

2009 HOUSE NATURAL RESOURCES

HCR 3021

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 3021

House Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: 2-12-09

Recorder Job Number: 9324

Committee Clerk Signature

*Nancy L. Gerhardt*

Minutes:

Chairman Porter – Open the hearing on HCR 3021.

Rep. Kempenich – The title say what it is. I would urge the Natural Resource Committee look at this and pass this. It is an important issue in ND.

Schana Stroman – ND Stockman's Association - See **Attachment # 1**.

Rep. Myxter – Are there more than 1 type of prairie dogs in ND?

Ms. Stroman – The black-tailed prairie dog are native to ND and 11 different states, basically in the central portion of the US. However there are 4 different species of prairie dogs. 2 of them are listed as endangered, but not the black-tailed prairie dog.

Rep. Myxter – Are there some prairie dogs you are allowed to hunt?

Chairman Porter – This is one of them. Further testimony in support of HCR 3021?

Opposition? Close the hearing on HCR 3021.

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Hearing Date: 2-12-09

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Minutes:

Chairman Porter – HB 3021 does everyone have in front of them?

Rep. Hofstad – I move a Do Pass.

Chairman Porter – I have a motion from Rep. Hofstad for a Do Pass and to be placed on the Consent calendar, 2<sup>nd</sup> from Rep. DeKrey.

Rep. Hanson – Question

Chairman Porter – All those in favor? Unanimous voice vote to pass – no opposition.

Carrier – Rep. Hanson

Date: 2-12  
Roll Call Vote #: \_\_\_\_\_

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3021 HCR

House Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ As Amended

Motion Made By Hoffman Seconded By DeKrey

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep Hanson	✓	
Vice Chairman Damschen	✓		Rep Hunsakor	✓	
Rep Clark	✓		Rep Kelsh	✓	
Rep DeKrey	✓		Rep Myxter	✓	
Rep Drovdal	✓		Rep Pinkerton	✓	
Rep Hofstad	✓				
Rep Keiser	✓				
Rep Nottestad	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Hanson

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

**REPORT OF STANDING COMMITTEE**

**HCR 3021: Natural Resources Committee (Rep. Porter, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3021 was placed on the Tenth order on the calendar.**

2009 SENATE NATURAL RESOURCES

HCR 3021

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 3021

Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: March 19, 2009

Recorder Job Number: 11266

Committee Clerk Signature



Minutes:

**Senator Lyson** opens the hearing on HCR 3021, urging the United States Fish and Wildlife Service not to list the black-tailed prairie dog, *Cynomys ludovicianus*, as a threatened or endangered species under the Endangered Species Act.

**Representative Kempenich** This resolution is to address some of the issues dealing with the prairie dog and what the US Fish and Wildlife wants to do with it. Prairie dogs are all over the state and we could be greatly impacted if they were put on the list. The US Fish and Wildlife have been trying to integrate the black footed ferret. That is one of the issues that are driving this act because the black-tailed prairie dog is one of their food sources.

**Representative Froelich** I am in support of this resolution. I am from Sioux County and we have the second highest population in the state. It will be devastating to our state if they put the black-tailed prairie dog on the list.

**Julie Ellingson**, ND Stockmen's Association, spoke in favor of the resolution (see attachment #1).

**Brian Kramer**, ND Farm Bureau, I am also in support of the resolution. Prairie dogs are not threatened or endangered and that should be the bottom line. The people who are pushing to have them on the list also state the populations of prairie dogs are not scattered entirely across

their natural range. That doesn't mean that they are threatened or endangered, it is just means that they are not in that area any more.

**Rich Schlosser**, ND Farmer's Union, I am in support of this resolution. This issue eventually became part of our policy. All of us in North Dakota are affected by the black-tailed prairie dog especially the farmers and ranchers.

**Senator Lyson**

Closed the hearing on HCR 3021.



## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HCR3021

Senate Natural Resources Committee

☐ Check here for Conference Committee

Hearing Date: 3/20/09

Recorder Job Number: 11328

Committee Clerk Signature



Minutes: **Senator Lyson, Chairman**

Committee Work

**Senator Triplett** – Passed out an amendment. She thinks this language better fits and strengthens the resolution.

**Senator Triplett** moves the amendment .0101

**Senator Schneider** seconds

Voice vote – all yes

**Senator Erbele** motions do pass as amended

**Senator Triplett** – seconds

Vote – 7 – 0

**Senator Lyson** will carry

March 19, 2009

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3021

Page 1, replace line 15 with:

**"WHEREAS**, the North Dakota Game and Fish Department has submitted its prairie dog management plan to the United States Fish and Wildlife Service and restated the department's belief that this state's black-tailed prairie dog, *cynomys ludovicianus*, population is biologically viable; and"

Page 1, remove line 16

Renumber accordingly

Date: 3/20/2009

Roll Call Vote #: #2 3001

## 2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Amendment

Motion Made By SL Seconded By ST

Senators	Yes	No	Senators	Yes	No
Senator Stanley W. Lyson, Chairman	/		Senator Jim Pomeroy	/	
Senator David Hogue, Vice Chairman	/		Senator Mac Schneider	/	
Senator Robert S. Erbele	/		Senator Constance Triplett	/	
Senator Layton W. Freborg	/				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment SL

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

**REPORT OF STANDING COMMITTEE**

**HCR 3021: 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). HCR 3021 was placed on the Sixth order on the calendar.

Page 1, replace line 15 with:

**"WHEREAS**, the North Dakota Game and Fish Department has submitted its prairie dog management plan to the United States Fish and Wildlife Service and restated the department's belief that this state's black-tailed prairie dog, *cynomys ludovicianus*, population is biologically viable; and"

Page 1, remove line 16

Renumber accordingly

2009 TESTIMONY

HCR 3021

North Dakota



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*Same testimony given to Senate*

## HCR 3021 Testimony

Good morning, Chairman Porter and members of the House Natural Resources Committee. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association.

The North Dakota Stockmen's Association supports HCR 3021, contending that the black-tailed prairie dog is a nuisance rodent that destroys grasses, leaves soil vulnerable to erosion and weeds, reduces livestock carrying capacity and hosts vectors that carry diseases threatening to humans and other mammals and, therefore, does not warrant a threatened or endangered listing under the Endangered Species Act.

The following information supports our opinion:

- 1) The U.S. Bureau of Fisheries and Wildlife estimated that there were 364,000 acres of black-tailed prairie dogs in the United States in 1961. The most recent survey, conducted in 2007, estimated that there were 2.1 million occupied acres of prairie dogs.
- 2) The U.S. Fish and Wildlife Service itself found that "rangewide and statewide trends for areas of black-tailed-prairie-dog-occupied habitat appear to be increasing since the low point following a half-century of coordinated range control efforts." (73 Fed. Reg. 73214.)