

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1094

2005 HOUSE AGRICULTURE

HB 1094

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1094

House Agriculture Committee

☐ Conference Committee

Hearing Date 01--06--05

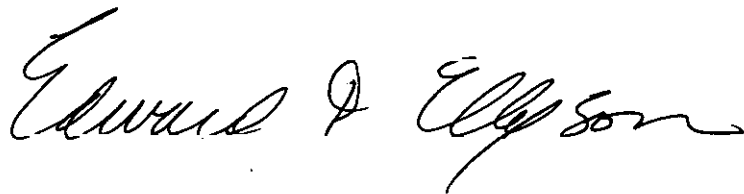
Tape Number
one

Side A
A

Side B

Meter #
34 to 40

Committee Clerk Signature



Minutes:

CHAIRMAN NICHOLAS: Committee Members we will now open the hearing on HB 1094.

How many of you that are here are here in support of HB 1094. Ok, we will start with your Testimony Wayne.

WAYNE CARSON: Livestock Services Coordinator for the Department of Agriculture.. I Am here to support HB 1094. {{PLEASE SEE WAYNE'S PRINTED TESTIMONY}} There Was a little discussion as to the Bill.

There was testimony presented by Rick Tischaefter. President of North Dakota Fur Hunters And Trappers Association. {{PLEASE SEE PRINTED TESTIMONY}}

CHAIRMAN NICHOLAS: Is there anyone present that would like to testify against this Bill.

Ok I will entertain a motion on HB 1094.

REPRESENTATIVE FROELICH: I will make a motion for a DO PASS.

Page 2

House Agriculture Committee

Bill/Resolution Number HB 1094

Hearing Date 1--06--05

REPRESENTATIVE UGLEM seconded the motion. A vote was taken. THERE WERE

11 YES VOTES.....0 NO VOTES.....2 ABSENT

THE FLOOR ASSIGNMENT WAS GIVEN TO REPRESENTATIVE FROELICH.

FISCAL NOTE
Requested by Legislative Council
12/22/2004

Bill/Resolution No.: HB 1094

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

This bill allows the revenue from the sale of furs, skins, or specimens taken as a result of animal damage control activities to be used by USDA Wildlife Services for programs to benefit the state's livestock producers. Current law provides that if such sales occur that these funds must be deposited in the state general fund. No funds have been deposited in the general fund for several years as there has been no incentive for Wildlife Services to take the time to skin animals for their furs and skins.

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.*

This will not affect any state or local revenues.

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.*

No expenditures are involved.

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.*

No appropriations are needed.

Name: Jeff K. Weispennintg
Phone Number: 328-4758

Agency: Department of Agriculture
Date Prepared: 12/27/2004

HB 1894
1-6-05

Date:
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House **HOUSE AGRICULTURE COMMITTEE**

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

DR PASS

Motion Made By

FROELICH

Seconded By

UGLEM

Representatives	Yes	No	Representatives	Yes	No
REP. EUGENE NICHOLAS CHAIRMAN	✓		REP. TRACY BOE	✓	
REP. JOYCE KINGSBURY VICE CHAIRMAN	✓		REP. ROD FROELICH	✓	
REP. WESLEY BELTER			REP. PHILLIP MUELLER	✓	
REP. M. BRANDENBURG	✓		REP. KENTON ONSTAD	✓	
REP. CHUCK DAMSCHEN	✓				
REP. CHAIG HEADLAND	✓				
REP. GARY KREIDT					
REP. GERALD UGLEM	✓				
REP. JOHN WALL	✓				

Total (Yes)

11

No

0

Absent

2

Floor Assignment

FROELICH

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

REPORT OF STANDING COMMITTEE (410)
January 6, 2005 1:59 p.m.

Module No: HR-03-0157
Carrier: Froelich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1094: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1094 was placed on the
Eleventh order on the calendar.

2005 SENATE NATURAL RESOURCES

HB 1094

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1094

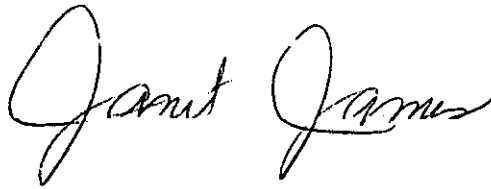
Senate Natural Resources Committee

☐ Conference Committee

Hearing Date February 24, 2005

Tape Number	Side A	Side B	Meter #
1	X		37.8 - 52.7
		X	0.0 - 3.4

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened the hearing on HB 1094 relating to the disposition of furs taken by the United States department of agriculture wildlife services.

All members of the committee were present.

Wayne Carlson, Livestock Services Coordinator of the North Dakota Department of Agriculture testified in support of HB 1094 (See attached testimony). He also distributed to the committee a letter of support of HB 1094 from **Rick Tischaef** of the North Dakota Fur Hunters and Trappers Association (See attached).

