

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1149

2007 HOUSE NATURAL RESOURCES

HB 1149

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1149

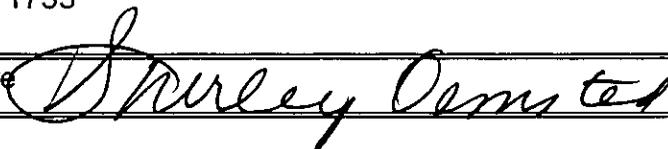
House Natural Resources Committee

Check here for Conference Committee

Hearing Date: January 23, 2007

Recorder Job Number: 1733

Committee Clerk Signature



Minutes:

Chairman Porter called the hearing to order for HB 1149.

Representative Don Dietrich from District 42 came forward to introduce the bill. See attached written testimony marked as Item #1.

Representative Clark asked Representative Dietrich how old he was when he started hunting.

Representative Dietrich indicated that he was about 6 years old.

Representative Solberg asked that if a youth applies for a buck license and does not get a buck license, does he automatically get a doe license.

Representative Dietrich said it was.

Representative Hunskor said he read nothing in the bill about the youth being accompanied by a parent or guardian. Is this part of this bill?

Representative Dietrich said that was in the proclamation and statute.

Chairman Porter indicated that was covered under a different part of the law.

Representative Charging came forward in support of HB 1149. She looks at this as a great opportunity for young women to become hunters. She feels that if they start hunting early in life before they get involved in other events. She thinks it will develop their interest at an early age. She thinks they are opening the door to the younger population. She urges a do pass.

Representative Nottestad of District 43 also came forward in support of this sponsor. He wishes that this would have been in place when his 2 daughters were at the age of 12. By the time they reached 14 they had other interested. He is urging a do pass on this bill.

Chairman Porter asked for testimony in favor of HB 1149.

Mr. Darren Gowens, representing the National Rifle Association came forward in support of HB 1149. He is also part of family of fields which a national organization that has gotten together and is composed of the National Turkey Federation, the US Sportsman Alliance, and the National Shooting Sports Foundation. These groups have come together to lower the barriers to getting youth in the field. In hunting, they have found that this is a heritage, an important American heritage that is disappearing. People don't necessarily realize this. In 1982 there were 15,000,000 licenses, and since then we have lost 2,000,000 licenses in the country. Family Fields did a study on hunter retention. They found that for every 100 hunters that retire, we have been replacing them with 52. There are only 10 states that are rated worse than North Dakota. In 30 states there are no minimum hunting ages. We let parents make those decisions. The safety records for the states that don't have a minimum age and put that responsibility on the parents actually has a better safety record than those states that have a restricted age. Only 7 states have positive hunting retention rates. On behalf of the groups he is representing, he would recommend a do pass on this bill.

Representative Solberg asked if he represented the NRA. Regarding youth memberships, do you have a large number of youth memberships?

Mr. Gowens was not sure of the numbers but he has found that it is very tough to get young people involved in hunting because certainly there are lots of other distractions such as ipods and video games. If you wait until they are 14 to get them in the field hunting, they will have

many other interests by then. Their youth membership will fluctuate and it usually fluctuates with the adults.

Representative Solberg asked if the NRA had programs to encourage the youth memberships.

Mr. Gowens said yes. They are one of the leading organizations in shooting safety. They have lots of national competitions.

Representative Nottestad asked about discounted rates. Do they provide discounted rates on youth memberships.

Mr. Gowens asked if he meant other than the \$35.00.

Representative Nottestad said yes.

Mr. Gowens said he did not know what the membership fee was for someone under the age of 18. He was not sure if it was a discounted rate.

Representative Damschen asked if they had other promotional ideas to get the youth involved in hunting at an early age. He realizes that the NRA is a guns rights advocate, not just hunter advocates. Do you have programs that teach the basic right to bear arms to youth so that they are interested in the organization even if they are not particularly interested in hunting?

Mr. Gowens said that he knows that they definitely discount their life memberships for children and youth and he thinks that applies to the annual too. He will certainly try to get that information. They host an annual education summit in Washington, D.C. They do all sorts of things to appeal to the youth.

Representative Hanson asked if the NRA membership is going up or down.

