

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2250

2007 SENATE NATURAL RESOURCES

SB 2250

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2250

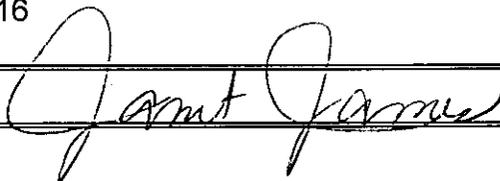
Senate Natural Resources Committee

Check here for Conference Committee

Hearing Date: January 26, 2007

Recorder Job Number: # 2016

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened the hearing on SB 2016 relating to a youth spring wild turkey licenses.

All members of the committee were present.

Senator Joel Heitkamp of District 26 prime sponsor of SB 2250 introduced the bill stating it is about a youth turkey hunting season. It is a very straight, simple bill and realizes there will be questions about how many turkey hunting tags are available. The bill encourages and creates energy for people to understand and enjoy turkey hunting. Turkey hunting can be made to be anything a hunter wants as there are areas where there is an over population of turkeys and they can be called out and a hunter can be finished hunting in a very short time. The bill is promoting a new generation to enjoy turkey hunting.

Senator Herbert Urlacher asked if there will be a designation of hunting in heavily populated areas of turkeys.

Senator Heitkamp responded there was no area designation in the bill, but would entertain the concept of zoning within the state.

Roger Collins, a retired biologist from Baldwin, North Dakota testified in support of SB 2250 on his behalf stating he has a strong interest in promoting the hunting heritage and providing

hunting opportunities for youth specifically a spring turkey hunt. Introducing the youth to hunting is the future of the sport. Many bills have been passed in past years supporting youth hunting opportunities including a youth pheasant, waterfowl and deer season, however there has been nothing for a youth spring turkey season. This would be a unique opportunity for a safe, exciting and controlled hunting situation with a mentor that would use calls to coach turkeys into view. He further stated the license would be similar to the youth deer license that is any youth that has never applied for a spring turkey license or a youth that has applied for a license but failed to receive one, the youth could then receive a youth spring turkey license. In future years they could be in the lottery just as everyone else. He further suggested an amendment for line 12, to change from "seventeen and under" to "fifteen and under" making it consistent with other youth hunting licenses. Numbers indicate there were approximately 1,100 spring youth turkey hunting applications and 300 of those youth were unsuccessful in getting a license. About half of those applications had received tags in the past, therefore, approximately 150 tags a year would go to youth hunting for the first time.

Terry Steinwand, Director of North Dakota Game and Fish Department testified in support of SB 2250 in the concept of encouraging youth hunting season. The department estimates approximately 300 licenses per year. It is also estimated the percentage of adult's success rate in obtaining a license will drop from 70% to 68%.

Senator Urlacher asked if there will be any zoning planned in order to maintain a consistent population of turkeys in all areas of the state.

Terry Steinwand stated there are presently zoning areas for turkeys and that there are specific number of licenses for each zone. The department also traps and transports turkeys that become problematic in some zones to other zones.

Senator Urlacher asked if the youth spring turkey licenses be confined to the heavily populated areas or distributed through out the state.

Terry Steinwand responded he envisions the youth turkey season to be much the same as the youth deer season although the details have not been worked out.

Senator Lyson asked for testimony in opposition to SB 2250.

Foster Hager representing the Cass County Wildlife Club testified in opposition to SB 2250 (See attachment #1). He also commented to add the fall season as this would help with crop derogation and that the bill should state the youth to be fourteen years and under.

Senator Lyson asked why the age of fourteen and under.

Foster Hager answered that eleven year olds can hunt now and this would allow younger students to hunt.

Senator Heitkamp asked if the age issue is about a one year concern. As the bill reads if the youth gets a tag, they do not get another youth tag again.

Foster Hager responded that there is all kinds of scenarios and they choose fourteen because they youth could then go down to eleven years of age (with hunter safety) and that would increase the numbers on the bottom end of ages.

