

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1224

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*Doreen G. Ballantyne*  
Operator's Signature

10/2/03  
Date

2003 HOUSE NATURAL RESOURCES

HB 1224

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Deanna Holbrook  
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10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1224

House Natural Resources Committee

Conference Committee

Hearing Date February 13, 2003

Tape Number	Side A	Side B	Meter #
1	XX		5695-end
1		XX	0-1324
1		XX	3,330-5170
Committee Clerk Signature <i>Gina Meyer</i>			

Minutes:

**Chair Nelson** called the meeting on HB 1224 relating to the use of boats to retrieve waterfowl to order.

**Rep. Porter** introduced HB 1224 and proposed a hog house amendment. (See Attached)

**Roger Rosvitt:** Testified on Behalf of HB 1224. I had not intended to testify on behalf of HB 1224. The intent of this bill is to increase the amount of harvest by hunting in edge areas of rest areas.

**Rep. Johnson:** Is there a fiscal note?

**Roger Rosvitt:** No, come from private lands budget.

**Rep. Keiser:** Will this be new dollars or a reallocation?

**Roger Rosvitt:** Already existing funds.

**Rep. Nottestad:** Can this be achieved without the bill?

**Roger Rosvitt:** Yes, it could be.

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*Dorinda Baller*  
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10/24/03  
Date

Page 2  
House Natural Resources Committee  
Bill/Resolution Number 1224  
Hearing Date February 13, 2003

**Tim Kolke:** Testified neutral on HB 1224. Opposed to the original form of the bill since populations are high and there is no reason to cut off opportunity for hunting with his son.

**Dan Halstad:** Testified in neutral to HB 1224. Opposed to original form of the bill. Motor boats are a very traditional way to hunt waterfowl. Field hunting is already limited please leave the water opportunity open.

**Chair Porter** closes the hearing.

**Chair Nelson** reopens HB 1224 in committee work.

**Rep. Porter** moves a hog house amendment. **Rep. Clark** Seconded the motion.

**Rep. Porter:** Explains the details as to how this would fit in to the overall access programs.

**Rep. Johnson:** I do not see the need for this bill. These refuges already exist. We have record number of waterfowl.

**Chair Nelson:** Nonresidents are duck hunter and residents are goose hunters. Boats can permanently scare of geese. This is here for the goose hunters. I think this is good policy.

**Rep. Nottestad:** This will create more rest areas. There will be more damage to farms. This is not a good farmer bill.

**Chair Nelson:** Referred the committee to a map representing locations of waterfowl rest areas.

Motion passed by voice vote.

**Rep. Porter** Motioned a do pass as amended on HB 1224. **Rep. Nottestad** seconded the motion.

Motion carries by a vote of 10-2-2. **Rep. Clark** will carry.

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*Dan Halstad*  
Operator's Signature

10/2/03  
Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 02/14/2003

Amendment to: HB 1224

**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						
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.

It has not been determined what the size of this program would be. Funding would come from the Department's private lands initiative program budget and would use dollars already included in the Game and Fish Department budget.

**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.

**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.

<b>Name:</b>	Paul Schadowald	<b>Agency:</b>	ND Game and Fish Department
<b>Phone Number:</b>	328-6328	<b>Date Prepared:</b>	02/14/2003

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10/2/03  
 Date

30438.0101  
Title.0200

Prepared by the Legislative Council staff for  
Representative Porter  
February 13, 2003

VR  
2/13/03

**HOUSE AMENDMENTS TO HOUSE BILL NO. 1224 MAT 2-13-03**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to waterfowl resting areas.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new subsection to section 20.1-02-05 of the North Dakota Century Code is created and enacted as follows:

Carry out a program that targets waterfowl resting areas within the private lands initiative program which includes payments to private landowners for lease of waterfowl resting areas on private lands that during the term of the lease provides limited public access for the hunting of waterfowl."

Renumber accordingly

Page No. 1

30438.0101

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Dannan Holbrook  
Operator's Signature

10/2/03  
Date

Date: 2/6/03  
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1224

House House Natural Resources Committee

Check here for Conference Committee

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

Action Taken Pass with Amendments

Motion Made By Porter 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) 8 No 3

Absent 3

Floor Assignment Hanson

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

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Dorvan Solberg  
Operator's Signature

10/2/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 13, 2003 2:10 p.m.