Mr. Gowens said their membership remains pretty stable at 4 million. It fluctuates with elections.

Mr. Dominick Goettle. He is 12 years old. Last year he took Hunter Education and participated in the youth pheasant hunt last year. He walked along side with his Dad when he went deer hunting but didn't hunt. He thinks it would be a lot of fun if he would be able to hunt with his Dad.

Representative Meyer asked Clay Carufel to come forward to give some professional advice from a youth hunter.

Clay Carufel came to the podium. He said that he enjoys hunting and he would like to see it go to 12 years old because he can hunt with his Dad.

Representative Meyer asked how old he was.

Mr. Carufel said he was 13.

Representative Meyer asked him if he thought he was responsible enough to carry a gun and go hunting with his dad.

Mr. Carufel said he took hunter safety when he was 11 and he has been hunting for 2 years. He passed the safety class.

Representative Hunskor asked if while he was out hunting with his dad, did you have to teach him a few of the safety lessons that you were taught.

Mr. Carufel said that he really didn't remember.

Chairman Porter asked for any further testimony in favor of HB 1149. Seeing none he asked for opposition to HB 1149.

Mr. Foster Hager, representing the Cass County Wildlife Club, offered written testimony in opposition. Please see attached testimony marked as Item #2. He feels like the language in lines 15, 16, and 17 should be changed. It appears that if they apply, they will be issued a license and they should have to apply and go through the drawing like other hunters.

Chairman Porter said he thought the language for this is already in existing law. He asked that this particular law change would put the responsibility back on the parents or guardian, so I was wondering how you think 12 years old is too young if it is left up to an adult to make the determination.

Mr. Hager said that the club feels that 12 years old is too young to be in the field with a high powered rifle.

Chairman Porter asked if there was anything that would limit an 8 year old from going out and getting a general small game license and habitat stamp and shooting rabbits with a 243.

Mr. Hager said that he thought they could do that.

Representative Solberg asked how does he determine who is too young?

Mr. Hager said that is the 64 dollar questions. The bill has been 14 years old and they wish to change it and the feeling of the club is too young. A parent can determine that because it would be up to him if he wanted his child to hunt.

Representative Drovdal said there was previous testimony from the NRA and according to their studies states that have the lower hunting age are the safest states. Would you care to comment on that?

Mr. Hager said that he can't get into statistics because he has not had a chance to look at them. Their club feels that 12 are too young and he is testifying for his club.

Representative Charging said she knows that Cass County appears regularly and they take this testimony into consideration as we make these decisions as well. Do you have a youth membership to the Cass County Wildlife Club? Are there young people in this club?

Mr. Hager said yes they do. They have an excellent hunter education program as well. He thinks all young people should take that. They have a family membership and an individual

membership. There are over 200 sports people in this club and a great many of them have a family membership.

Representative Charging said she thought that was wonderful. At eleven when they engaging in hunter safety that is very fresh in their memory and they have had an opportunity to shoot those weapons.

Mr. Hager said he agrees with what they are saying and some twelve year olds can probably handle it. The club feels the majority are just not mature enough to be out there with a high powered rifle.

Representative Nottestad asked if when the club made this decision, was the membership polled and how did the hunter safety instructors have any comments about it.

Mr. Hager said the club has 6 individual that are on the legislative committee. They take input and poll the organization. Those 6 members decide how they want him to testify. He is speaking for the club.

Representative Hunskor made a comment that there are adults who are not very responsible hunters. It would seem that the greater number of years a young person can hunt with his parent it is going to make a more responsible group of hunters as we get into the future. It sounds like a very good program to me.

Mr. Hager said that he agrees with what they have to say. The more youth that you can get into hunting because we are loosing them like the NRA said so that is a good program. My club feels like 12 year olds are too young.

