

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2256

2005 SENATE NATURAL RESOURCES

SB 2256

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2256

Senate Natural Resources Committee

Conference Committee

Hearing Date January 28, 2005

Tape Number	Side A	Side B	Meter #
1		X	3.4 - 46.8
2		X	4.3 - 7.4
Committee Clerk Signature <i>Janet James</i>			

Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2256 relating to nonresident waterfowl hunting licenses and fees.

All member of the committee were present.

Senator Jerry Klein of District 14, cosponsor of SB 2256 introduced the bill as an attempt to balance the needs of the North Dakota State Game and Fish Department, resident hunters and nonresident hunters. After last legislative session there were no hunting zones but by the season open there were developed hunting zones. It has been very difficult having constituents understand this was developed by proclamation of the governor and not the legislature. He stated he had introduced a bill to eliminate the zones and withdrew and then introduced SB 2256.

Thinking that the North Dakota State Game and Fish Department and the governor should still have the flexibility to have the zones he wanted to still do something for the nonresident hunters who are limited or stuck in specific hunting zones. If the numbers are correct from the North

Dakota State Game and Fish Department, 95% of nonresident hunters only hunt 7 days. By paying the additional \$15.00 license, (which revenue would go towards the PLOTS program) a nonresident hunter could go across the zones and hunt where ever they would like resulting in the nonresident hunter staying the additional 7 days. This should benefit all, as the North Dakota State Game and Fish Department would receive extra revenue for the PLOTS program, the nonresident can hunt longer and more freely and there would be a positive economic impact on the small communities.

Discussion was held to the price of nonresident hunting licenses fees.

Senator John Traynor asked if all of the nonresident duck hunters bought into this program would it not nullify the zone system.

Senator Jerry Klein stated that if all of the 5% nonresident hunters that stay beyond the 7 days might create an issue but is trying to give some flexibility to present zones system.

Bill Shalhoob (11.3) representing the North Dakota Hospitality Association testified in support of SB 2256 stating the association represents the financial interests of their members in the rural areas in regards to hunting issues.

Terri Thiel, (12.0) Executive Director of the Dickinson Convention and Visitors Bureau testified in support of SB 2256 (See attached testimony). She quoted the NDSU Agribusiness & Applied Economics Report No. 534 (See attached).

Susie White, owner of the Lone Steer in Steele, North Dakota testified in support of SB 2256, stating the importance of bill to the small communities that are impacted by the hunting zone concept. She does not feel that hunting pressure is an issue in her area, as a matter of fact, there is so few hunters that the birds do not move. She further stated that the zone concept was developed

to help keep out of state people from buying land and this is not working out as planned. Those with enough money just buy land in the other zones.

Glen Baltrusch (22.4) of Harvey, North Dakota testified on his own behalf in support of SB 2256 stating the zoning concept has had a negative economic effect on rural areas. He feels the best thing would be to eliminate the zones

Anne Ongstad (23.2) from the Whitman Ranch in Kidder County testified in support of SB 2256 (See attached testimony).

Bill Ongstad (28.5) of Harvey, North Dakota testified on his on behalf in support of SB 2256 (See attached testimony).

Richard Glatt (29.9) a member of the Coast Guard stationed in San Francisco, CA and owner of the Pettibone Hotel and Cafe, testified in support of SB 2256. He stated he and his wife choose North Dakota for its quality of life and made the investment into the hotel for after his retirement. He further stated he thought the nonresident hunters have become defensive and go somewhere else for entertainment. This bill gives flexibility and keeps everyone happy.

Senator Lyson asked for opposing testimony.

Harold Neameyer representing the Cass County Wildlife Club testified in opposition to SB 2256 (See attached testimony).

Written testimony from **Curtis Blohm** of the North Dakota Outdoor Heritage Coalition opposed to SB 2256 was distributed to the committee (See attached).

Paul Schadewald, Chief of Administrative Services for the North Dakota State Game and Fish Department testified in opposition of SB 2256. He stated this is not a biological issue but a

people management issue. If this bill is passed the department will handle the administration of the requirements.

Senator Lyson stated that in the last legislative session the two license concept was developed to study how many nonresident hunters came to the state to hunt waterfowl and how many to hunt upland game. It certainly had nothing about the zone concept.

Paul Schadewald agreed that the legislature has given the authority to the governor to develop the zoning. After the last session, some legislators presented the zoning concept to the governor and the North Dakota State Game and Fish Department took the concept out to the public for reaction and reported back. He stated he did not know if it is good system or not but it certainly has made both sides unhappy.

Senator Layton Freborg asked if the \$15.00 was the proper fee for this license or it is a rather cheap price to pay to be able to hunt state wide and not be confined to the hunting zones.

Paul Schadewald stated the whole structure has changed with the splitting of the license and compared to other states, North Dakota is probably in the ball park although other states may be far more restrictive with some of their hunting rules.

Senator Heitkamp questioned the process of the how the hunting zones concept developed and stated that SB 2256 virtually over rules the zone system that never worked its way through the legislative process.

Written testimony opposed to SB 2256 by **Mike Donahue** representing the North Dakota Wildlife Federation and the United Sportsmen of North Dakota was distributed to the committee.

Senator Lyson closed the hearing on SB 2256.

Senator Heitkamp stated he would like to create an amend to the bill.

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Senate Natural Resources Committee

Bill/Resolution Number SB 2256

Hearing Date 1-28-05

Senator Lyson said the SB 2256 will be held over until those are prepared.

Tape #2, Side B, 4.3 - 7.4

Senator Stanley Lyson, opened the committee work on SB 2256.

All members of the committee were present except **Senator John Traynor** and **Senator Ben Tollefson**.

Senator Joel Heitkamp told the committee that in visiting with the sponsor of the bill Senator Klein, he would prefer the bill to just go forward and not make the zones an issue. He then made a motion for Do Pass of SB 2256.

Senator Michael Every second the motion.

Senator Rich Wardner would like to see the zones be eliminated completely and it could be perceived as being a sneaky way to make extra revenue for the North Dakota State Game and Fish Department.

Senator Heitkamp stated that last session after a lot of hearing on the issue of zoning, a product although not favored by all, came out of the committee. A certain few then circumstanced the legislative process and the zones were then developed.

Roll call vote of SB 2256 was taken indicating 5 YEAS, 0 NAYS AND 2 ABSENT.

Senator Every will carry SB 2256.

SB 2256 will be rereferred to Appropriations.

FISCAL NOTE
Requested by Legislative Council
04/06/2005

Amendment to: SB 2256

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				\$480,000		\$480,000
Expenditures						
Appropriations						

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

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

This bill creates a new statewide nonresident 14 day waterfowl hunting license. This license would cost \$40 more than a regular nonresident waterfowl license and would not be subject to current zone restrictions.

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.*

Based on the 2004 total of 24,000 nonresident waterfowl hunters, it is estimated that about 6,000 or 25% of the nonresident waterfowl hunters in North Dakota would purchase this license each year.

There would be \$40 in additional revenue per license for a revenue increase of \$240,000 per year for the Private Land Open To Sportsmen Program.

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.*

Name:	Paul Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	04/06/2005

FISCAL NOTE
 Requested by Legislative Council
 03/15/2005

Amendment to: SB 2256

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				\$255,000		\$255,000
Expenditures						
Appropriations						

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

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

This bill creates a new statewide nonresident waterfowl hunting license. This bill would cost \$85 more than a regular nonresident waterfowl license and would not be subject to current zone restrictions.

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.*

It is estimated that only about 1500 of the nonresident waterfowl hunters in North Dakota would purchase this license. It is very difficult to know how many will be sold, but with the higher cost, the number would be limited. There would be \$85 in additional revenue per license for a revenue increase of \$127,500 per year for the Private Land Open To Sportsmen Program.

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.*

Name:	Paul T. Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	03/15/2005

FISCAL NOTE
Requested by Legislative Council
01/18/2005

Bill/Resolution No.: SB 2256

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				\$240,000		\$240,000
Expenditures						
Appropriations						

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

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

This bill creates a new statewide nonresident waterfowl hunting license. This bill would cost \$15 more than a regular nonresident waterfowl license and would not be subject to current zone restrictions.

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.*

It is estimated that at least one third of the nonresident waterfowl hunters in North Dakota would purchase this license. Based on 2004 numbers this means that about 8,000 of these licenses would be issued per year. There would be \$15 in additional revenue per license for a revenue increase of \$120,000 per year for the Private Land Open To Sportsmen Program.

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.*

Name:	Paul Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	01/18/2005

REPORT OF STANDING COMMITTEE

SB 2256: Natural Resources Committee (Sen. Lyson, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2256 was rereferred to the Appropriations Committee.

2005 SENATE APPROPRIATIONS

SB 2256

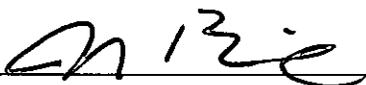
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2256

Senate Appropriations Committee

Conference Committee

Hearing Date 02/0905

Tape Number	Side A	Side B	Meter #
	x		1040-1600 / 1721-1900
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** called meeting to order on SB 2256. /

Sen. Jerry Klein, District 14, appeared in support of SB 2256, he was also a sponsor of the bill.

Sen. Klein also provided the committee with an overview of the bill. He discussed the zoning issue, and the \$15 fee.

Sen. Tallackson asked Sen Klein if the previous committee passed it as a unanimous bill. **Sen. Klein** stated that to his knowledge it was.

Mike Donahue, ND Wild Life Federation and United Sportsmen of ND appeared in opposition of SB 2256. Mr. Donahue stated that this bill allows for a state wide license for waterfowl license, this takes away zoning as a tool to manage our fresh land resource.

Motion was made for a **DO PASS** by Sen. Andrist, seconded by Sen. Tallackson.

Sen. Robinson: I think that you would find certainly in his (Sen. Klein's) district that this is an issue. I think however that if you looked outside his district there are other circumstances. Its

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Senate Appropriations Committee

Bill/Resolution Number SB 2256

Hearing Date 02/09/05

best to leave good enough alone, I oppose this bill. Its an emotional issue, I don't think it can be resolved by going down this road again.

The motion passed with 10 yeas and 5 nays.

Chairman Holmberg closed hearing on SB 2256.

Date: 2/25/05
 Roll Call Vote #: 219/05
1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB ~~2254~~

Senate Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By A Seconded By Tall

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Sen. Tallackson	✓	
Vice Chairman Bowman	✓				
Vice Chairman Grindberg	✓	X			
Sen. Andrist	✓				
Senator Christmann	✓				
Senator Fischer		X			
Sen. Kilzer	✓				
Sen. Kringstad	X				
Sen. Schobinger	✓				
Sen. Thane		X			
Sen. Krauter	✓				
Sen. Lindaas	✓				
Sen. Mathern		X			
Sen. Robinson		X			

Total (Yes) 10 No 5

Absent 0

Floor Assignment NATRE ~~WATRE~~

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2005 11:50 a.m.

Module No: SR-26-2279
Carrier: Every
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2256: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2256 was placed on the
Eleventh order on the calendar.

2005 HOUSE NATURAL RESOURCES

SB 2256

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2256

House Natural Resources Committee

Conference Committee

Hearing Date **March 10, 2005**

Tape Number	Side A	Side B	Meter #
1		x	0-End
2	x		0-tape broke
New-2	x		0-300
Committee Clerk Signature <i>Karen Bonnet</i>			

Minutes:

CHR. JON O. NELSON: I will call the House Natural Resources Committee back to order, and open the hearing on SB 2256. All committee members present at roll. I will ask the clerk to read the title. Before we start taking testimony, I will ask for a show of hands. How many people plan on testifying in favor of SB 2256? (MANY) Opposed? (MANY). I'm going to try it without a time limit; we have until noon.

