

2021 HOUSE ENERGY AND NATURAL RESOURCES

HB 1074

2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1074

1/15/2021

relating to records kept and reports made by the chief game warden
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Chairman Porter opened the hearing on HB 1074 at 9 AM. Roll call was taken, all members were present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, M Ruby, Zubke, Guggisberg, and Ista.

Discussion Topics:

- Duplicating effort by doing both hard copy and electronically
- This would change reporting from fiscal year to calendar
- Fiscal reporting is confusing to the public
- Field staff able to access what you're keeping in the office

Rep Keiser moved a Do Pass, seconded by Rep Bosch. Roll call vote.

Representatives	Vote
Representative Todd Porter	Y
Representative Chuck Damschen	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Bill Devlin	Y
Representative Ron Guggisberg	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative George Keiser	Y
Representative Mike Lefor	Y
Representative Andrew Marschall	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y
Representative Denton Zubke	Y

Motion carried 14-0-0. Rep. Zubke is carrier.

Written testimony:

Scott Winkelman, Chief Game Warden of ND G&F #603

Chairman Porter closed the hearing at 9:09 AM.

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1074: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB
1074 was placed on the Eleventh order on the calendar.



House Energy and Natural Resources Committee
Testimony on HB 1074

North Dakota Game and Fish Department
Scott Winkelman, Chief Game Warden
January 15, 2021

Chairman Porter, Vice Chairman Damschen and members of the House Energy and Natural Resources Committee, my name is Scott Winkelman, Chief Game Warden of the North Dakota Game and Fish Department. I am testifying today in support of HB 1074.

HB 1074 amends and reenacts a section of law regarding the records kept and reports made by the Chief Game Warden. Current law requires the Chief Game Warden to keep a complete and correct record, in a book provided for that purpose, of all that person's transactions and the name of each person violating the game and fish laws, the date of that person's arrest, the amount of the fine and costs imposed upon and paid by each person, and the name of the judge before whom that person appeared. Requiring all this information to be kept in a book involves increased time and money expended on searching for and printing documents and a duplication of effort as all of these records are currently kept electronically in addition to the required physical book. These hard copies also take up a tremendous amount of storage space and are difficult to search when fulfilling Freedom of Information Act requests. Current law requires the Chief Game Warden to make a full report to the Director within thirty days after the end of each fiscal year. Requiring the report to be done on the fiscal year as opposed to the calendar year is confusing to the public.

If passed this would provide the Chief Game Warden the ability to eliminate the physical book of records, keep the same records in a format authorized by the Director and require the yearly report to be completed on the calendar year. Storing and maintaining these records in an electronic format only would decrease the amount of time, money and storage space spent on keeping them as hard copies in a book. It would also make the records easily searchable and more available to the public. Also, the yearly report will be clear and transparent for the Director and the public.

The Department respectfully requests a DO PASS on HB 1074.

2021 SENATE ENERGY AND NATURAL RESOURCES

HB 1074

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1074
3/4/2021

A BILL for an Act to amend and reenact section 20.1-02-09 of the North Dakota Century Code, relating to records kept and reports made by the chief game warden.

Hearing called to order, all Senators Present: **Schaible, Bell, Roers, Patten, Piepkorn, and Kreun** [9:38]

Discussion Topics:

- Protection of Game and Fish Records

Scott Winkelman, ND Game and Fish provided testimony in favor #7144 [9:38]

Hearing Adjourned [9:41]

Sheila Froehlich, Committee Clerk



Senate Energy and Natural Resources Committee
Testimony on HB 1074

North Dakota Game and Fish Department
Scott Winkelman, Chief Game Warden
March 4, 2021

Chairman Kreun and members of the Senate Energy and Natural Resources Committee, my name is Scott Winkelman, Chief Game Warden of the North Dakota Game and Fish Department. I am testifying today in support of HB 1074.

HB 1074 amends and reenacts a section of law regarding the records kept and reports made by the Chief Game Warden. Current law requires the Chief Game Warden to keep a complete and correct record, in a book provided for that purpose, of all that person's transactions and the name of each person violating the game and fish laws, the date of that person's arrest, the amount of the fine and costs imposed upon and paid by each person, and the name of the judge before whom that person appeared. Requiring all this information to be kept in a book involves increased time and money expended on searching for and printing documents and a duplication of effort as all of these records are currently kept electronically in addition to the required physical book. These hard copies also take up a tremendous amount of storage space and are difficult to search when fulfilling Freedom of Information Act requests. Current law requires the Chief Game Warden to make a full report to the Director within thirty days after the end of each fiscal year. Requiring the report to be done on the fiscal year as opposed to the calendar year is confusing to the public.

If passed this would provide the Chief Game Warden the ability to eliminate the physical book of records, keep the same records in a format authorized by the Director and require the yearly report to be completed on the calendar year. Storing and maintaining these records in an electronic format only would decrease the amount of time, money and storage space spent on keeping them as hard copies in a book. It would also make the records easily searchable and more available to the public. Also, the yearly report will be clear and transparent for the Director and the public.