Mr. Hager wanted to testify on behalf of himself. He has spent 32 years in education so he has dealt with a thousand or more seventh and eighth graders. On the average he feels there is a considerable maturity difference a 12 year old and a 13 year old. I am not saying all, but I am

saying there is a difference. He feels that this bill would have a better chance of passing if the age was 13. He would recommend that 13 be put in place of 12

Mr. Mike Donahue came forward representing the United Sportsmen for North Dakota and the North Dakota Wildlife Federation. They just had a convention last week representing the 1200 members. Under Section 2 of the license, they support that. They do think that lines 15 and 16 need to be looked at again. You might want to delete issue and insert the word sold. The main discussion is being in the field with a shotgun at a certain age. They do not feel that it is a hunter recruitment issue. They do not think that it is a biological issue. There is really not many documented safety problems as far as a 14 year old that is currently in effect. They understand from the Game and Fish that the fiscal note is insignificant. Having said all that, the overall membership concurred and they object to the age change. They urge a do not pass.

Mr. Roger Rostvet from the North Dakota Game and Fish came forward to answer questions. He passed out an article that was run in the most recent North Dakota Outdoors Magazine. The title of the article is young hunters. North Dakota has more young hunters now than they have ever had. The number one age group for deer hunters in North Dakota is 14. They have a number of programs open for youth, including the special youth waterfowl week, the youth access program, and the youth pheasant hunting season. They have also worked on a youth access program. There are now more hunters in North Dakota than they have ever had. The hunters are up about 27% in general hunters since 1990. Thirty percent of all 14 year olds in North Dakota are hunters. There is no significant change to the safety records in North Dakota. He said their statistics have a retention rate of 1.19. There are about 4,000 new hunters in the new application pool. There are a number of states that allow 11 year old deer

hunters. They would continue to have the youth deer hunting season for those between the ages of 11 and 15. There are currently about 2,700 youth deer hunters.

Representative Porter asked with the up and coming numbers and the decline of the population of our youth, is it important to get our youth addicted to the outdoors sports like we are.

Mr. Rostvet said that was their goal in North Dakota. Most youth are probably starting out with smaller game and other small game species.

Representative DeKrey asked how the department looks at the language of this bill and how do you interpret it. When he looks at the language of this bill he interprets that they would have to apply just like anyone else and if they weren't 12 yet, they would only be eligible for a doe license. Is that how you read this language?

Mr. Rostvet said it was a little hazy, but if they were 15 years old and applied in the regular lottery, they wouldn't be required to get a license, but if they were in the youth season they would be guaranteed a license.

Representative Drovdal asked about the safety issues. What is the opinion of the Game and Fish on this? Do you think 12 year olds are mature enough to make safe decisions?

Mr. Rostvet said there was no indication or statistical information that says 12 year olds are any more dangerous than 20 year olds.

Representative Hunskor asked if there were any further restrictions than the requirement that the parents be with them.

Mr. Rostvet said he didn't believe that there were any other restrictions.

The hearing on HB 1149 was closed.

Representative DeKrey made a motion for a do pass. There was a second from

Representative Solberg. Chairman Porter asked for discussion. Seeing none, the clerk took

the roll. Let the record show that there were 12 yes, 2 no with all present. The motion prevailed.

Representative Drovdal will carry the bill to the floor.

FISCAL NOTE

Requested by Legislative Council

02/27/2007

Amendment to: HB 1149

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill reduces the minimum age for obtaining deer gun hunting licenses from age 14 to age 13.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

There would be no significant changes for revenue or expenses for this bill.

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.*

There would not be any significant change in revenue for the Game and Fish fund.

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.*

There would not be any significant additional expenses to implement this bill.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Paul T. Schadewald	Agency:	ND Game and Fish Department
Phone Number:	701-328-6328	Date Prepared:	02/27/2007

FISCAL NOTE
Requested by Legislative Council
01/05/2007

Bill/Resolution No.: HB 1149

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$5,500		(\$6,000)
Expenditures				\$2,500		\$0
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill reduces the minimum age for obtaining deer gun hunting licenses from age 14 to age 12. It also provides that "doe" licenses for the youth deer season are to be issued at no cost. Currently the cost of deer licenses for youth under age 16 is \$10.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Allowing age 12 and 13 year olds to hunt deer would initially result in an estimated 1,000 additional youth participating in the youth gun hunting season the first year. The total youth season participation the first year would be about 3,000 and the second year it would return to near the normal 2,000 hunter level. Based on historical sales, about 15% would opt to be issued a doe tag for the youth season. Increased license sales the first year would result in a one time revenue increase of \$8500. After the first year there would be a revenue decrease of about \$3,000 per year due to the 300 no charge licenses that would be issued each year.