Sen. Jerry Rep. Klein, Dist. 14: We certainly include a lot of Zone 1 and parts of Zone 2 in our district, as shown by the map you have on the board. That's why I'm here today. We're hoping to balance the needs of the Game & Fish, the resident hunters, and our out-of-state hunting friends. Initially, my idea was to eliminate the zones entirely. I had two bills drafted this session. One was to eliminate the zones; the second was the bill you see before you. What we're attempting to do is allow an out-of-state hunter to purchase an additional license, with that money going to the PLOTS program, to hunt within that zone for the entire stay. It's pretty

simple and straightforward. Currently, Zones 1 and 2 cover a lot of District 14 and 28, but those zones could certainly change. We gave an opportunity in those areas for additional licenses. We picked \$15 only because it made it an even \$100 for the license. While in Steele, I ran into a couple of older ladies on their way to coffee. I introduced myself and asked them how they were doing. I thought we were going to talk about long term care, but they asked what I was going to do about those zones! Wherever I went, I heard the stories about the zones. We had numerous forums in various communities around the district. What we were hoping to do was have a bit of balance and a starting point. Hopefully, we can address that. We've seen out-of-state hunting licenses go down. Hopefully, we can stop that or give the opportunity for the out-of-state hunters to feel comfortable wherever they are. We have had out-of-state hunters, who would like to come spend two weeks and stay within those zones, purchase small homes in our little communities. Basically, what this bill does is allows the hunters to stay within that zone for the entire stay.

CHR. JON O. NELSON: Are there questions for Sen. Klein?

REP. TODD PORTER: Last session towards the end of the session we took a provision out of the law that was a seven-day hunt-anywhere license that was a zone-buster license. Now in this bill, you come back with a 14-day zone buster license at basically the same dollar amount as the 14-day live-within-the-zone license. Did you look at that as you were drafting this piece of legislation, just putting the seven-day zone buster back in?

Klein: No. This just came. After last session, we thought we were comfortable out where we lived, and having the proclamation determine that. But, we decided that when we left that wasn't what we were going to wind up with. When I brought this forward, I thought we had to give

these (hunters) an opportunity to stay within their zone and still create some sort of relationship that we have garnered over the years. When you live in Fessenden, we don't have a lot of economic development. We count on the hunters who come to town. They stop at our grocery stores, motels, restaurants and lounges. We didn't see the hunters last year, and our motel business was down somewhat, so we got concerned and are trying to address some of those issues.

REP. DORVAN SOLBERG: To clarify, on Line 16-17, it states, "upon payment of the fee a non resident may hunt waterfowl in any zone." Does that mean he can go anywhere in the state?

Klein: Absolutely. If they only bought their \$85 license, they could only stay in the zone they have chosen for that seven days. Then they would have to move out. *If they opt to buy the additional license*, they would then be entitled to stay and hunt within all the zones in any given period, creating a flexibility.

REP. DORVAN SOLBERG: I'm from the west and we don't have as many ducks as you do. All the hunters would hunt in Zones 1 and 2 and we wouldn't get any (hunters).

Klein: I don't know that that would be the case. Most of our hunters have traditionally come to the same area year after year for many years. If they came to your area, they will continue to. The folks we've come to know are people we've seen year in and year out. I don't know if this (bill) would change that. What happened before the zones? Are we taking any away from you now? I don't think so and the plan certainly isn't to do that.

CHR. JON O. NELSON: Any further questions?

RK

REP. GEORGE J. KEISER: What percentage of people who are coming in from out of state will pay the additional \$15 just for the flexibility? They'll pay \$200, \$300, \$500 or more to get here. Wouldn't most people just buy the all-zone license for \$15?

Klein: The fiscal note indicates that maybe 8,000 would buy it to have that advantage. Is \$15 right? Maybe not. I'm assuming that some will, but there are some that won't. If 95% of the hunters are only staying for seven days, I don't think they will. But we do have that little group that makes a holiday out of it. The thought here is that some will, some won't. But if they want to, we'll give them that flexibility. It's \$15; maybe it should be \$40. I don't know what that number is, but I think \$15 is a starting point. The Senate sent it over. It's not engrossed. It didn't fly right through, but it is here and we want to work with the House and try to get something that we can all live with.

REP. GEORGE J. KEISER: If I buy the \$85 license, can I come back in and add the \$15 at a later time? I buy it for the zone, but it's not working out. For whatever reason, the ducks aren't there, can I come back and buy the \$15 and add it to my license?

Klein: I'm not sure. I think as the rules come, Game & Fish will have to address that as they do with anything we pass here, to create some guidelines.

REP. BOB HUNSKOR: Does this bill address the misconception that of many non residents that our state is not very friendly toward them?

Klein: I'm certainly hoping it does. The more you muddy the waters, the more people say it's not worth going through all these hoops to hunt in ND. Will this make it more simple? I think it might. If I've always gone to Steele, ND to hunt, I'd read the proclamation, understand that there was an additional license I could buy, and stay in the field for my entire two weeks. That's pretty

simple. That's why we're trying to make it as simple as possible. Generally, these guys come as a group, generally three or four from a particular area out of state. Hopefully, they can stay together. This is another reason we didn't limit the amount of those licenses.

CHR. JON O. NELSON: Further questions for Sen. Klein? Seeing none, thank you, Jerry. Is there further support for SB 2256?

Sen. Robert Erbele, Dist. 28, Zone 1 on your map: I'm here to say "Ditto" to what Sen. Klein just said. In my district, I have 24 communities, with my largest being 1,800, my second largest being 900 and from there on it drops all the way down to communities of 143 and 13 and so on. It's in those smaller communities where we have had houses taken off the tax rolls, refurbished, and have people maintaining the lawns throughout the summer and who want a place to come back to. If we look throughout my district, there aren't a lot of people who are staying more than seven days except those who have an investment in those communities. I think this bill would allow those who have taken the time to make an investment in those communities to stay that extra time. That's why I support the bill. As you know as legislators, when we go home from here and we pass a bill that people don't like, it doesn't matter whether you voted for or against it. If they don't like it, they're mad at you. I've had a similar experience as Sen. Klein had through the campaign last fall. There was a single defining issue with people who were angry because of the zones. Business after business said that they lost \$3,000, \$5,000 in that time period because of what we had done here. That is why I support the bill and hope you will give it your due consideration.

CHR. JON O. NELSON: Any questions of Sen. Erbele? Seeing none, thank you, Bob. Is there further testimony in support of SB 2256?

Bill Shalloob, ND Hospitality Assoc.: We support the bill. Our businesses and members have been affected by this. They wish to speak and I will defer to them.

Susie White, Lone Steer Restaurant in Steele, ND and two smaller bars in other communities (Napoleon): (Written testimony attached)C1

CHR. JON O. NELSON: Are there any questions of Mrs. White? Seeing none, thank you. Is there further testimony in support of SB 2256?

Maynard Helgaas, Jamestown, ND: I have farmed in Kidder County for many years and owned an implement business at one time in Steele. I love that county; it has lots of character. I think we need to start building our rural communities, not breaking them anymore. We have wrecked our rural communities over the last 50 years, and we need to start rebuilding those rural communities. Where are the Fargos, the Grand Forks, the Bismarcks going to distribute to? Who are they going to distribute to? I also serve as chairman of the Commercial Vegetable Brokers. Our vision is to bring vegetable industry into the state of ND. We think it has a big impact on our rural communities. We cannot have these kinds of legislation going on where we restrict out-of-state people coming into our state. We only have 600,000 people in this state. On the map of the new agriculture as we see it in ND, agricultural recreation is going to be a part of agriculture. If we start laying the ground work now to prohibit people from coming into this state, and yet we build infrastructures to encourage wildlife and to encourage hunting and birding, to encourage tourism, trails, all the recreational opportunities that we have. We need to support this bill, SB 2256 for our rural communities and building them back up. We appreciate your support.

Chr. Nelson: Are there questions for Mr. Helgaas? Seeing none, thank you for your testimony.

Is there further testimony in support of SB 2256?

Brian Kramer, ND Farm Bureau: (Written testimony attached)

Chr. Nelson: Are there any questions for Mr. Kramer? Seeing none, thank you. Is there further supporting testimony?

Bill Ongstad, Harvey, ND: (Written testimony attached) If you come to Robinson to buy a house, you are very close to the zones. My wife testified to this before the Senate committee about an out-of-state hunter who had come to Robinson for a few years. It has a small school. One fall, he (the hunter) wrote a check for \$1,200 to my wife. There happened to be six students in Robinson school at that time, and he instructed her to buy Christmas presents for the students.

What she did was buy each of them a digital camera. This fall, that hunter did not come back because he was scared he might end up on the wrong side of the line and get in trouble. That is a tragic thing. We're telling out-of-state people that they are not welcome to hunt here. I support this bill. We have an untapped resource in ND, the ducks. There are many kinds, and it would be my goal to take pictures of the ducks, then take pictures of the open spaces when there are not hunters there, to prove that there is not too much hunter pressure. I ask you to support this bill.

It's economic development for ND.

Chr. Jon O. Nelson: Are there questions for Mr. Ongstad? Seeing none, thank you. Is there further supporting testimony?

Walter Vollrath, Wisconsin: About five years ago, I was driving through McClusky, ND, and thought, "What a great place to live. Nothing but potholes and ducks." So I purchased a bankrupt manufacturing company, the Kirschenman Mfg. Co. And have since put on an addition

and spent close to \$6.5-7 million dollars in equipment and improvements (Now Polarware Mfg.)

We employ 35 people and I fell in love with the community and with your state. One problem, I can only hunt there for seven days. That's my personal problem. The real problem is the people in the community. It's basically a dying community. There are two restaurants left. There use to be three grocery stores. The drugstore is closed and I have heard rumors that the grocery store is going to close as well. So, anything in your power that you can do to get the hunters back into McClusky, I'd really appreciate it.

CHR. JON O. NELSON: Thank you, Mr. Vollrath. Are there questions? Seeing none, that's important testimony. Is there further testimony in support of SB 2256? I would remind anyone testifying to sign in.

Faye Hagen, Union Bar & Grill, Sheridan Co.: I'm representing the residents and businesses of Sheridan County. Sheridan County is proud to be heralded as the heart of ND. To many hunters, we're the heart of Zone 2. Our entire county is located in Zone 2. I'm personally co-owner of a restaurant and bar establishment there. My brother owns a motel in McClusky and my family has owned those two businesses for over three decades. We really have seen generations of hunting families who have come back, from grandfathers to grandsons. In my discussions with people in the restaurant or the motel, I have heard many comments from them. The general consensus is that they're very disappointed and disgusted as to how they're being treated or how they feel, maybe taken advantage of or something like that. They are not happy with what's happening. They *are* making plans to go other places. Some people go to Canada, some change their hunting to South Dakota and other places. It is happening. We see that. The hunters seem the same over the years but the choice and sort of hunter has changed. They're well

informed, they know the rules, they know what they have to do. They are very respectful to the landowners and to the business people there and to community members. They are also more sophisticated. They're more worldly and from all sorts of nations. We have a map of the U.S. in our restaurant. We just took the restaurant over again in July. I had it for 10 years prior and had another business for 14 years prior and now took it over again. We put the map up on July 1 and by the end of November, that map has a flyway of its own in pins, where they come from all over the United States to hunt birds in our area. I just feel that it's creating bad blood in the community. When I'm in the restaurant and someone has a bad experience, they're going to take that out into the community. It's a concept that bad news is not good, and it spreads like wildfire. It will go all across the nation. There are people like Mr. Vollrath who can be assets to the community and to the people who live there. He has made a long term commitment to our area, town and its economy, but ultimately as support to ND in his dealings and conversations with people from other states. Restricting non residents to specific zones and certain limits on days of hunting is really a deterrent to those relationships that we have with those people (non-resident hunters). I would appreciate your support of this bill.

CHR. JON O. NELSON: In your operation prior to this change two years ago, from a McClusky perspective, did you see an appreciable loss of waterfowl hunters since the change? Do you have any numbers to support it?