Senator John Traynor asked how it is that the North Dakota Legislature can tell the United States Department of Agriculture how to spend their money.

Wayne Carlson responded that the salary of \$800,000.00 that is paid to those doing the work of the program is paid by the state. Although they are federal employees they are doing the activities of the state.

Senator Traynor asked if it was the Department of Agriculture that is selling the furs and receives the proceeds, how can North Dakota tell them how to spend it.

Wayne Carlson confirmed this was the way the existing law is written and should be changed so the proceeds can be used for further duties.

Senator Rich Wardner asked how the proceeds are distributed.

Wayne Carlson as present time money has never gone into the general fund.

Senator Lyson asked for opposing testimony.

Gary Jesper representing the North Dakota Fur Takers Association testified that he did not want to go on record as being opposed to HB 1094, but very much support the wildlife services and the use of problem animals they take. He requested an amendment that would put a limit of \$15,000.00 per year on the amount of fur that they can sell. Conferring with the Wildlife Services, they have agreed the cap to be acceptable.

Senator Joel Heitkamp asked why there needs to be a cap.

Gary Jesper answered that in some states, the Wildlife Services went into the fur business. Large numbers of coyotes were harvested by helicopters with hired skimmers in the harvest. This is not fair to private fur hunters.

Senator Michael Every asked if they tried to amend the bill in the house hearing.

Gary Jesper told the committee the amendment was discussed in the house hearing and it was suggested the bill be corrected in the senate hearing.

Senator Wardner asked what was presently being done with the furs.

Gary Jespers responded that he thought they were not harvesting at the present time but asked that the question be referred to the proper people.

Phil Mastrangelo (49.6) with the United States Wildlife Services Program stated that to answer the question, the department is not doing anything with the animals at this time. He further stated there is a value to these animals and would like not to waste this an important resource. He reported there were not a lot of these animals and would be surprised if passage of HB 1094 would generate \$3000.00 under the \$15,000.00 cap.

Senator John Traynor asked if the United State Department of Agriculture was comfortable with the language to direct their department what to do with the funds.

Phil Mastrangelo told the committee the department was very much comfortable with the language.

Senator Lyson closed the hearing on HB 1094.

Tape #1, Side B, 0.0 - 3.4

Senator Heitkamp made a motion to amend a \$15,000.00 cap on HB 1094.

Senator Every second the motion.

Roll call vote #1 to amend HB 1094 to contain a \$15,000.00 cap was taken by voice vote indicating 7 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING.

Senator Heitkamp made a motion for Do Pass as Amended of HB 1094.

Senator Every second the motion.

Roll call vote #2 for a Do Pass as Amended of HB 1094 was taken indicating 7 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING.

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Senate Natural Resources Committee

Bill/Resolution Number HB 1094

Hearing Date 2-24-05

Senator Wardner will carry HB 1094.

Date: 2-24-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1094

Senate Senate Natural Resources

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

to Amend to cap at 15000⁰⁰

Motion Made By

Heitkamp

Seconded By

Every

Senators
Senator Stanley Lyson, Chairman
Senator Ben Tollefson, Vice Chair
Senator Layton Freborg
Senator Rich Wardner
Senator John Traynor

Yes No

Senators
Senator Joel Heitkamp
Senator Michael Every

Yes No

[Handwritten signature]

Total (Yes)

No

Absent

Floor Assignment

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

Date: 2-24-05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1094

Senate Senate Natural Resources

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass as Amended

Motion Made By

Heitkamp

Seconded By

Every

Senators	Yes	No
Senator Stanley Lyson, Chairman	✓	
Senator Ben Tollefson, Vice Chair	✓	
Senator Layton Freborg	✓	
Senator Rich Wardner	✓	
Senator John Traynor	✓	

Senators	Yes	No
Senator Joel Heitkamp	✓	
Senator Michael Every	✓	

Total (Yes)

7

No

0

Absent

0

Floor Assignment

Wardner

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

REPORT OF STANDING COMMITTEE (410)
February 25, 2005 8:19 a.m.

Module No: SR-35-3647
Carrier: Wardner
Insert LC: 58125.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1094: Natural Resources Committee (Sen. Lyson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1094 was placed on the Sixth order on the calendar.

Page 1, line 10, after "sales" insert ", up to fifteen thousand dollars."

Renumber accordingly

2005 TESTIMONY

HB 1094

Roger Johnson
Agriculture Commissioner
www.agdepartment.com



Phone (701) 328-2231
Toll Free (800) 242-7535
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602
Bismarck, ND 58505-0020

Testimony of Wayne Carlson
Livestock Services Coordinator
House Bill 1094
Agriculture Committee
Peace Garden Room
January 6, 2005

Chairman Nicholas and members of the Agriculture Committee, I am Wayne Carlson, Livestock Services Coordinator for the Department of Agriculture. I am here today in support of HB 1094, which will allow USDA Wildlife Services to keep all proceeds on any sale of furs and skins to further fund its programs activities that would benefit the state's livestock producers.