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.*

For the 2007-2009 biennium there would be a revenue increase of \$5500 for the Game and Fish fund. For future bienniums there would be a revenue decrease of about \$6,000 per biennium.

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.*

It is estimated that the initial cost to modify the computer systems used for issuing deer licenses would be \$2500.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Paul T. Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	01/05/2007

Date: 1-23-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1149

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By DeKrey

Seconded By Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman - Rep. Porter	✓		Rep. Hanson	✓	✓
Vice-Chairman - Rep Damschen	✓		Rep. Hunskor	✓	
Rep. Charging	✓		Rep. Kelsh		✓
Rep. Clark	✓		Rep. Meyer	✓	
Rep. DeKrey	✓		Rep. Solberg	✓	
Rep. Drovdal	✓				
Rep. Hofstad	✓				
Rep. Keiser	✓				
Rep. Nottestad	✓				

Total Yes 12 No 2

Absent _____

Floor Assignment Drovdal

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

Motion Carries

REPORT OF STANDING COMMITTEE

HB 1149: Natural Resources Committee (Rep. Porter, Chairman) recommends DO PASS
(12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the
Eleventh order on the calendar.

2007 SENATE NATURAL RESOURCES

HB 1149

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2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1149

Senate Natural Resources Committee

Check here for Conference Committee

Hearing Date: February 22, 2007

Recorder Job Number: # 1149

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened the hearing on HB 1149 relating to the governor's proclamation concerning the youth deer hunting season.

All members of the committee were present except Senator Joel Heitkamp.

Representative Don Dietrich of District 42 co-sponsor of HB 1149 introduced the bill (See attachment #1).

Senator Herbert Urlacher asked if it was a requirement for an adult to be with the twelve year olds to hunt.

Representative Dietrich clarified it would be necessary as by proclamation and statute.

Senator Lyson asked for opposing testimony of HB 1149.

Mike Donahue representing the North Dakota Wildlife Federation and the United Sportsmen of North Dakota testified in opposition of HB 1149 stating that after much discussion the organizations feel the age of 12 is too young. There is a lot of difference between a 12 year old and 14 year old as far as ability to make quick judgment calls. He also stated 35 – 50 % in youth hunter education classes have included fire arm instruction with a 22 caliber and 20 gauge shot gun.

All and all 12 years olds are not physically capable of handling a high power rifle. He also presented to the committee a copy of an email message he received (See attachment #2).

Senator Lyson asked if parents should have an opinion if their child is capable.

Mike Donahue agreed until they are of the age of 18 as no all parents are responsible enough to make that judgment call.

Foster Hager representing the Cass County Wildlife Club testified in opposition to HB 1149 stating the club has a legislative committee with an accumulative 89 years of hunter education experience and opposes the bill because 12 years of age is too young hunt with a high powered weapon. The physical and mental capabilities between a 12 and 14 year old is tremendous and from his personal experience of working with youth agrees with that concept.

The bill needs some additional language pertaining to actual physical control. If lines 15, 16, and 17 are interrupted correctly, the state a person may apply for and be issued a deer hunting license if that person's 12th birthday occurs before the opening date. It should read "may apply for and may be issued" because the current language guarantees a license in both youth and regular season.

David Munsch testified in opposition to HB 1149 stating youth should start with archery hunting to learn the respect of the sport. He further gave his personal history of hunting that more education is necessary and 14 years of age is young enough to hunt.

Senator Lyson asked for neutral testimony.

Roger Rostvet, Deputy Director of North Dakota Game and Fish Department testified in a neutral position presenting a handout of youth hunting statistics and review of the youth hunting programs in North Dakota (see attachment #3). He further stated the number of North Dakota hunters is at an all time high with both adult and the youth which is opposite of national trends. He further stated 14 year olds are the single largest group of deer hunters in North

Dakota. The departments recruit methods with this age group has been very successful although it might not continue as time progresses. The high number of wild life also contributes to the recruitment of the numbers of hunters. Other states around North Dakota have 12 or less for deer hunting and that there is not a significant changes in numbers regarding accidents among the age differences. Most kids in North Dakota start out hunting of small game before deer hunting. In regards to competition of receiving a deer license, it is estimated if 12 year olds are included in the pool, there would be approximately another 4000 applications for the licenses.