Senator Heitkamp asked besides changing the age limitation, and having the fall or spring season addressed was there any way his club could support SB 2250.

Foster Hager responded the club would support SB 2250 with the fourteen age limit even if the season was in the spring but they would prefer it to be in the fall.

Dennis Daniel, testified in opposition to SB 2250 stating he thinks the hunting season should be in the fall instead of the spring for several reasons including it would then coincide with the pheasant season. In the fall there are many more opportunities to have a successful hunt as the season would be from October thru January instead of one month in the spring.

Senator Lyson asked for neutral testimony of SB 2250 and hearing none asked Roger Collins to return to the podium.

Senator Heitkamp asked him for reasons for why the spring hunt instead of the fall hunting season.

Roger Collins stated the introduction of youth to a new season should be in a safe situation as well with good sportsmanship and hunting ethics. The national Wild Turkey Federation has a youth program called JAKES (Juniors Acquiring Knowledge, Ethics and Sportsmanship). In the fall of the year there are many turkeys and therefore is very easy to bag a turkey, however in the spring in the warm weather a youth hunting along with a mentor to help set the ethics of hunting.

Senator Heitkamp asked Mr. Collin to comment on the spring hunt were just gobblers can be hunted lowering the chance of success compared to the fall with both gobblers and hens can be hunted and the shorter season in the spring verses the fall season.

Roger Collin answered he believes in the promotion of hunting not just killing of turkeys along with instilling the proper perspective of hunting emphasizing the relationship between the hunter, the game, the landowners, etc. This is why they prefer the spring.

Senator Lyson commented his concern with shooting hens in the spring, leaving the chicks orphaned and how this would affect the population.

Roger Collins answered that statistics show very few hens are shoot because hens are not legal game in the spring.

Senator Heitkamp asked if he had a problem with the North Dakota Game and Fish Department developing a zoning program.

Roger Collins answered he would not and that the intent of the bill is to provide youth with the additional opportunity comparable to other youth hunting seasons. It is the North Dakota Game and Fish Department purgative to for zoning for management purposes.

Senator Lyson closed the hearing on SB 2250.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2250

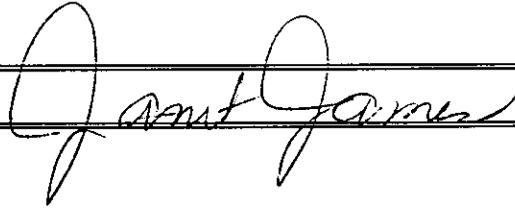
Senate Natural Resources Committee

Check here for Conference Committee

Hearing Date: February 8, 2007

Recorder Job Number: # 3217

Committee Clerk Signature



Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee opened discussion on SB 2250.

All members of the committee were present.

Senator Lyson stated to the committee it was suggested to amend SB 2250 to read "seventeen and under" to "fifteen and under".

Senator Joel Heitkamp stated it was also suggested to move the season to the fall. The amendment of fifteen and under is tolerable but not moving the season to the fall.

Senator Layton Freborg asked if there was a shortage of licenses in the spring so therefore move it to the fall or is it because there is too many in the fall.

Senator Heitkamp commented the bill does nothing if the season is moved to the fall because nothing is stopping the youth from getting a fall license.

Senator Freborg made a motion for an amendment to change on line 12, seventeen to fifteen.

Senator Jim Pomeroy second the motion.

A roll call voice vote for adoption of the proposed amendment was taken indicating 7 Yeas, 0 Nays and 0 absent or not voting.

Senator Freborg made a motion for Do Pass as Amended of SB 2250.

Senator Ben Tollefson second the motion.

Roll call vote #2 for a Do Pass as Amended of SB 2250 was taken indicating 7 Yeas, 0 Nays and 1 absent.

Senator Freborg will carry SB 2250.