Module No: HR-28-2613  
Carrier: Hanson  
Insert LC: 30438.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1224: Natural Resources Committee (Rep. Nelson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). HB 1224 was placed on the Sixth order on the calendar.**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to waterfowl resting areas.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. A new subsection to section 20.1-02-05 of the North Dakota Century Code is created and enacted as follows:**

Carry out a program that targets waterfowl resting areas within the private lands initiative program which includes payments to private landowners for lease of waterfowl resting areas on private lands that during the term of the lease provides limited public access for the hunting of waterfowl."

Renumber accordingly

2003 SENATE NATURAL RESOURCES

HB 1224

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10/2/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1224

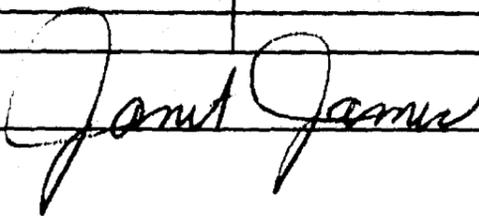
Senate Natural Resources Committee

Conference Committee

Hearing Date 3-13-03

Tape Number	Side A	Side B	Meter #
2	X		3.2 - 9.3

Committee Clerk Signature



Minutes:

**Senator Thomas Fischer**, Chairman of Senate Natural Resources Committee opened the hearing on HB 1224 relating to waterfowl resting areas.

All members of the Committee were present.

**Representative Todd Porter** of District 34 cosponsor of HB 1224 stated a new program within the PLI (Private Lands Initiative) would be the best way to manage to the increased pressure on larger bodies of water for waterfowl not allowing them to rest or roost during the day because excess speed of motorized crafts. Technically, this could be done administratively through the PLI program but the message needs to be sent to North Dakota Game & Fish Department and the sports person that access is a top priority of the legislature and this will help alleviate some of the pressure. A new program would be started within the PLI program that would allow the Game & Fish to go out and secure private land leases around the body of water and then state

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10/2/03  
Date

Page 2  
Senate Natural Resources Committee  
Bill/Resolution Number HB 1224  
Hearing Date 3-13-03

motorized boats and access is not allowed. HB 1224 would allow hunting from the shore and would allow roosting areas for waterfowl.

The fiscal note was questioned and it was explained an impact fiscal note was not needed as there is sufficient funds in the PLI program to cover the new program.

Dean Hildebrand, Director of the North Dakota Game & Fish Department testified as they are in support of HB 1224.

Mike Donahue representing the North Dakota Wildlife Federation testified in support of HB 1224 (See attached testimony).

Mike Donahue representing the United Sportsmen of North Dakota testified in a neutral position of HB 1224 (See attached Testimony).

Senator John Traynor made a motion for a Do Pass of HB 1224.

Senator Ben Tollefson second the motion.

Roll call vote of HB 1224 was taken indicating 6 YEAS, 0 NAYS AND 1 ABSENT OR NOT VOTING.

Senator Traynor will carry HB 1224

Senator Fischer closed the hearing on HB 1224.

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Deanna Hall  
Operator's Signature

10/2/03  
Date



**REPORT OF STANDING COMMITTEE (410)**  
March 13, 2003 1:01 p.m.

Module No: SR-45-4670  
Carrier: Traynor  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HB 1224, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman)**  
**recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).**  
Engrossed HB 1224 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-45-4670

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2003 TESTIMONY

HB 1224

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**TESTIMONY REFERENCING HB 1224**  
**By Mike Donahue, Lobbyist #215**  
**February 13, 2003**

**House Natural Resources Committee**

The United Sportsmen of North Dakota and the N.D. Wildlife Federation suggest a Do Not Pass for HB 1224.

We think the requirement of electric motor will only hobble the ethical and responsible waterfowl hunters. The outlaws will continue to be outlaws.

As well, there is a safety concern for those using boats on large or fast moving bodies of water.

