

2023 HB 1151 Testimony

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Dear Committee:

I've edited my original House committee testimony a bit and extended it with a photo for reference.

I support HB 1151's intent to retain a hunter's ability to hunt over food sources. In my original testimony I opened the door for compromise where I asked in support of HB 1151 the North Dakota Game and Fish (NDGF) retain reasonable ability to limit how wildlife is "baited" for the purpose of hunting.

I understand the NDGF's concerns with chronic wasting disease (CWD). I share them. The approach has continued to be a debate among many in this nation's game and fish departments, landowners and hunters. To this date, there is no right answer from what I can gather.

So to me it goes to perception.

The passionate perceive by feeding birds, deer or other wildlife they are providing for them. We can debate that topic another time! **But no NDGF rules nor the legislated law prohibit people from feeding wildlife.**

Then there are those that perceive hunting deer or other game over "bait" as unethical. I'm not going to argue against the compromises that have been amended to the original version of the bill. But I am going to comment that by the compromises agreed upon between opponent and proponent the NDGF's intent (or those persuading) the banning of baiting was never solely based on disease. In fact, I'd argue it is an elevated means to legislate ethics. Why must I inject that opinion you may ask? It's because we must separate emotion from reality.

It cannot be debated deer congregate "naturally" at all times of the year. CWD isn't just about congregation but it's often the main talking point of those against baiting or those for baiting. So let's agree...

- Bachelor herds of bucks travel late spring and summer months together.
- Does with fawns travel together for most of the year.
- In the fall to winter months deer congregate in the 10s to 100s (i.e., rut, cold weather).

I found this series of quotes provided by the Fargo InForum interesting where Wildlife Division Director Casey Anderson stated, "Disease is spread by urine, saliva and feces," Anderson said. "It's more likely to be spread when they're pulled together in times of year when they normally aren't."

I'm not the biologist here so this is my perception and translation. Mr. Anderson is stating "hunting over bait" is a means to pull deer together. I can concede to a point, but many things/circumstances pull deer together as I noted above. However, when baited deer are said to be more prone to CWD infection versus "naturally" congregated I struggle to accept. Let us go back to the definition of bait or "supplemental feeding" as the bill describes. A bait "pile" is more prone to CWD transmission than a bait (food) plot, a hay yard, abandoned bales, other food sources or a water supply?

Here's a real-world example available to anyone's eyes just outside Minot as you read this:

On my way home I drive by four alfalfa bales. Three remain in an alfalfa field assumed abandoned (never loaded onto a trailer and hauled to a hay yard). The other bale sits upright in my neighbor's yard for the purpose of feeding wildlife. Remember where I mentioned emotion versus reality in my opening remarks?

Every night the past several months there's been multiple deer at each (up to 20 at a time) exposed to urine, saliva and feces.

Again, per the above NDGF perception we are told CWD spread is not as likely for the abandoned bales or the do-gooder feeding wildlife. But if my neighbor instead had a bait pile we've now entered the realm of disease transfer being elevated to "it's more likely."

I simply cannot support that perception and do not support the NDGF's decision to differentiate on the hunter utilizing a bait pile versus a bait plot or natural food or water source.

Figure 1 below is a photo of the abandoned bales outside the city limits of Minot taken just last night. They have been there since the baler dropped them in July. Circling back to the compromises amended into HB 1151 the hunter has agreed he or she will restrict themselves from supplementally baiting deer from August 25th through January 7th each year. Additionally, the hunter will ensure they reduce their supplemental feed amount to 50 gallons or less and set back any "bait" 150 feet from another's property line if do not have written permission otherwise.

I'm not trying to be difficult; the opponents and proponents worked a resolution they agree on. It's just hard to comprehend why I can build a structure within 20 feet of my neighbor's property line without asking permission. Or understanding the difference why I can plant a foot plot up to my neighbor's property line and hunt deer without permission. Or how I could hunt the alfalfa bales in Figure 1 which are dangerously close to 150 feet of my neighbor's property line. The list can go on. But that's the slippery slope of legislating and/or regulating ethics...

I just hope the deer in Figure 1 realize that's a no CWD zone! Maybe if masks worked, we could invent some for deer!

Regardless, please support a do-pass for HB 1151.

Figure 1 – Deer naturally congregated at abandoned alfalfa bales



Source for photo in Figure 1 – By Tim Sandstrom taken with his phone.

Source for Casey Anderson Quotes – Fargo Inforum: [Bill would stop officials from banning deer baiting in North Dakota](#)