The Department respectfully requests a DO PASS on HB 1074.

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1074
3/5/2021

A BILL for an Act to amend and reenact section 20.1-02-09 of the North Dakota Century Code, relating to records kept and reports made by the chief game warden.

Hearing called to order all Senators Present: **Roers, Bell, Schaible, Piepkorn, Patten, and Kreun.** [10:57]

Discussion Topics:

- Open Record requests for ND Game and Fish
- Privacy for state employees

Senator Bell moved to adopt Amendment
[LC 21.8120.01001] [10:57]

Senator Roers seconded the motion
Vote passed 6-0-0

Vote to Amend HB 1074	Vote
Senator Curt Kreun	Y
Senator Jim P. Roers	Y
Senator Dale Patten	Y
Senator Merrill Piepkorn	Y
Senator Donald Schaible	Y
Senator Jessica Unruh Bell	Y

Senator Bell Moved a DO PASS [10:58]

Senator Roers Seconded the Motion
Vote Passed 6-0-0

Senator Piepkorn Carried the Bill

DO PASS ON HB 1074	Vote
Senator Curt Kreun	Y
Senator Jim P. Roers	Y
Senator Dale Patten	Y
Senator Merrill Piepkorn	Y
Senator Donald Schaible	Y
Senator Jessica Unruh Bell	Y

Hearing Adjourned [10:59]

Sheila Froehlich, Committee Clerk

March 4, 2021

SY 315
1581

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1074

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "20.1-02-09" insert "and 20.1-03-36"

Page 1, line 2, after "warden" insert "and licenses for guides and outfitters"

Page 1, after line 15, insert:

"SECTION 2. AMENDMENT. Section 20.1-03-36 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-36. Guides and outfitters to be licensed.

An individual may not act as a guide or outfitter or advertise or otherwise represent to the public as a guide or outfitter without first securing a license in accordance with this chapter ~~and the rules of the director.~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1074: Energy and Natural Resources Committee (Sen. Kreun, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1074 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "20.1-02-09" insert "and 20.1-03-36"

Page 1, line 2, after "warden" insert "and licenses for guides and outfitters"

Page 1, after line 15, insert:

"SECTION 2. AMENDMENT. Section 20.1-03-36 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-36. Guides and outfitters to be licensed.

An individual may not act as a guide or outfitter or advertise or otherwise represent to the public as a guide or outfitter without first securing a license in accordance with this chapter ~~and the rules of the director.~~"

Renumber accordingly

2021 CONFERENCE COMMITTEE

HB 1074

2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1074
4/8/2021

relating to records kept and reports made by the chief game warden
--

3:30 PM Chairman Zubke opened the hearing on HB 1074.

Roll call was taken. Present Chairman Zubke, Rep D Anderson, Rep Ista, Sen Kreun, Sen Roers, Sen Piepkorn.

Discussion Topics:

- Licensure requirements in administrative rules
- Guides and outfitters license regulations
- Administrative code
- Electronic licensing processing

Scott Winkelman, Chief Game Warden, ND G&F, oral testimony

Sen Piepkorn moved that Senate recede from Senate Amendments

Sen Roers seconded.

Roll call vote:

REPRESENTATIVES	YES	NO	SENATORS	YES	NO
Chairman Aubke	Y		Senator Kreun	Y	
Rep D Anderson	Y		Senator Roers	Y	
Rep Ista	Y		Senator Piepkorn	Y	

Motion carried. 6-0-0

Rep Zubke is the House carrier.

Sen Piepkorn is the Senate carrier.

3:40 PM Chairman Zubke closed the hearing.

Kathleen Davis, Committee Clerk and Donna Whetham

Date: 4/8/2021
Roll Call Vote #: 1

**2021 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. 1074
as (re) engrossed

House Energy and Natural Resources Committee

- Action Taken
- ☐ HOUSE accede to Senate Amendments
 - ☐ HOUSE accede to Senate Amendments and further amend
 - ☒ SENATE recede from Senate amendments
 - ☐ SENATE recede from Senate amendments and amend as follows
 - ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Sen Piepkorn Seconded by: Sen Roers

Representatives	4/8			Yes	No		Senators	4/8			Yes	No
Chairman Zubke							Sen Kreun					
Rep D Anderson							Sen Roers					
Rep Ista							Sen Piepkorn					
Total Rep. Vote							Total Senate Vote					

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Rep Zubke Senate Carrier Sen Piepkorn

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

HB 1074: Your conference committee (Sens. Kreun, J. Roers, Piepkorn and Reps. Zubke, D. Anderson, Ista) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1121 and place HB 1074 on the Seventh order.

HB 1074 was placed on the Seventh order of business on the calendar.