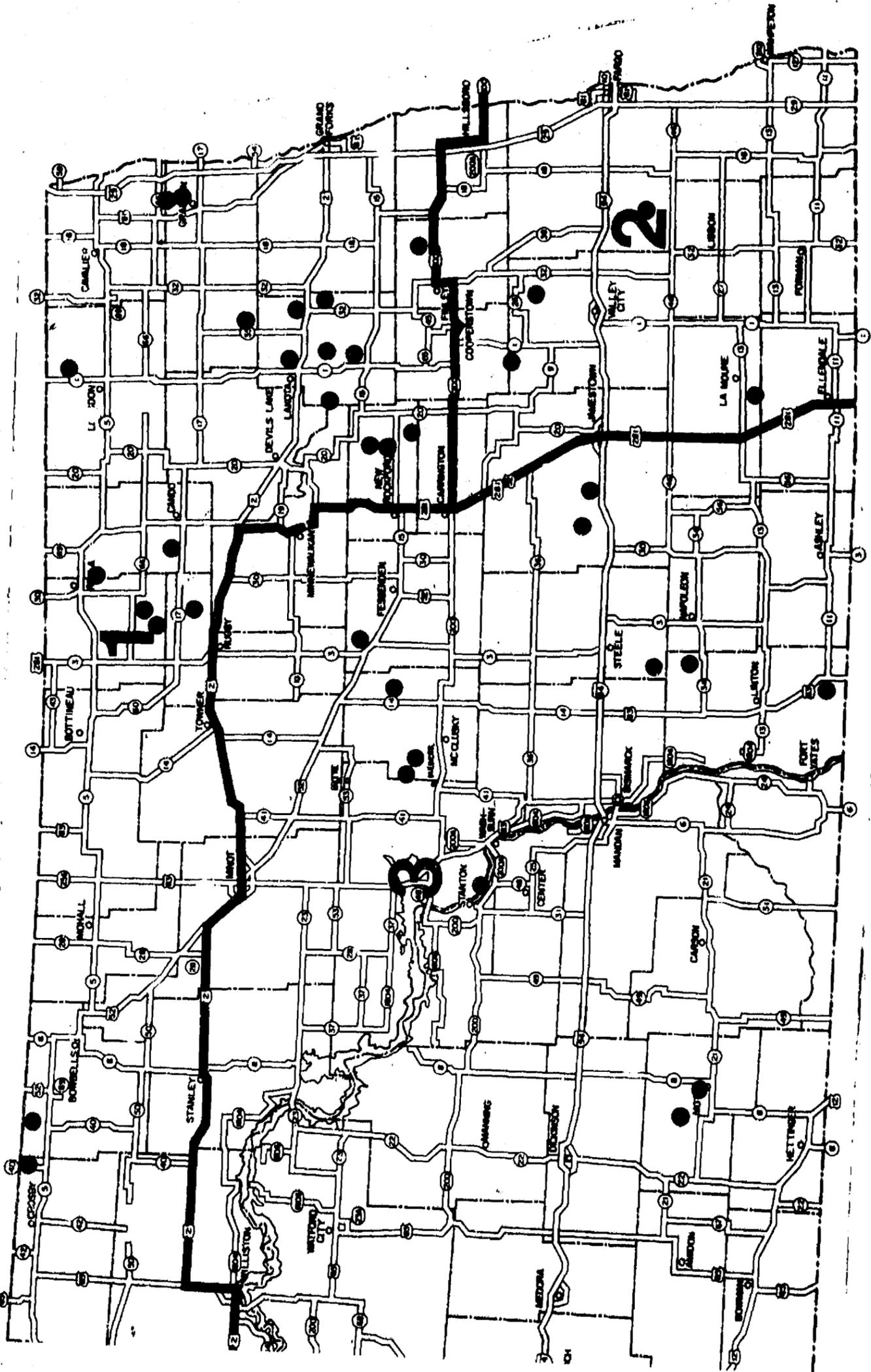
We really cannot offer a good solution to the problem at this time; too many "what ifs."

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The black circles on the map represent locations of Waterfowl Rest Areas. (See Section 1 u.)



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*Dennis H. Bell*  
Operator's Signature

10/2/03  
Date



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 HB 1224, FEBRUARY 13, 2003

Mr. Chairman and Members of the Committee:

I am Harold Neameyer speaking on behalf of the Cass County Wildlife Club. The Cass County Wildlife Club is opposed to HB 1224 mainly based on safety reasons.

We all know how North Dakota weather can change very rapidly. Many water fowlers will be put in harms way if they only have electric motors to return home from a hunting spot on the water.

The idea to keep motorboats from scaring or harassing waterfowl is good, but this bill does not seem to do the job. We therefore oppose HB 1224.



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*Harold Neameyer*  
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10/2/03  
Date

**TESTIMONY REFERENCING HB 1224 ENGROSSED**  
**By Mike Donahue, Lobbyist #215**  
**March 13, 2003**

**Senate Natural Resources Committee**

The United Sportsmen of North Dakota is neutral on this bill.

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**Testimony  
HB 1224  
Engrossed  
Senate Natural Resources Committee  
by Mike Donahue (Lobbyist 215)  
March 13, 2003**

**The North Dakota Wildlife Federation supports the intent of this bill and recommends a Do Pass.**

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