Faye Hagen: I don't have numbers. We had a hardware store. I heard in testimony that hunting season is Christmas time in ND. It really is. We had people call in to place orders, we even had orders from Georgia for shells and things because they couldn't bring them on the

plane. Many flew in. Toward the end, we had to close our hardware store. We couldn't keep it open any longer. Fortunately, my husband is manager of the Polarware Plant.

CHR. JON O. NELSON: I know that during the last few years the upland game hunters have increased. The pheasants have survived. What is the status of upland hunters that you have noticed in McClusky?

Hagen: My husband is also a hunter and he, too, has commented on the fact that there aren't as many hunters out there. When we had the motel when I was growing up, we use to have hunters and campers all over the place. People came in to hunt because it was fun. I think we've taken a lot of that fun away. We've taken away the enjoyment of the hunt and people can find other things to do in ND just to go where they can enjoy themselves. They're people who do take an interest and do become friends and supportive of your area, but you have to build relationships with them. By kicking them out and moving them around you never have the chance to build that relationship.

CHR. JON O. NELSON: We certainly see that in all rural communities in the state. Further questions for Mrs. Hagen? Seeing none, thank you for your testimony. Further testimony in support of SB 2256? If testimony continues up to 11:30 for those in support of this bill, I will limit testimony in support at 11:30 so the opposition has one half hour. That should suffice for the hands that I saw earlier.

Paul Overby, Wolford, ND: (Written testimony attached)

CHR. JON O. NELSON: Are there questions for Mr. Overby?

Overby: I do have some research from the ND Game & Fish that addresses the zone shifts in the last four years if you are interested.

CHR. JON O. NELSON: You may submit that to the clerk and we'll distribute it to the committee members. The numbers that you had put together, was that distributed? I don't think I got that in my information. We'll need more copies of that.

Dana Bohn, ND Tourism Alliance Partnership: We represent 30 statewide businesses and organizations and industries, and we represent all the various sectors of the tourism industry. Our members believe that this would have a positive effect on them as many folks have talked about today. Therefore, we support it and ask you to do the same. Terri Thiel from the Dickinson CVB also asked me to present her written testimony.

CHR. JON O. NELSON: Any questions for Dana? Seeing none, thank you. Further testimony in support?

Terri Thiel, Dickinson CVB: (Written testimony attached, as submitted for the public record by Dana Bohn.)

Orlan Mertz, Sheyenne Valley Lodge: We're a full-time hunting preserve and guide & outfitters. It's the only thing we do. I farmed for 50 years and now we guide and outfit. Every year, these bills come up and especially the hunter pressure concept. Something like that can put us out of business. The zoning, people come to our place to hunt for three days and then they are gone. But we've heard remarks, too, that they hear about all the conflict and things we're trying to do to keep these out-of-state hunters out of our state. Pretty soon, they're saying, "To heck with it, we're going to Canada." That's our biggest competitor. Every time something like this starts, we hear about this. A little bit about the PLOTS land and the money. Last session, we raised the licenses another \$85, that money is supposed to be going into PLOTS land also. I asked Mr. Hildebrand what happened to that money, whether it was spent for that. The first time,

he said most of it was used for administration. I called him again and he said when they wrote the bill up, they had to hire another six people to go out and buy this land for PLOTS, so that ate up a lot of that \$2 million that was set aside for PLOTS. I would like to have somebody track this money because it's getting to be a lot of money. To add another \$15 will make it well over \$2 million that will go for PLOTS land which we as guides and outfitters kind of implemented as a form of public relations. I'd like to see somebody follow it to see where that money is going.

CHR. JON O. NELSON: Mr. Mertz, I'd like to point out that with that money, the FTE's (full time employees) that were included in the budget last session was for the Private Lands program which includes more than just PLOTS. Obviously, there were some administrative costs in there but we are well ahead of what was anticipated for private lands in this state. We're nearly at 750,000 acres which is a sizable increase. From my perspective, that has been a very successful program. I think the Department has done a very good job of running that.

Mertz: O.K. We as guides and outfitters, people who are responsible to bring non-resident hunters here who are spending that, are glad to hear that.

CHR. JON O. NELSON: Thank you for your testimony. Any questions for Mr. Mertz? Further testimony in support? Seeing none, I will begin taking opposing testimony to SB 2256.

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: (Written testimony attached) The map is mine and I would like to get it back after the hearing.

You've been hearing that there is a creation of a sense of inflexibility to the non-resident hunter and the controls. But there is flexibility in those zones. Keep in mind some distances. For example, Zone 1 is from 40-60 miles wide east to west, and it's not a lot driving time to get into Zone 3 if you want to go there. I'm sure some of the mileage varies in some areas, look at

McClusky in about the center of Zone 2. In the Proclamation there is flexibility. I'll read this, "The state law restricts non resident waterfowl hunters to zones on specified days. In waterfowl hunting you may choose either "Option 1: Hunting in Zone 3 only and for 14 consecutive days, or for two seven-consecutive day periods." If you look at the size of Zone 3, that is a lot of ground to cover. It gives you a lot of flexibility on where you want to go. Or you have "Option 2: Hunting in Zones 1 or 2 for seven consecutive days and also hunting in Zone 3 for seven consecutive days, either back to back or split." "Option 3: Choosing either Zones 1 or 2 and also selecting Zone 3 for the same seven-day time period." So there is a lot of flexibility in the current zone system that we're helping to use to manage pressure on the resource. It is not totally excluding the non resident hunter from out of Zone 3 or only in Zone 1. The good thing is that you can hunt in Zone 1 and 3, or Zone 2 and 3, but you can't go into Zone 1 if you're in Zone 2, and you can't go into Zone 2 if you're in Zone 1. It's not a lot of space cut out of where you can go as far as hunting waterfowl. We think it's a good system and we think we should be using the system for a while to see what's going on with it.

CHR. JON O. NELSON: Any questions for Mr. Donahue?

REP. DAVID DROVDAL: I thought last session that we defeated the zone, and that it was simply decreed by the governor after we left session.

MIKE DONAHUE: It was left in code which was directing the Department to "shall use zones to help manage the resource."

REP. DAVID DROVDAL: Mr. Chairman, we didn't pass that last session. That was current law. The second question, you travel out-of-state frequently and listen to out-of-state

individuals. Have you had the same reception that I get when I meet them, that we send out a lot of negative feelings when that zones were implemented?

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: I haven't heard much while traveling, even from Minnesota. A couple California people I know said they have no problem with it.

Rep. David Drovdal: If we have no problems with Minnesota, why are we being sued by them?

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: I think it's in how they perceive things.

Rep. David Drovdal: That's my point.

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: I'm curious, why didn't they file suit with South Dakota many years ago?

Rep. George J. Keiser: You have addressed one part of the bill, but your organization doesn't support any expansion of the PLOTS program, does it?

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: Yes, we support extending the PLOTS program.

Rep. George J. Keiser: If zones are so good for the management of pressure, should we implement that for instate hunters?

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: I've thought of that myself and it could be something to look at.

Rep. George J. Keiser: You would support that?

Mike Donahue, ND Wildlife Federation and the United Sportsmen of ND: I can't speak for my organization whether they would support that. Answering as an individual, I would say yes.

CHR. JON O. NELSON: Further questions for Mr. Donahue? Seeing none, thank you.

Further testimony in opposition to SB 2256? **(Change to tape 2A)**

Harold Neameyer, Cass County Wildlife Club: (Written testimony attached)

CHR. JON O. NELSON: Are there questions of Mr. Neameyer?

Rep. Duane DeKrey: What should I tell my businesses when they tell me their business is down because of the zones, that out-of-state people aren't coming back to the communities to hunt because of the state zones and restrictions?

Harold Neameyer, Cass County Wildlife Club: We don't see the problem as coming from the zones, but as related to the weather and possibly due to less rain or changes in bird migration.

CHR. JON O. NELSON: We will take temporary recess until the tape recorder is repaired.

(Note: The new tape 2A broke and the preceding section was lost. A new tape 2A was inserted.)

CHR. JON O. NELSON: I will call the House Natural Resources Committee back to order and ask Mr. Neameyer to return to the podium to continue questions.

Rep. Dennis Johnson: In my other life, I'm a harvester. I look at the map, at Zone 1, and from about the third week of July until December, we work that area from Tappen to Eldrich to Edgely, criss crossing back and forth. For the last couple of years, I can't get over all the water and big sloughs in that area. I saw very few hunters out there. Later, while sitting on a combine and harvesting for three months, I didn't see anybody hunting.

Harold Neameyer, Cass County Wildlife Club: I think what I need to do when I talk to my people again, I'm going to tell them that from everything I heard in this testimony today, that

there are not enough resident hunters out there and there are all kinds of good places that they should be going to hunt.

Rep. David Drovdal: Harold, approximately how many members do you have in your club?

Harold Neameyer, Cass County Wildlife Club: Approximately 200.

CHR. JON O. NELSON: When you look at the zones, there was testimony that it's no more than a 40-60 mile drive to go from within a zone to hunt outside that zone in another area. That seems to be a reasonable distance to travel, but when somebody from your organization or some more vocal residents or hunting groups in the state have to drive more than 20 miles, that's a problem. I don't understand the difference in who's traveling. Why is one o.k. and the other isn't?

Harold Neameyer, Cass County Wildlife Club: I have to speak of that from a personal standpoint. I rarely go hunting or fishing that I don't drive at least 60 miles one way just to get to a point from which to hunt.

CHR. JON O. NELSON: So, as hunting experience has evolved in this state, that is just one of the accommodations that everybody is going to have to make, probably.

Harold Neameyer, Cass County Wildlife Club: I think you go where the game is.

CHR. JON O. NELSON: Are there further questions of Mr. Neameyer? Seeing none, thank you. Is there further opposition to SB 2256? Seeing none, Paul (Schadewald), would you come forward please? Do you have prepared testimony?

Paul Schadewald, ND Game & Fish: No, I don't. We're here to answer questions but we're not here taking a position one way or the other.

CHR. JON O. NELSON: A question I have is that one aspect of the zone concept as it was implemented was to get numbers as to where the hunting pressure exists in the state. Were you able to compile any numbers and what are the results of the last two years?

Paul Schadewald, ND Game & Fish: I don't have the numbers here, but Paul Overby got those numbers from me and has handed them in to the clerk. They're difficult to understand and interpret. Most people are coming in for one day and sign up for Zone 3 and Zone 1. So where are they hunting? We could do questionnaires on that. Statistics may appear to be a little bit clearer, it is still a challenge to determine where people are going and where they are spending their time. Under current law, they can go in and hunt two of those zones on the same day.

CHR. JON O. NELSON: If this bill passed in its current form or another form, would you still be able to compile the data that you need to identify the pressure spots?

Paul Schadewald, ND Game & Fish: I don't think we have real good numbers from the licensing figures. We have to go to the customers and ask them where they are hunting. We will have to get information from the field. Unless you put the zones in a more cumbersome or restrictive mode, it's hard to read numbers from the licensing numbers to get a good picture of what's going on out there.

CHR. JON O. NELSON: As far as licensing requirements, would you have them pick a zone as a first choice priority? If they were able to purchase a second license, would that give you some understanding of where they would go first, anyway?

Paul Schadewald, ND Game & Fish: I think the best thing that gives us the most understanding of where they go is getting their name. Then we contact them later and find out what they did. The license numbers are hard to interpret.

CHR. JON O. NELSON: The last question I have is where did you come up with 8,000 hunters on the fiscal note?

Paul Schadewald, ND Game & Fish: When we had the seven-day license, that was the structure. One third of the customers would buy the state-wide license, two thirds would not. This is different, a 14-day license, and many customers hunt the Williston area, the Bottineau area, the Devils Lake area and are not concerned with Zones 1 or 2. Why would they spend another \$15? I think talking about the group of people that hunt in Zone 1 and 2 is not the majority of the hunters. We just used the past numbers as an estimate. It could be a little more or less.