The North Dakota Department of Agriculture and USDA Wildlife Services have a cooperative agreement in which the state funds the salary and some operating expenses for the ten field trappers. Last biennium's cooperative agreement was for \$800,000.

The current law states that all furs, skins, and specimen taken by hunters and trappers paid by state funds appropriated to carry out 4-01-17.1 must be disposed in a manner the Agriculture Commissioner determines is in the state's best interest. All the proceeds from the sale of furs and skins are to go to the general fund. It has been more then 10 years since any proceeds have been sold and accredited to the general fund. This is because it takes significant staff time to

retrieve the skins or furs with no incentive to take additional time away from the trappers' normal duties to retrieve and/or skin the animals harvested.

This bill will provide the trappers with an incentive to harvest the furs or skins during times of high fur prices, because it allows the proceeds of these sales to be used by Wildlife Services to do additional work for state livestock producers.

Chairman Nicholas and committee members, I urge a do pass on HB 1094. I would be happy to answer any questions you may have.

North Dakota Fur Hunters and Trappers Association
POB 334 Butte, North Dakota 58723-0334
701-626-7150

North Dakota House of Representatives
Agriculture Committee
The Honorable Eugene Nicholas, Chairman

January 3, 2005

Reference House Bill 1094

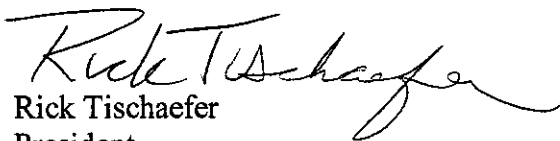
Mr. Chairman and Members of the Agriculture Committee,

The North Dakota Fur Hunters and Trappers Association is a not-for-profit statewide organization of individuals and their families who promote the stewardship of wild animals through modern wildlife management techniques, which includes regulated hunting and trapping. We acknowledge special circumstances of human and wild animal conflicts requiring hunting or trapping outside of the traditional regulated seasons, and understand USDA/Wildlife Service's role in reducing those conflicts.

Wildlife Services programs that support the citizens of North Dakota need to be adequately funded to resolve conflicts in a selective, practical, and efficient manner. The provisions introduced in House Bill 1094 work toward that end. Wild animals taken as a result of resolving a conflict should be utilized to the fullest extent. It's a matter of respect for the animal and a fundamental aspect of modern wildlife management. Proceeds returned to the Wildlife Services program will directly enhance the equipment and resources required to serve the citizens of North Dakota.

We ask each member of the committee for a positive recommendation to House Bill 1094. In addition and after recommendation, ask The Honorable Chairman to move House Bill 1094 through the legislative process for the Governor's signature. Your consideration of this request is appreciated.

Respectfully Submitted,


Rick Tischaefer
President



600 E Boulevard Ave., Dept. 602
Bismarck, ND 58505-0020

**Testimony of Wayne Carlson
Livestock Services Coordinator
House Bill 1094
Natural Resources Committee
Fort Lincoln
February 24, 2005**

Chairman Lyson and members of the Natural Resources Committee, I am Wayne Carlson, Livestock Services Coordinator for the Department of Agriculture. I am here today in support of HB 1094, which will allow USDA Wildlife Services to keep all proceeds on any sale of furs and skins to further fund its programs activities that would benefit the state's livestock producers.

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Chairman Lyson and committee members, I urge a do pass on HB 1094. I would be happy to answer any questions you may have.

North Dakota Fur Hunters and Trappers Association
POB 334 Butte, North Dakota 58723-0334
701-626-7150

North Dakota State Senate
Senate Natural Resources Committee
The Honorable Jon O. Nelson, Chairman

February 22, 2005

Reference House Bill 1094

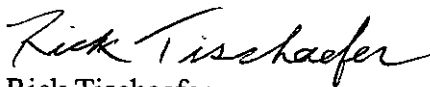
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The USDA/Wildlife Services programs and resources that support the citizens of North Dakota need to be adequately funded to resolve conflicts in a selective, practical, and efficient manner. The provisions introduced in House Bill 1094 work toward that end. Wild animals reduced to possession as a result of resolving a conflict should be utilized to the fullest extent. It's a matter of respect for the animal and a fundamental aspect of modern wildlife management. Proceeds returned to the USDA/Wildlife Services program will directly enhance the equipment and resources required to serve the citizens of North Dakota.

We ask each member of the committee for a positive recommendation to House Bill 1094. In addition and after recommendation, ask The Honorable Chairman to move House Bill 1094 through the Senate legislative process for the Governor's signature. Your consideration of this request is appreciated.

Respectfully Submitted,



Rick Tischaef
President