Senator Lyson asked how the department interrupts the language on line 15, 16, and 17.

Roger Rostvet answered that is similar to other language and not every one you apply receives a license.

Senator Lyson questioned the lack of fee for doe licenses within the bill and if this was a result of high doe numbers. He questioned if this should be included in the bill or if the department should make that determination.

Roger Rostvet answered that all fees are set by statute.

Senator Lyson closed the hearing on HB 1149.

Additional testimony from **Lancer L. LaBar** was distributed to the committee members. (See attachment #4).

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1149

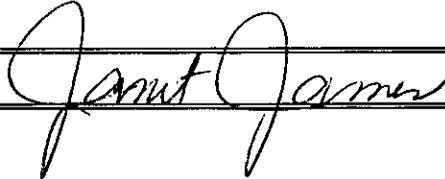
Senate Natural Resources Committee

Check here for Conference Committee

Hearing Date: 2-22-07

Recorder Job Number: # 3686

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened committee work and discussion on HB 1149.

All members of the committee were present.

Senator Joel Heitkamp stating in reviewing the bill he questioned as to low of an age should be allowed to deer hunt. In conversation with Senator Constance Triplett, she explained other states are not witnessing any problems.

Senator Lyson commented the handout from the North Dakota Game and Fish Department presented statistics in this regard.

Senator Lyson questioned that there is no fee for doe licenses which is alright when the doe population is high, but what will happen in the future when that is not the case.

Further discussion was held whether the fee should remain or removed from the bill.

Senator Ben Tollefson stated his concern if a 12 year old is capable of handling a high powered rifle.

Senator Triplett stated the last section of bill allows the governor's proclamation to establish the manner, number, places and times of the youth deer hunt and that the reference to manner might include the opportunity of Game and Fish to put some limitations on.

Senator Lyson commented that parents need to take some responsibility for their children although some might not be.

Senator Layton Freborg asked up to what age an adult must be with the youth to hunt.

The committee was unsure.

The committee further discussed the dangers of a high powered rifle and the abilities of youth to understand that and the dangers of hunting. The involvement of parents was also discussed.

Senator Freborg made a motion to amend HB 1149 to change the age of 12 years old to 13 years old.

Senator Heitkamp second the motion.

Discussion was again held in regard to the maturity of the youth, their physical capabilities and understanding of the dangers of high powered rifles. The amendment also moves most kids into the junior high school.

Further discussion was held regarding the \$10 fee and the amendment was clarified to remove the fee exemption and that the youth would then have to pay the \$10 fee.

Roll call vote #1 for an amendment to change the age of 12 years old to 13 years old and to include the hunting fee on HB 1149 was taken by voice vote indicating 7 Yeas, 0 Nays and 0 absent or not voting.

Senator Heitkamp made a motion for a Do Pass as Amended of HB 1149.

Senator Freborg second the motion.

Roll call vote # 2 for a Do Pass as Amended was taken indicating 7 Yeas, 0 Nays and 0 absent or not voting.

Senator Freborg will carry HB 1149.

February 22, 2007

JJ
2-23-07

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1149

Page 1, line 16, replace "twelfth" with "thirteenth"

Page 1, line 23, remove "and there is no fee for a license to"

Page 2, line 1, remove "hunt does during the youth deer hunting season"

Renumber accordingly

Date: 2-23-07

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1149

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amend art 12-13 - over strike 23, aka

Motion Made By Freborg Seconded By Heitkamp

Senators	Yes	No	Senators	Yes	No
Sen. Stanley Lyson, Chairman			Sen. Joel Heitkamp		
Sen. Ben Tollefson, ViceChairman			Sen. Jim Pomeroy		
Sen. Layton Freborg			Sen. Constance Triplett		
Sen. Herbert Urlacher					

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE

HB 1149: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "twelfth" with "thirteenth"

Page 1, line 23, remove "and there is no fee for a license to"

Page 2, line 1, remove "hunt does during the youth deer hunting season"

Renumber accordingly

2007 HOUSE NATURAL RESOURCES

CONFERENCE COMMITTEE

HB 1149