Rep. George J. Keiser: Two years ago we had a significant discussion about the number of pheasant hunters that would just buy a duck license just in case after they hunted, if a duck flew over, they could legally shoot it. We increased the fee substantially in an attempt to determine whether or not that eliminated that kind of opportunity buying. Do we have any measure of that as a result of increasing the fee?

Paul Schadewald, ND Game & Fish: I think that change in license structure does tell us how many waterfowl hunters we really have now, because they're no longer just buying the \$10 license to tack on to the small game. They're making a serious decision with an \$85 license. So I think that has accomplished its goal.

CHR. JON O. NELSON: That wouldn't be compromised by changes in this bill, would it?

Paul Schadewald, ND Game & Fish: No.

Rep. Duane DeKrey: During the pheasant bill we had last week you had pretty solid numbers on the how many days the average hunter hunted pheasants. I think it was about 4 1/2 days. Do you have a number like that for waterfowl hunters, broken down by residents and non residents?

Paul Schadewald, ND Game & Fish: We have those numbers and I could get them for you.

Rep. Duane DeKrey: I would be interested to see that.

Rep. Lyle Hanson: Do they have any money left in the PLOTS program or did you use it all?

Paul Schadewald, ND Game & Fish: There are certain funds directed by the Legislature as fees are increased, to go into the PLOTS/PLI program. Those funds are 100% used. Then, we are also using general Game & Fish funds that we aren't required to pay into that fund, that are going into that fund.

Rep. Bob Hunskor: We want residents and non residents to feel that our state wants them here. I don't think any of us dispute that. Yet, we've heard testimony that there's a lot of non residents who feel that we're not very friendly towards them. Two questions, do you think that zones are the reason that those folks feel that way? If that's true, will this bill help to correct that situation?

Paul Schadewald, ND Game & Fish: For some of our non-resident customers, zones are a big deal. There's probably several hundred non-resident landowners, some in Zones 1 and 2, and I've talked to every one of them when this went into effect. I literally talked to several hundred of those customers. It did affect their attitudes and we had a lot of calls about it. I think it did affect the attitudes and if this bill is passed, is it going to change their attitude? I think it is going to.

Curtis Blohm, ND Outdoor Heritage Coalition: (Written testimony submitted for the public record)

Page 20

House Natural Resources Committee

Bill/Resolution Number **SB 2256**

Hearing Date **March 10, 2005**

CHR. JON O. NELSON: Further questions? Seeing none, thank you, Paul, for your testimony.

Is there further testimony on SB 2256? Seeing none, I will close the hearing on SB 2256.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2256

House Natural Resources Committee

Conference Committee

Hearing Date **March 11, 2005**

Tape Number	Side A	Side B	Meter #
1		x	2900-4250(End)
Committee Clerk Signature <i>Karen Bonnet</i>			

Minutes: **Chr. Nelson:** I will re-open SB 2256.

Rep. DeKrey: I will move the amendment that Rep. Porter and I have drawn up.

Rep. Porter: Second to the amendment.

Chr. Nelson: An amendment has been moved by DeKrey and seconded by Porter, 50609-0102.

DeKrey: What the amendment does is take \$15 out of the senate bill, and makes that \$85. The \$85 still goes to the PLOTS private lands initiative and also places a cap on the total number of waterfowl licenses that could be statewide to 50% of the total waterfowl licenses. My reasoning is this, although I do like \$15, I don't think it can pass in the house. I like the bill and I think the bill needs to pass, so I was willing to compromise and raise the dollar figure in the cap to keep the bill alive.

Rep. Keiser: I think \$85 is not too high for the true out-of-state hunter. If they're going to spend \$200 on gas (to get here), we can make it anything we want and they will come. The one problem area that I see and that's a significant number of out-of-state hunters who are family

members of residents who want to come back and hunt. I would suggest to the committee that \$65 is as arbitrary as \$85 but I personally like the \$65 because it makes it an even \$150. I would like to offer that as a substitute portion of the amendment to the \$85 if that's acceptable to the committee. I'm going to support the \$85. I know that we're always trying to find a balance between the true out-of-state hunter and the out-of-state hunter who is an expatriate of our state who wants to return to hunt. I offer that substitute amendment to that portion of the bill.

Chr. Nelson: I considered that as well after you brought that up to me yesterday, and took that to the sponsors of this proposal. From my perspective, I'm comfortable running it up to \$85. I think it's probably going to go to conference and that might be the ultimate point of agreement. You're certainly free to offer what you want with that. Is there a second to the substitute amendment? The amendment would be to change the \$85 to \$65.

Rep. Hanson: No, you don't want to do that. That would be the original.

Keiser: No, the original is \$15.

Hanson: The original is \$15? On the bottom line of the amendment...

Keiser: I'm amending the *amendment*.

Rep. Porter: We're just dealing on the amendment right now.

Hanson: Oh, o.k.

Chr. Nelson: On the third line, the \$85 would be changed to \$65. The same thing on page 2, line 12 in that section. Then, the last underscore would change from \$70 to \$50.

Porter: I think that we have worked on this and came to an agreement and compromise and I know that we always arbitrarily pick dollar amounts here and there. One thing to keep in mind is that the \$85 does go towards what we determined as one of our top priorities which is the PLI

(Public Lands Initiative) program. I also think that this bill is a long way from being done and that there's going to be some work done after it passes the house and goes over to a conference committee. I would hope that the committee would uphold the original amendment and vote no on the substitute, and then put the amendment on the bill and send it over to the Senate.

Rep. Charging: I agree with Rep. Keiser and with Rep. Porter in the fact that the money does go to a good place. But the point being, this is not just a rich man's sport. We have an opportunity to make a positive change, and to send a message to non-residents and to our rural communities. I would hope this committee would go to a reasonable (dollar) amount and not to set it at the high end.

Rep. Hunskor: I try to look at this as a non resident and see \$85 to initially come in and that much or more to to hunt anywhere in the state. It seems to me that it would be a little easier for them to swallow if it's less to go anywhere in the state. It should be reduced to \$65. I spoke with 8-10 of the Goosefest people recently, and they felt that it's good to go a little less than \$85. That's from our district.

Rep. Hanson: With a regular \$85 license, you can still hunt *all* of Zone 3 and *either* Zone 1 or 2. So you can hunt about 7/8's of the state with an \$85 license. Actually, with the other \$85 you just pick up one more area.

Chr. Nelson: You'll pick up some days, too.

Rep. Porter: The other thing that you have to keep in mind is that this is a select group of individuals who are going to use this. From the statistics that came from the Game & Fish, the majority (of hunters) don't even exceed their first seven-day allotment within the 14-day license now. You're not looking at a large number of individuals that this is addressing. What this

whole thing is really addressing is the perception problem that was created after last session. I think that the compromise that was reached is a good compromise, and it has taken away some of that perception, and this is an effective way a large percentage of the individuals that come back here to hunt. There is still the single \$85 license that is going to fit over 90% of the non resident hunters.

Rep. Nottestad: I call for a question on the substitute amendment.

Chr. Nelson: O.K. Question has been called on the substitute amendment; does everybody understand the substitute? I think we can just as well do a **roll call vote on just the substitute amendment by Keiser and Charging. Vote: 6-Yeas; 6-Nays; 2-Absent; the motion failed due to lack of majority.** O.K., the amendment as first proposed is before us. What are the committee's wishes?

Rep. Hanson: Question.

Chr. Nelson: I hope we can do a voice vote on this one. All those in favor of the proposed amendment, .0102, signify by saying aye. Opposed, same sign. **Motion carried, unanimously.**

Rep. DeKrey: I move a do pass as amended on SB 2256.

Rep. Kelsh: Second.

Chr. Nelson: There is a motion and a second. Any discussion? Seeing none, I will call for a roll call vote to:

Do pass as amended on SB 2256:

10-Yeas; 2-Nays; 2-Absent; CARRIER: DeKrey

We will stand adjourned until the subcommittee meeting at 9:30 on Thursday.

VK
3/11/05

PROPOSED AMENDMENTS TO SENATE BILL NO. 2256

Page 1, line 17, replace "Fifteen" with "The total number of statewide nonresident waterfowl hunting licenses issued may not exceed one-half of the total nonresident waterfowl hunting licenses issued. Eighty-five"

Page 2, line 12, replace "Fifteen" with "The total number of statewide nonresident waterfowl hunting licenses issued may not exceed one-half of the total nonresident waterfowl hunting licenses issued. Eighty-five"

Page 2, line 20, after "hundred" insert "seventy"

Renumber accordingly

Date: 3/11/05
 Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2256

House NATURAL RESOURCES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken : Substitute amendment

Motion Made By : Kaiser Seconded By : Charging

Representatives	Yes	No	Representatives	Yes	No
Chairman - Rep. Jon O. Nelson		✓	Rep. Lyle Hanson		✓
Vice Chairman - Todd Porter		✓	Rep. Bob Hunsakor		✓
Rep. Dawn Marie Charging	✓		Rep. Scot Kelsh		✓
Rep. Donald L. Clark	✓		Rep. Dorvan Solberg	Absent	
Rep. Duane DeKrey		✓			
Rep. David Drovdal	Absent				
Rep. Dennis Johnson	✓				
Rep. George J. Keiser	✓				
Rep. Mike Norland	✓				
Rep. Darrell D. Nottestad	✓				

*Failed
 Lack of majority*

Total (Yes) 6 No 6

Absent 2

Floor Assignment n/a

If the vote is on an amendment, briefly indicate intent:
*Lr 3, change \$85 to \$65
 Pg 2, Line 12, change \$85 to \$65
 Change the last underscore from \$70 to \$50*

3/11/05
Original bill to LC
w. amend. 1/100
for final amend.

Date: 3/11/05
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2256

House NATURAL RESOURCES Committee

Check here for Conference Committee

Legislative Council Amendment Number : 50609.0102 Title .0200

Action Taken : Do Pass as Amended

Motion Made By : DeKrey Seconded By : Kelsh

Representatives	Yes	No	Representatives	Yes	No
Chairman - Rep. Jon O. Nelson	✓		Rep. Lyle Hanson		✓
Vice Chairman - Todd Porter	✓		Rep. Bob Hunskor	✓	
Rep. Dawn Marie Charging	✓		Rep. Scot Kelsh	✓	
Rep. Donald L. Clark	✓		Rep. Dorvan Solberg	Abs	
Rep. Duane DeKrey	✓				
Rep. David Drovdal	Abs				
Rep. Dennis Johnson	✓				
Rep. George J. Keiser	✓				
Rep. Mike Norland	✓				
Rep. Darrell D. Nottestad		✓			

Total (Yes) 10 No 2

Absent 2

Floor Assignment DeKrey

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

(Attached)

REPORT OF STANDING COMMITTEE

SB 2256: Natural Resources Committee (Rep. Nelson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2256 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "Fifteen" with "The total number of statewide nonresident waterfowl hunting licenses issued may not exceed one-half of the total nonresident waterfowl hunting licenses issued. Eighty-five"

Page 2, line 12, replace "Fifteen" with "The total number of statewide nonresident waterfowl hunting licenses issued may not exceed one-half of the total nonresident waterfowl hunting licenses issued. Eighty-five"

Page 2, line 20, after "hundred" insert "seventy"

Renumber accordingly

2005 SENATE NATURAL RESOURCES

CONFERENCE COMMITTEE

SB 2256

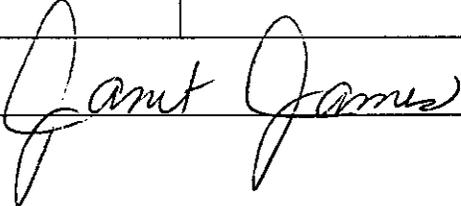
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2256

Senate Natural Resources Committee

Conference Committee

Hearing Date March 29, 2005

Tape Number	Side A	Side B	Meter #
1	X		12.8 - 35.0
Committee Clerk Signature 			

Minutes:

Senator Stanley Lyson, Chairman of the Conference Committee opened the meeting on SB 2256 relating to nonresident waterfowl hunting licenses and fees.

