeze one more nickel from a tourist. I was raised in Iowa, lived in South Dakota for 6 years, and came to North Dakota 5 years ago. I have seen how upland game hunting opportunities have diminished in these states as hunters were forced out by lease and purchase of hunting land by wealthy and commercial hunting operations. Iowa has no waterfowl resource to speak of (they drained all the wetlands long ago), and South Dakota has maintained quality waterfowl hunting opportunities for residents and visitors alike by restricting non-resident waterfowl licenses much more than 2048 will do in North Dakota. To a large degree, North Dakota has already sold out its best pheasant hunting opportunities, but we have a chance to stop these trends before waterfowl hunting becomes nothing more than a chance for the rich to kill something.

Learning how to scout a good hunt, meet landowners, pick good shots, clean and prepare game, and develop a good working dog are all things that can be purchased. However, when these things are purchased, the hunter becomes nothing more than a killer of animals and I see no redeeming quality in that. If we, as a state, place money over all other values, why not concentrate on year-round, long-term economic development? If we claim to need more non-resident hunters to save our rural economies, I would ask why we would want to base these economies on a few weeks or months of hunting activity? Why promote further economic dependence on unpredictable wildlife populations? If we're going to be all about money, why not keep those small towns alive by allowing casinos on every corner? Why not allow 24 hour alcohol sales or allow non-resident corporate farm investment? Why not become Nevada and allow brothels? The reason we don't do these things is that they are not compatible with the quality of life and sense of community that we, as citizens of North Dakota believe in. Hunting is a part of this quality of life and I am asking you to help preserve what makes our state a great place to live.

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