Senators Lyson, Layton Freborg, and Michael Every and Representatives **Jon Nelson, Duane DeKrey** and **Lyle Hanson** were all present.

Senator Lyson gave the history of SB 2256 as being amended in the House to put a cap on the number of licenses issued and a change in the license fee of \$30.00 to \$85.00.

Representative Nelson explained that testimony on SB 2256 had several predictions of the number of hunters that would take advantage of the license to hunt in a second zone. Therefore, the committee decided to put the cap of 1/2 of the licensee sold the previous year. The increase in the fee was an attempt to help pass the bill in the house and to raise the fee so that those purchasing the license would think seriously about reason to buy the license. The increase in fee would go into the PLOTS program to help create more public land to be available.

Senator Lyson stated that it has been heard many times that there has not been enough hunters in areas to even move the birds and areas of the state have economically suffered. To add a cap on the number of license sold will only add to the conception that non resident hunters are not welcome in the state.

Senator Freborg stated that the increase in the fee was rather exorbitant.

Representative DeKrey stated that his part of the stated was one of those hardest hit by the reduction of hunters and had three zones intersect in his district, so that is why he would like to see hunting more open. Something needed to be added to the bill in order for it to pass in the House. According to the testimony, 90% of hunters will be happy with the \$85.00 license because it will give them 2 zones to hunt. The other 10% was not so concerned about the fee issue but more about being able to hunt. As a compromise, for the nonresident hunters to be able to hunt like that in two zones and causing hunter pressure for the resident hunters, the increased fee would go into the PLOTS program and free up more acres for the resident hunters. The cap was added out of fear that so many of these licenses would be sold, although the North Dakota State Game and Fish Department has shown this is really not a cap.

Senator Every responded that even when there was no cap and no zones, the number of nonresident hunters were declining. By doubling the cost of the license and having a cap is nothing more than limiting the nonresident coming into the state.

Representative Hanson that the cap should be ½ of licenses sold in the previous year in order for it to work.

Senator Lyson stated that the Senate did not want a cap in the bill and if it remains, the bill will be killed.

Representative Nelson stated that the \$85.00 increase of the fee was kept in the bill to be a vehicle in order to keep the bill alive and then work it out in conference. It is important to mention that passage of the bill will send a strong message to the communities that are part of Zones 1 and 2 and nonresidents coming to hunt in the state. He admitted, whether right or wrong, the North Dakota State Game and Fish Department did make a management decision based on scientific knowledge in creating the zones. The legislature can now deal with it and create a bill that is acceptable by both the Senate and House. He further made a motion that House recede from the House Amendment concerning the cap on Page 1, Line 17 and Page 2, Line 12.

Senator Every second the motion.

Roll call vote #1 for the House to recede to the House amendment of SB 2256 regarding caps was taken indicating 6 YEAS, 0 NAYS AND 0 ABSENT OR NOT VOTING.

Senator Lyson stated he would really like to negotiate the fee of the license.

Representative Nelson offered for discussion sake to split the difference of the fee and change the fee from \$85.00 to \$125.00.

Representative DeKrey commented that since SB 2256 has passed the House, he has not heard one negative communication on the fee but rather praise.

Senator Lyson stated he has not heard from nonresidents but from residents who thought the license fee was too high. He further stated he liked the \$125.00 price.

Senator Freborg questioned if half of the \$170.00 fee presently in the bill would contribute to the PLOTS program.

Representative DeKrey confirmed that the second half or the second license would go to the PLOTS program.

Representative Nelson made his suggested decrease of the fee into a motion.

The motion died for a lack of a second.

Senator Every stated he liked SB 2256 had left the Senate but understands in order for the bill to pass the House there needs to be a compromise. He further stated the bill could encourage nonresident hunters to move to another zone if there is too much pressure. His other concern is the high license fee for the youth.

After discussion between the committee members and the North Dakota State Game and Fish Department concerning reciprocal hunting for youth, Senator Every stated he stood corrected.

Representative Nelson stated there seemed to be some confusion regarding his last motion and after some discussion made a motion for a increase of \$25.00 above the Senate Bill and \$40.00 over the regular license.

Representative Dekrey second the motion.

Representative Nelson stated that at \$40.00 it is a doable project in the House and with the removal of the caps, the Senate would be agreeable to pass a bill that will make a difference.

Roll call vote #2 for the House to recede from the House amendments and adopt a amendment change the license fee on SB 2256 was taken indicating 5 YEAS 1 NAY AND 0 ABSENT OR NOT VOTING.

Senator Freborg asked if the motion included a set amount of money for the PLOTS program and if it will still remain at \$15.00.

Page 5
Senate Natural Resources Committee
Bill/Resolution Number SB 2256
Hearing Date 3-29-05

Representative Nelson stated that although that was not discussed, it was always understood in the original bill that the entire increase of the fee would go the program.

Senator Lyson will carry SB 2256

REPORT OF CONFERENCE COMMITTEE

SB 2256: Your conference committee (Sens. Lyson, Freborg, Every and Reps. Nelson, DeKrey, Hanson) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 873, adopt amendments as follows, and place SB 2256 on the Seventh order:

That the House recede from its amendments as printed on page 873 of the Senate Journal and page 1004 of the House Journal and that Senate Bill No. 2256 be amended as follows:

Page 1, line 17, replace "Fifteen" with "Forty"

Page 2, line 12, replace "Fifteen" with "Forty"

Page 2, line 20, after "hundred" insert "twenty-five"

Renumber accordingly

SB 2256 was placed on the Seventh order of business on the calendar.

2005 TESTIMONY

SB 2256



*Give
Steven
to
Have*

Convention & Visitors Bureau

January 28, 2005

Mr. Chairman and members of the Senate Natural Resources Committee, my name is Terri Thiel and I am the Executive Director of the Dickinson Convention & Visitors Bureau.

The Dickinson Convention & Visitors Bureau is in favor of Senate Bill 2256.

We believe this bill would have a positive economic impact on the state and rural areas in particular.

NDSU's Agribusiness & Applied Economics Report No. 534, Characteristics of Nature based Tourism Enterprises in North Dakota, July 2004, Introduction states – While not all spending by out-of-state visitors is associated with outdoor recreation and nature-based tourism, recent increases in numbers of non-resident hunters suggest that North Dakota's natural resources and outdoor recreation opportunities have been an important source of increased visitor spending.

Page 27 states – A large majority of respondents indicated they perceived each of the various types of outdoor recreation activities listed had economic development potential. Ninety-seven percent indicated "hunting and fishing activities" had economic development potential.

Clearly our rural residents are developing industries that are vitally important to the survival and success of their local communities.

The Dickinson Convention & Visitors Bureau asks you to support SB 2256.

Sincerely,

Terri Thiel

Executive Director

1-28-05

Mr. Chairman and members of the Committee:

I am Anne Ongstad from Whitman Ranch at Robinson in Kidder County.

I am in favor of this bill because I believe it will be a step in improving the economy of our very rural area.

When my Dad started farming it was possible to buy land and pay for it with the produce of the land. Times have changed. Now it takes a lot of supplemental income from one source or another to pay for the land. I want to continue farming my Dad's land, so I am scrambling to do innovative things to make that happen.

So reason one: farmers can really use the additional income of outside hunters.

Reason two: local businesses counted on the income from out of state hunters. It is sad that some of them have gone out of business since the decline of hunters.

Reason three: out of state hunters find the zoning confusing and are afraid of making a mistake. They have also expressed a sense of being unwelcome. Example: Rick Walker is from Minnesota. He has been coming every year to hunt. Several years ago he gave me \$1200 to give Christmas gifts to the 6 kids in Robinson school, because he felt bad for the farmers in a drought situation. But this year, he couldn't get anyone to come hunting with him. His buddies felt shut out by our regulations and zoning.

Reason four: North Dakota spends millions to promote tourism. Then we kick these tourist in the shins when they come.

Reason five: I estimate that wild animals cause a lose of 3% of my income. One of the reasons I farm is so I can see these animals. I intensely enjoy them. But I believe I have a right to try to recoup that lost income.

To the instate hunters who feel lost because hunting has changed, I reply:

so has farming. I wish I could farm just the way my Dad did. But I would shortly be out of business if I did. I am trying to help support my own family plus pay my 3 full time and several part time people a good wage they can live on.

I would also comment that as much as I'm on the road and in the plane checking crops and cattle, I really don't see many hunters from North Dakota out there that first week. Many local people mention that. Please let's not look back and waste time on what used to be. Let's work together to keep our rural areas intact.

Senate Bill 2256 January 28, 2005

\$15 extra license fee not restrictive for zones

I favor this SB 2256

Bill Ongstad, farmer, school board member of harvey school district #38, wells county
4135, 25th St NE
Harvey, ND 58341
701-324-2937
bongstad@starband.net

I favor this bill. In my community of Harvey the café owners feel the out of state hunter numbers were down with the system we had this year. I noticed they were down also. I am also familiar with the Robinson area where the café/ grocery store recently closed. The owners did not make enough during hunting season to make it thru the year because the out of staters did not come to hunt in 2004.

I serve on the Harvey School Board. The state asks businesses to pay property tax to fund schools. Then the state creates a hunting restriction system that reduces the number of out of state hunters that visit North Dakota. How are the businesses going to generate revenue to pay the property taxes and all the other expenses?

This SB 2256 would create a more logical hunting regulation that would benefit business owners and thereby be a benefit to the school districts.

I urge you to pass SB 2256.

Cass County
WILDLIFE CLUB

Box 336
Casselton, ND 58012



TESTIMONY OF HAROLD NEAMEYER
CASS COUNTY WILDLIFE CLUB
PRESENTED TO THE SENATE NATURAL RESOURCE COMMITTEE

ON

SB 2256

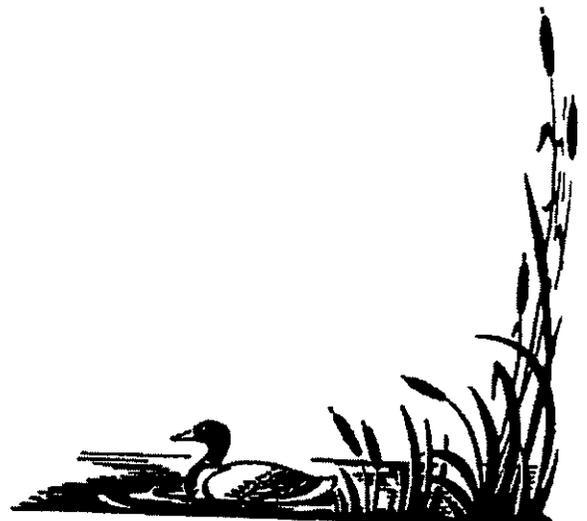
JANUARY 28, 2005

Mr. Chairman and Members of the Committee:

The CCW Club opposes this bill for the following reasons:

1. We anticipate over crowding in most areas where the waterfowl is most plentiful, due in part to water and weather conditions. Overcrowding diminishes the quality of the hunt for all.
2. A loss of control of the hunting pressure would be a result of passing this bill.

Uncontrolled hunting pressure will drive the waterfowl out of an area and maybe out of state. Uncontrolled hunting is not in the best interest of the resource.



Senate Bill 2256

Reference: Establishes a statewide nonresident waterfowl license with a cost established at \$100.00.

Senate Natural Resources Committee

Hearing Date: January 28, 2005

Good Morning, Mr. Chairman and Committee members. My name is Curtis Blohm. I appear before you today representing the North Dakota Outdoor Heritage Coalition. This coalition was founded out of the need for representation before the legislative committee by North Dakota citizens concerned for the preservation of our unique outdoor recreational heritage.

The ND Outdoor Heritage Coalition is opposed to the content of this Bill. A statewide removal of zones would not be advisable from both a standpoint of local economics and hunter enjoyment whether resident or nonresident. Waterfowl hunters naturally gravitate to locations holding the highest numbers of waterfowl creating unwanted competition for prime hunting locations. Spreading hunting pressure in time and space with zones is advisable to retain birds locally. No Birds – No Hunters. Zones assist in a manageable harvest rather than driving waterfowl from the state early. Resident hunters hunt primarily on weekends and holidays, whereas nonresidents hunt hard during the specified time of their license. Zones ensure an equitable spread of tourism dollars across North Dakota. Many nonresidents would travel to the more waterfowl populated areas and would not spend revenue in many more rural communities without the designated hunting zones being in place.

Thank You.

MISSION STATEMENT NORTH DAKOTA OUTDOOR HERITAGE COALITION

The North Dakota Outdoor Heritage Coalition was founded out of the need to have representation of North Dakota citizens concerned with the preservation of their unique recreational heritage. Its members believe and support the following:

- a. The necessity of preserving and fostering the underlying principals of the Public Trust Doctrine and in preserving high quality outdoor recreational opportunities.
- b. The belief that North Dakota's fish and wildlife resources must be kept as publicly held resources, owned and managed by the State of North Dakota for the long-term benefit and enjoyment of its citizens.
- c. To work to create and maintain a fair distribution of our outdoor recreational opportunities, giving preference to our resident sportsmen.
- d. To seek to minimize the affect of commercial operations on our publicly held resources and recreational opportunities by limiting the number of commercial operations and the amount of land under their control.
- e. We support programs that open private land to access for outdoor recreation especially those that are community-based because of the associated economic benefit.
- f. We support the increased acquisition of public use lands for outdoor recreation such as the PLOTS program.
- g. Be an advocate for restrictions on the use of North Dakota's resources which serve to guarantee that all participants have satisfying quality outdoor experiences well into the future.

The North Dakota Outdoor Heritage Coalition believes that the State's fish and wildlife resources must be kept a publicly held resource, owned and managed by the State, for the long-term benefit and enjoyment of its citizens.

North Dakota Wildlife Federation

Abundant wildlife and wildlife habitat, and access to wildlife recreational opportunities



1/28/2005

For: Senate Natural Resources Committee

Ref: SB2256

The United Sportsmen of North Dakota and the North Dakota Wildlife Federation ask you for a Do not pass for SB2256.

The objective of this bill is not necessary.

Actually, the bill defeats the ability of the executive branch, through its Game and Fish Department, to manage pressure on waterfowl.

Out there is lurking a self-interest that is asking you to place it above the public good..

Please, defeat this bill.

Thank you,
Mike Donahue
Lobbyist #275

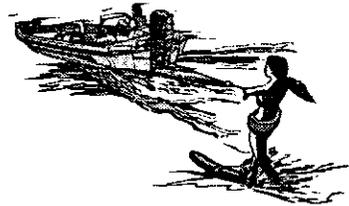


PO Box 1091 • Bismarck, North Dakota 58502 • E-mail: ndwf@ndwf.org • Fax: 701-223-4645
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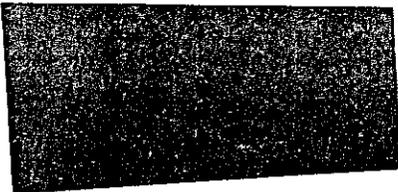
→ *Contact State Library's State Document for a copy* ↙

Characteristics of Nature-based Tourism Enterprises in North Dakota

Nancy M. Hodur, Dean A. Bangsund,
and F. Larry Leistritz



Department of Agribusiness and Applied Economics
Agricultural Experiment Station
North Dakota State University
Fargo, ND 58105-5636



Characteristics of Nature-based Tourism Enterprises in North Dakota

Nancy M. Hodur, Dean A. Bangsund, and F. Larry Leistritz*

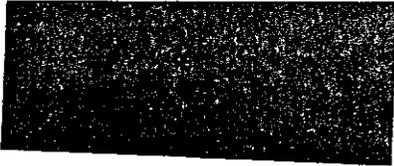
Introduction

Recreational activities related to North Dakota's wealth of natural resources are well-established. Camping, hunting, fishing, birding, and wildlife viewing are some of the outdoor recreational opportunities available in North Dakota. In recent years, North Dakota's abundant resources have attracted visitors from around the country and the world (Bangsund and Leistritz 2003). In addition to providing recreational activities for residents and visitors alike, natural resource-based tourism is a basic sector (a.k.a., primary sector) that may have considerable potential for creating economic opportunities in rural areas (Bangsund et al. 2002). Outdoor recreational activities are included in what has been coined natural resource-based tourism which encompasses a wide range of activities and services. Examples include agri-tourism (e.g., working farm or ranch activities, trail and wagon rides, corn maze, pumpkin patch), soft adventure (e.g., hiking, biking, birding, hunting, horseback riding, snowmobiling), and water sports (e.g., fishing, boating, skiing, canoeing), to name a few activities.

Recognition of the potential role of natural resource-based tourism in rural economies is well-advanced in other parts of the United States. However, tourism in general, and to a lesser degree nature-based tourism, in North Dakota has only recently been recognized for its economic development potential. Expenditures by out-of-state visitors have been the most rapidly growing component of North Dakota's economic base in the 1990s, and tourism has grown into the second largest basic (primary) sector in the state's economy (Coon and Leistritz 2003). While not all of the spending by out-of-state visitors is associated with outdoor recreation and nature-based tourism, recent increases in numbers of non-resident hunters suggest that North Dakota's natural resources and outdoor recreation opportunities have been an important source of increased visitor spending (Bangsund et al. 2002).

Economic development and diversification have been priority concerns for the state's policymakers for the past two decades, and substantial resources have been devoted to stimulating growth in manufacturing (including value-added agricultural processing), exported services, and energy-related industries. However, while the manufacturing and service sectors have registered substantial employment gains in recent years, most of that growth has occurred in North Dakota's four largest urban centers (Bismarck, Fargo, Grand Forks, and Minot) (Coon and Leistritz 2003). Given the difficulty of maintaining the state's family farms and rural population without development of locally-based non-farm income sources, landowners and local decision makers now recognize the potential importance of developing resource-based tourism activities. Natural resource-based tourism is a basic sector that may have considerable potential for creating economic opportunities in rural areas.

* Research Associate, Research Scientist, and Professor, respectively, in the Department of Agribusiness and Applied Economics, North Dakota State University, Fargo.



While businesses that offered hunting activities more frequently utilized land for their business than other business types, land use was most frequently less than 1,500 acres of owned land (39 percent). Leased land was utilized less frequently than owned land for all business categories. Forty-four percent of hunting-related businesses indicated using zero leased land.

Total number of customer days increased from 113,567 in 2001 to 129,500 in 2002. Approximately half of the respondents indicated they believed customer days would increase again in 2003. Respondents also were generally optimistic about the economic development potential of outdoor recreation-related activities. A large majority of respondents indicated they perceived each of the various types of outdoor recreation activities listed had economic development potential. Ninety-seven percent indicated 'hunting and fishing activities' had economic development potential, and 85 percent indicated 'birding, wildlife viewing, and interpretive nature tours' and 'water sports such as canoeing, sailing, and water skiing' had economic development potential. A small minority of respondents—generally less than 10 percent—felt outdoor recreation activities had no economic development potential.

Respondent optimism was apparent in their responses to several questions related to current issues and respondents' attitudes. Over fifty percent of respondents strongly agree with the statement that outdoor recreation-related tourism enterprises offered their local area economic development opportunities, and 72 percent agree with the statement that demand for their type of business has increased in the last three years. A majority of respondents (61 percent) disagreed with the statement that North Dakota has too few attractions to make tourism a viable economic development opportunity.

Research Limitations and Need for Further Research

As stated in the introduction, this research represents the first attempt to describe the emerging nature-based and outdoor recreation-related tourism sector in North Dakota. As is often the case with initial research efforts, there are limitations to the research findings and the need for additional research is apparent. Initial research efforts can prompt additional study, and survey findings can be used to further refine research objectives and guide future efforts. Accordingly, a number of research limitations should be noted. Future research efforts will be required to address study limitations.

Because of the sensitive nature of financial information, many respondents did not complete the portion of the questionnaire detailing financial information. As a result of the limited number of responses from each study group, the potential for sampling error was substantial. Accordingly, the average gross and net revenues of the survey respondents represented too small a sample to make inferences about the larger population of outdoor recreation-related businesses.

The inability to identify with much certainty the type of business surveyed makes calculating an accurate response rate per study group difficult. For example, a respondent may have been part of the 'bed and breakfast' mailing list. However, the respondent indicated the primary focus of their business was 'full service hunting lodge and outfitter/guide service.' The

2. Average number of responses for each variable.

By: Susie White
Re: SB 2256 3/10/05
Pg: 1 of 2

Mr. Chairman and Respected Committee Members,

I am Susie White. My husband, children and I own and operate the Lone Steer in Steele, ND and 2 smaller bars in Steele and Napoleon, ND. All 3 of these business's have been seriously affected by the proclamation that our Governor signed, which zoned our immediate area and surrounding communities, following the session 2 years ago.

The dollars that we were able to physically follow at the Lone Steer on cancellations on rooms and adjusting for meals and alcohol amounted to a devastating \$35,000.00 for us. This did not include the wages and tips that our staff lost or the gas and all of the other commodities that go along with these guests. Our local bartenders-who do not worry about legislation as much as an owner who is responsible for bills, payroll and maintenance-asked where is everyone? What has happened? We didn't think it would be this bad! They reminded us of people that they have seen coming for years that did not show up that we did not count in those figures.

The real travesty of this entire dilemma is the untrue myths created about hunting in most of our state and especially for Kidder County. We are not inundated with hunters-the exact opposite is true for as long as I can remember. Even when the water was at its best and the weather cooperated with us, I did not have complaints from hunters that they had other hunters interfering with their blinds like you are led to believe. In fact this last season a man that grew up in Steele will tell you that he had to take his two young sons with to scare up some birds on another slough. I heard that story over and over and over-there isn't even enough hunters to move the birds around Susie. A lot of Senators and Representatives that hunt on Robin Weisz's land will repeat that same story.

I do believe at one time in the Mott area it was a nightmare as there weren't any pheasant anywhere, except there, and yes it is true...it was not a hunt without pressure. Pheasant are abundant in many places and now and I believe Mott felt the relief.

In state hunters will most likely tell you they are not interested in ducks and yet we don't want people here or if they come they are not allowed on the same land the second week of the season??? That bill was a joke also!

My extended family, of 80 some, hunt more than any in state people I know. We have never posted land until this proclamation-there wasn't a need to. There were never too many hunters to even infringe on our families daily schedule. Only the hunters who have not created relationships with neighbors or treated other landowners without repeat will complain about hunter pressure because the land owner probably did not want them back and let someone else on his land, making some excuse.

By: Susie White
Re: SB 2256 3/10/05
Pg: 2 of 2

I do know that this proclamation was also written to try and keep out of state people from buying land. They wouldn't be sure of where they could hunt, was the plan. Two years later these people realized that this is not true either. It only made it worse. I too feel sorry for the young local farmer that can't compete against the city dollars but how would you like to be the farmer that reaps a harvest? You too would sell your business to the higher bidder-we need to walk in one another's shoes.

I also want you to know today that I saw the proclamation that the Governor signed, after our Legislature had voted on no zones, FOUR YEARS PRIOR TO THAT!!!!!!!!!!!!!! It wasn't written by the Game and Fish Dept. That is a fact. After 4 years of running to wasted meetings and hearings for hours on end, I feel the only hunter pressure problem that our state has is the pressure put on the Game and Fish to protect a few people that are not true hunters but Internet maniacs!!!!

I always tell Dean at Game and Fish-I will stop pursuing this issue when you come and sit in Kidder County and show me where these 1000's of hunters are hiding out at. We want them in our county and we can't find them!!

Thank you for your support in favor of this bill.

Kindly Submitted,

Susie White
701-475-2221
lonesteer@bektel.com

3/10/05



Administration:
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P.O. Box 2064
Fargo, ND 58107
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Fax: 701-298-2210

State Headquarters:
4023 State St
P.O. Box 2793
Bismarck, ND 58502
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Fax: 701-224-9485

North Dakota Farm Bureauwww.ndfb.org

North Dakota Farm Bureau Testimony on Senate Bill 2256

Good morning Chairman Nelson and members of the House Natural Resources Committee. My name is Brian Kramer and I am representing North Dakota Farm Bureau. We support Senate Bill 2256. We have policy supporting action to repeal the restrictions on nonresident hunters with regard to waterfowl zones. While SB 2256 does not repeal the restrictions, it does provide nonresident hunters the option to hunt in any zone upon the payment of an additional fifteen-dollar fee. The addition revenue generated is targeted for the Private Land Open To Sportsmen (PLOTS) program.

We believe this is a common sense approach to the dilemma regarding nonresident waterfowl hunters. It provides flexibility to nonresident hunters to pursue waterfowl as they move. That is a major drawback of zones.

SB 2256 provides expanded economic opportunities for rural communities. It provides more access for hunters through increased revenues for the PLOTS program. It sends the message that nonresident hunters are welcome in North Dakota.

We support Senate Bill 2256 and encourage you to give it a "DO PASS" recommendation. Thank you, I would try to answer any questions.

3
By: Bill Ongstad

Re: SB 2256

3/10/05

Senate Bill 2256
March 10, 2005

Support of SB 2256

Bill Ongstad
4135 25th St NE
Harvey, ND 58341
bongstad@starband.net

Mr. Chairman, members of the committee, I am Bill Ongstad and I farm near Harvey and Robinson in central North Dakota. I support SB 2256. The zone rules are hurting our rural economy as it keeps the out of state hunters from coming to our area. They are scared to be caught in the wrong place. When they come they often want to spend more than one week in the same place. The problem is when they do not come, a revenue source is gone forever for my neighbors in the café and lodging business.

This bill would solve the problem. It is not an unreasonable amount of money and it is just a simple way to solve a problem. We need to welcome out of state guests and make them feel welcome. SB 2256 will do that and I ask you to support the bill. It is good for economic development in North Dakota.

By: Paul Overby
Re: SB 2256 - 3/10/05
Pg: 1 of 4

Date: March 11, 2005
To: House Natural Resources Committee
From: Paul Overby
Wolford, ND
RE: Support for SB2256 - State wide waterfowl license

My name is Paul Overby from Wolford, ND. My wife Diane and I reside in Rolette County and farm land in Rolette, Pierce, and Towner Counties.

Senate Bill 2256 is an attempt to level the playing field back out a bit. I say "back" to mean the way that this Committee, the House, the Senate, and governor's signature on bills were left at the end of the 2003 session.

While I would probably have chosen a different approach to address my concerns, the approach by the sponsors of this bill to create a statewide waterfowl license is close enough to accomplish my goal of giving small communities and rural residents the chance to derive a benefit from the millions of waterfowl that that are raised on our rural lands and traverse our state every fall.

You may wonder why someone who lives outside of Zones 1 & 2 would care. Don't the zones help move hunters to my area?

Unfortunately, by the end of the contentious debate on the waterfowl hunting issues during last session, many of our non-resident family members, guests and visitor hunters were already disillusioned about coming to North Dakota to hunt. The veracity of the debate and the combination of fee increases and restrictions on weeks to hunt and access to public lands, and then finally the creation of one week restrictions for Zones 1 & 2 by proclamation, created a clear impression that "they weren't wanted in North Dakota."

I'm here to tell you that nothing could be farther from the truth.

Those of us in North Dakota who provide the majority of the land for both the raising and the hunting of waterfowl want both resident and non-resident family members, guests and visitor hunters to come to our communities.

I care because I care about rural North Dakota. I chose to move back to this state from an enjoyable and successful career in North Platte, Nebraska. Part of the draw for me are the prairies of North Dakota. Even in Nebraska I felt much more at home out in the Sandhills then I ever did living in the Platte River valley.

When I arrived in 1993, the state seemed as full of promise as it does today. The 1992 harvest was very good, farmers were doing well. The urban areas were dealing with less than stellar growth, but Governor Ed Schafer had just been elected with a promise to "build North Dakota." But rural North Dakota was about to go through a very dark period of major weather disasters, crop losses, and low prices.

I haven't forgotten. My first year of farming we had 16 inches of rain in June. Talk about raining on a parade. It was devastating. But the worst was yet to come as scab and other diseases ravaged our crops in the next several years. And we began to live from one disaster program to another.

In 1997 I took a job as a part-time mediator for the Department of Agriculture, working with

farmers and lenders deal with the financial stresses that had finally become "too much" for some family farms, a position I still have. I watched, and helped, farmers to put land into CRP in order to "keep the family land" and at least salvage that much from their shattered dreams. I listened to bankers struggle with the decisions that they knew they had to make for their business. But they also knew that they were forever changing the life of a neighbor, a fellow church member, another community supporter. And they also knew that when those families left it would hurt the schools and all of the other business in their community.

Those were some hard decisions. And there were tears more than once.

Those thousands of acres enrolled in CRP damaged the businesses that supplied the farms, further hurting these communities. Many of those farmers did leave our rural communities. And many of them moved to the larger cities in North Dakota. Cities like Fargo experienced a surge of growth as people moved in, providing jobs for home and apartment building. And an expanding labor pool to use to entice businesses to move in and/or expand.

Much of that growth, and the profit that comes with it, came at the expense of the brothers and sisters and cousins still living in rural North Dakota.

But something was starting to happen out in the prairies of North Dakota. Gov. Schafer's enthusiastic promotion of "Building North Dakota" was infectious. Hundreds of small rural towns sport those signs that look like license plates. And Gov. Hoeven continued that with the theme of "Growing North Dakota."

Farmers and rural communities saw that rain brought restored wetlands. Which we can't drain, but they raise a heck of a lot of ducks. And CRP was providing great wildlife habitat, so that we now have more total and diversified wildlife in my part of North Dakota than I can ever remember.

Other things were happening, too. Marketplace, started by Sen. Conrad and Ag Commissioner Sarah Vogel, and now Commissioner Roger Johnson, was providing opportunities for farmers, ranchers, and rural communities to learn about the potential benefit of rural tourism. Year after year people came to learn how to provide hospitality to guests and visitors to rural North Dakota.

This included ag experiences, outdoor adventures, birding, and, yes, hunting. Just last week the ND Tourism Department held a conference on "Cultural tourism." This is all an exciting part of extending an open door to come to rural North Dakota.

And at the same time, people were rediscovering the tranquility of those small rural towns and buying houses in them. Houses that were decaying were being fixed up, the neighbor boy hired to mow the lawn. And as one house was fixed, it spurred on cleaning up and fixing up other parts of town. (See Attached article.)

The rural spirit of North Dakota is starting to experience a revival of spirit. And I am all in favor of reviving the spirit!

But the experiences of the 2003 session regarding hunting threw a lot of cold water on that warming spirit. And the restrictions imposed by Zones 1 & 2 hurt even more. SB 2256 will help to bring some balance back to the equation.

But there does need to be an element of caution in all of this. During this year's Marketplace I attended a session on tourism opportunities for Native Americans. One of the presenters, Dakota Goodhouse, pointed out an important consideration -- how do you invite people to share and experience your culture without destroying that very culture? There was much wisdom in his question.

The rural communities who wish to lay out the welcome mat for hunters will need the help of

those very hunters and the N.D. Game and Fish Department in order to sustain it as a viable opportunity. To keep the culture of openness and respect. To keep the opportunity of a good hunting experience. Some will contend that zones do just that. I disagree. Based on research from the ND Game and Fish Department Advisory committee minutes, these zones weren't implemented with any biological or scientific basis, rather they were political "people management" concerns.

In order to address these concerns we need a much broader community dialoge on these issues. The wildlife belong to the greater community, not just rural areas. And not just hunters.

So, while the sponsors of this bill direct it to purchasing more PLOTS, I would much rather see a discussion with ND Game and Fish about dedicating those funds to developing a program that works with communities on developing and managing the benefits of the hunting resources within that community. Working in the communities like Gackle, and Edgely, and Tuttle, not in Bismarck. That will take time, effort, and of course money.

I encourage your support of SB 2256.

By: Paul Overby

Re: 582256

3/10/05

Pg: 4 of 4



Global pivot point

"Men have become the tools of their tools." – Henry David Thoreau (1817-1862)

I believe the Northern Plains has arrived at a point that is globally significant.

The beauty of my position is that I don't have to prove this premise beyond a shadow of a doubt; I can build a theory based on some facts and my unique exposure to lots of smart people from all walks of life ... education, business, and politics to name a few.

I think the hard evidence and anecdotal evidence indicates that we are stemming the tide of rural out-migration for the first time in the history of the world.

Here's how we arrived at this point in time.

The Northern Plains were settled primarily by agricultural pioneers and hunter-gatherers, first by native peoples, then by immigrants from northern Europe. The prolific success of these agriculturists was much admired by early cultures and (to this day) recognized by hungry people all over the earth who have sustained themselves and their families on plants and animals raised on the plains.

Following World War II, much of the world was in dire straits and close to starvation. American farmers were asked to put more land into production to feed the world. We did it, with great success. Then, when the world's farmers got back on their feet – and there was too much grain and other food – American farmers were left holding the bag. We had excess capacity and too much land in production for shrinking global demand. Commodity prices plummeted.

The factories that had produced planes, ships, tanks, jeeps, trucks, and weapons to win the war began producing more mechanized approaches to farming, driving down the need for large farm families, increasing the acres a single farmer could work, and creating a huge pool of cheap labor. That cheap labor migrated into urban areas at a rate that was phenomenal.

How phenomenal? Look at China, India, and other emerging economies and you can witness a re-run of how rural out-migration transpired in America over the last five decades. What's happening there now, happened here earlier.

Now, we are once again ahead of the curve.

The rampant consumerism that is driving global growth with cheap labor in Asian lands is creating a plugged up delivery system and other undesirable outcomes in the minds of increasing numbers of discriminating Americans.

Many people are beginning to realize that the

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price for plopping down in the middle of a consumer's smorgasbord is not worth the sacrifice in terms of traffic congestion, expensive housing, soaring insurance rates, polluted air, relatively high crime, limited outdoor recreation options, faltering public education, and a growing concern for blackouts, brownouts, and terrorist attacks.

For North Dakota the evidence of this major demographic shift is in the latest census figures showing the state with a net gain of 966 people in the 12 months ended July 1, 2004. That's significant when you consider that we lost people every year since 1996. The prairies of southern Manitoba also gained people in 2004, a dramatic shift in population trends there.

On an anecdotal level, I've had several conversations with people about a paradigm shift in American attitudes about where people want to live.

I chatted recently with Rich Karlgaard, publisher of *Forbes* magazine, on the topic of relocation. He was in his hometown of Bismarck and we talked about his recent book, *Life 2.0*, which documents a movement of highly trained and skilled professionals cashing in the equity of their coastal homes and moving inland to purchase nice homes for a lot less money. Part of the reason for this migration is the amazing spread of broadband access to the Internet and other networks; which leads to an elimination of the 'sophistication gap' in Karlgaard's opinion.

Another Bismarck native, Bill Owens, former Navy admiral and vice chairman of the Joint Chiefs of Staff, is the president/CEO of Nortel Networks who is encouraging more rural broadband development and cites statistics indicating a rapid roll-out of broadband in rural areas.

Tara Holt, founder of the Center for Technology & Business in North Dakota, says she knows of some rural towns that can't keep up with the housing demand, something confirmed by my friend Peter Evert (part owner of Everts Lumber in Battle Lake, MN) when he talks about his old duck hunting haunts in Gackle, ND. Evert says he knows of many houses bought there by hunters who have now begun using them as 'retreats' all year round to escape the Twin Cities and other urban areas.

Northwest North Dakota is still fielding e-mail contacts from a CNN.com story on free housing lots in Crosby. At last count, over 1,100

men and women had responded and more were coming in every day, according to Steve Andrist, publisher of the local weekly newspaper.

Books and articles on slowing down the pace of life are becoming best sellers. It would seem the allure of multi-tasking can only sustain a glow for a while before people begin asking themselves what's truly important about how they live the seconds and minutes they are granted on earth.

I am fortunate in the fact that I'm not a demographer, inhibited by hard data gathered over a period of time. They are saddled with facts that are months, often years, old. On the other hand, I can speculate about trends based upon my desire to see small towns saved and the inherent value of a slower lifestyle carried into the future.

Why bother? You might well ask.

The answer is simple in its complexity. I don't think mankind is ultimately served to its best advantage when we all become mindless drones intent on purchasing more and more material goods just because they are being marketed to us. At some point, I believe many rational individuals will step back and call a time out from the incessant pursuit of more money, more toys, more 'status' and more mind-numbing pursuits designed to extract money from every organism that can generate wealth.

For those people who have become tired of being 'tools of their tools' small town life is a logical answer because it is self-evident on its face value. Without ready access to every discount store and chain restaurant in the world, people have a tendency to develop and enhance other values --- like human relationships.

I don't know how it will finally play out, but if we simply preserve the essence of rural living, we can continue to live well and live long. Along the way, we will also continue to produce the kinds of leaders who are right now in positions of power across the spectrum of organizations that require cool heads, ethical actions, and solid principles ... often easier to nurture and grow out of the mainstream of frenetic consumer societies.

Rick Killion

Rick Killion, Editor
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b

Number of NR waterfowl licenses sold

10:55 Monday, January 3, 2005 1

By: Paul Overby
From NDG+F - Schadewald

2004

Re: SB 2256 3/10/05

Pg 1 of 4

FREQ Procedure

LICENSE_TY

LICENSE_	Frequency	Percent	Cumulative Frequency	Cumulative Percent
417.0000	24407	100.00	24407	100.00

NR waterfowl licenses distribution of zones

10:55 Monday, January 3, 2005 2

The FREQ Procedure

~~ZONE1~~ - Week 1

ZONE1	Frequency	Percent	Cumulative Frequency	Cumulative Percent
200 Zone 1	5656	23.17	5656	23.17
201 Zone 2	2815	11.53	8471	34.71
202 Zone 3	15936	65.29	24407	100.00

~~ZONE2~~ - Week 2

2	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Zone 1	1319	5.40	1319	5.40
201 Zone 2	772	3.16	2091	8.57
202 Zone 3	22316	91.43	24407	100.00

Zone 1

Zone 2

Zone 3

Week 1 2001 2004
 8600 - 5600
 Week 2 8400 - 1300

4900 - 3000
 4600 - 900 (Dry)
 3000 - 2003

NR waterfowl licenses distribution of zones
2003 season

By: Paul Overby
From: NDG+F -Schadewald
Wednesday, November 26, 2003
Re: SB 2256- 3/10/05
Pg: 2 of 4

~~ZONE1~~ - Week 1

ZONE1	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1	5823	22.34	5823	22.34
2	3031	11.63	8854	33.97
3	17207	66.03	26061	100.00

~~ZONE2~~ Week 2

ZONE2	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1	1522	5.84	1522	5.84
2	889	3.41	2411	9.25
3	23640	90.75	26051	100.00

Frequency Missing = 10

The FREQ Procedure

By: Paul Overby
 From: NDG+F-Schadewald
 Re: SB 2256- 3/10/05
 Pg: 3 of 4

ZONE1	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1	7503	25.05	7503	25.05
2	2851	9.52	10354	34.56
3	8282	27.65	18636	62.21
4	11320	37.79	29956	100.00

Frequency Missing = 39

ZONE2	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1	7092	38.07	7092	38.07
2	3068	16.47	10160	54.54
3	8468	45.46	18628	100.00

Frequency Missing = 11367

The FREQ Procedure

By: Paul Overby
 From: NDG+F/Schadewak
 Re: SB 2256- 3/10/05
 Pg: 4 of 4

1st 7 days

ZONE1	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1	8584	43.09	8584	43.09
2	4371	21.94	12955	65.04
3	517	2.60	13472	67.63
4	6448	32.37	19920	100.00

Statistical 14 day

2nd 7 days

ZONE2	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1	8378	62.19	8378	62.19
2	4559	33.84	12937	96.04
3	531	3.94	13468	99.98
4	3	0.02	13471	100.00

Statistical 14-day

Frequency Missing = 6449

By: Paul Overby
 Addendum to 5B 2256
 3/10/05

Table 5. Hunter and Angler Expenditures in Rural Areas by Rural and Urban Participants, North Dakota, 2001-2002

Residence/Activity	Rural Hunters/Anglers			Urban Hunters/Anglers		
	Rural Spending per Person	Total Spending in Rural Areas		Rural Spending per Person	Total Spending in Rural Areas	
<u>Resident</u>	- % -	-- \$ --	-- \$ --	- % -	-- \$ --	-- \$ --
Antelope						
Archery	72.0	644	152,000	57.7	516	298,000
Firearm	79.1	366	121,000	64.8	300	137,000
Gratis	89.2	169	38,000	84.3	159	5,000
Deer						
Archery	68.7	436	2,353,000	42.8	271	1,587,000
Firearm	80.3	346	15,018,000	43.4	187	8,454,000
Gratis	83.0	185	1,506,000	51.2	114	103,000
Muzzleloader	74.0	229	203,000	35.5	110	77,000
Special Big Game	83.7	778	160,000	59.3	551	93,000
Furbearer	81.6	465	6,100,000	50.3	287	3,617,000
Small Game						
Upland	70.8	512	9,174,000	41.9	[303]	10,532,000
Waterfowl	72.8	590	7,269,000	41.1	[333]	7,622,000
Fall Turkey						
Regular	78.0	188	371,000	45.1	109	322,000
Gratis	86.6	110	28,000	57.1	73	5,000
Fishing						
Open Water	72.3	1,474	60,282,000	38.0	774	58,778,000
Ice	76.6	474	14,253,000	35.0	216	4,520,000
Darkhouse Spearing	71.1	320	161,000	36.9	166	71,000
<u>Nonresident</u>						
Antelope Archery	63.8	444	18,000	75.8	528	25,000
Deer						
Archery	75.5	883	568,000	75.0	877	541,000
Firearm	74.7	367	128,000	65.5	322	338,000
Small Game	81.4	625	8,265,000	80.6	[619]	17,390,000
Fishing	66.1	584	7,380,000	66.5	588	13,794,000
Total, all groups	76.3 ^a	na	133,548,000	54.7 ^a	na	128,309,000

Note: Average rural spending was rounded to the nearest dollar.

^a Simple average and does not reflect weighting by dollar volume or number of participants.



**Cass County
WILDLIFE CLUB**

Box 336
Casselton, ND 58012

By: Harold Neameyer
Re: SB 2256
3/10/05



**TESTIMONY OF HAROLD NEAMEYER
CASS COUNTY WILDLIFE CLUB
PRESENTED TO THE HOUSE NATURAL RESOURCE COMMITTEE**

ON

SB 2256

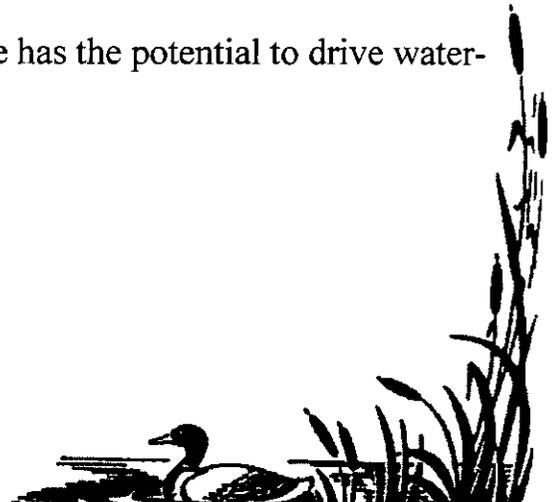
MARCH 10, 2005

Mr. Chairman and Members of the Committee:

The CCWC opposes this bill for the following reasons:

1. This bill will reduce if not eliminate effective management of the hunting pressure on waterfowl. The efforts to distribute hunting pressure will be greatly diminished.
2. We expect over-crowding in those areas where the water conditions are the best. We also expect that most non-residents will opt for the statewide \$100 license. Overcrowding reduces the quality of the hunt for both residents and non-residents.
3. Reducing the management of hunting pressure has the potential to drive waterfowl out of an area, and maybe out of state.

Please give this bill a **DO NOT PASS**.



North Dakota
Outdoor Heritage
Coalition

Curt Blohm
(701) 258-7056

Senate Bill 2256

Reference: Establishes a statewide nonresident waterfowl license
with a cost established at \$100.00.

House Natural Resources Committee

Hearing Date: March 10, 2005

Good Morning, Mr. Chairman and Committee members. My name is Curtis Blohm. I appear before you today representing the North Dakota Outdoor Heritage Coalition. This coalition was founded out of the need for representation before the legislative committee by North Dakota citizens concerned for the preservation of our unique outdoor recreational heritage.

The ND Outdoor Heritage Coalition is opposed to the content of this Bill. Although the proposed legislation does not remove the 3 hunting zones it makes the utilization of the zones as a management tool much less effective relative to the dispersion of non resident hunters throughout the state. Waterfowl hunters naturally gravitate to locations holding the highest numbers of waterfowl creating competition for prime waterfowl hunting locations. We feel that the communities in Zone 3 would definitely see a decline in nonresident waterfowl hunters because of this legislation. The Zones were created to spread out hunting pressure in time and space and hopefully retain birds locally. Zones assist in a manageable harvest rather than driving waterfowl from the state early. Resident hunters hunt primarily on weekends and holidays, whereas nonresidents hunt hard during the specified time of their license. The nonresident hunting day's currently in affect in the 3 zones somewhat ensures an equitable spread of tourism dollars across North Dakota. We also believe that this legislation could lead to an increased demand by nonresidents to purchase land for recreation hunting in the best waterfowl hunting areas in the State.

We ask the Committee to vote a "Do Not Pass" recommendation on this legislation.

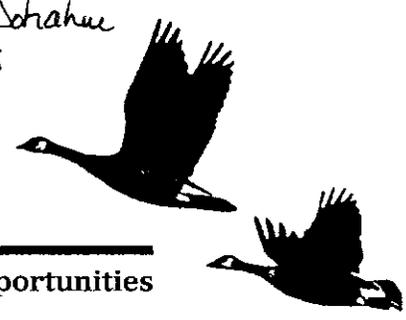
Thank You.

11

By: Mike Donahue
3/10/05

North Dakota Wildlife Federation

Abundant wildlife and wildlife habitat, and access to wildlife recreational opportunities



3/10/2005

For: House Natural Resources Committee

Ref: SB 2256

The North Dakota Wildlife Federation and the United Sportsmen of North Dakota oppose SB 2256.

We ask that you give SB 2256 a Do Not Pass.

A session or two back you set the policy that zones shall be used to help manage hunting pressure on the waterfowl resource. To assist with that management the non-resident seven day statewide license was removed.

Now, because some people believe that the downturn in hunter numbers is due to the zones used, the constituent effort is to allow the disregarding of zones for a price.

We believe the downturn in hunter numbers was due to there being less water and fewer ducks over the last two seasons.

Please leave the current policy in place and see what happens when things get wet and waterfowl numbers go up.

Thank you,
Mike Donahue
Lobbyist #275



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