FISCAL NOTE
 Requested by Legislative Council
 01/16/2007

Bill/Resolution No.: SB 2250

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				\$0		\$0
Expenditures				\$2,000		\$0
Appropriations				\$0		\$0

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 provides spring turkey hunting licenses for first-time youth hunters.

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.*

The only fiscal impact will be one time costs related to setting up software to administer these licenses.

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.*

No impact.

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 will be one time costs of about \$2,000 for software development.

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.*

No impact.

Name:	Paul T. Schadewald	Agency:	ND Game and Fish Department
Phone Number:	328-6328	Date Prepared:	01/16/2007

Date: 2-8-17

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2250

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt amendment line 12 - 17-15

Motion Made By Freborg Seconded By Pomeroy

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

SB 2250: 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). SB 2250 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "seventeen" with "fifteen"

Renumber accordingly

2007 HOUSE NATURAL RESOURCES

SB 2250

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2250

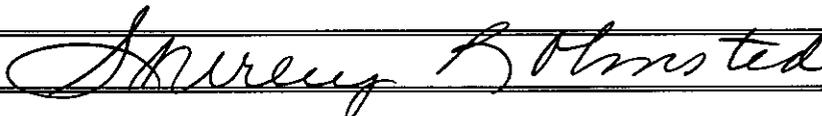
House Natural Resources Committee

Check here for Conference Committee

Hearing Date: March 2, 2007

Recorder Job Number: 4266

Committee Clerk Signature



Minutes:

Chairman Porter opened the hearing on SB 2250 and asked the clerk to read the title.

Senator Joel Heitkamp from District 26 came forward as a sponsor of SB 2250. He was approached by the turkey hunting enthusiasts for this bill. There is a lot of debate about this bill in committee as to whether or not you are going to let the youth do this in the spring. You can always get a license in the fall, but the spring is a little more difficult. In the spring it will just be tom hunting. The bill is put in on behalf of the youth and about getting young hunters enthused on turkey hunting. I don't know if this happens all over the state but in my little corner of the world where I still do a lot of hunting I am not seeing that next generation take to it as much as what I saw in my generation and maybe it is just that there is not as many of them. This is kind of sad and there are a lot of kids that are on the football team that are not hunting as much as what they used to. I think that this bill is one of those bills that could make a small dent in that. Anyway we can get people out there and get them in the field and getting them to enjoy the outdoors versus sitting in front of a TV playing a game. There will be experts behind me to speak on this.

Chairman Porter said that one of the things that have come up in our discussions here in the house on some of the youth bills is that we have been focusing on the definition as being 16

and under and you have 15. The other thing that we have focused on was if they turned the age during the season that they would qualify rather than the opening day so for example if the season opened on Saturday or Friday and the child didn't turn the age until Sunday, then they could not hunt for an entire year. We look at that as a punishment. Do you have any particulars on the 15 versus 16 and anything on what the eligibility date would be in relation to the opening date?

Senator Heitkamp said he would agree with him on the uniformity of the ages and maybe if you are going to tie this into what you consider youth and no matter where you go with code and statute that is youth so then you know. Maybe the thing to do would be to have them the first year and then it always goes down to a uniform age. I can see where you are coming from so that no matter where you go in law this is considered youth. I am having an email war on something that we did in the Senate in relation to deer hunting. It is a hard one to answer because it really comes down to the parents, doesn't it? When we talked about going from 13 to 12 we are really talking about junior high versus grade school or early grade school. It is going to come down to you and I knowing and I have one daughter that I still would not go in the field with and I have another daughter that I would have gone with early.

Chairman Porter said as he was reading the bill and as they are looking at all these youth concepts in this session we should make them uniform. I wasn't sure if you had received any heartburn on anything that we have sent to you. The other thing that we have always looked is like the language on line 12 that says the opening day so that we don't keep someone from being able to hunt.

Senator Heitkamp says that only makes sense.

Chairman Porter said they would talk to the Game and Fish Department and try to keep everything uniform.

Representative Drovdal asked if they had any idea as to what numbers they would be talking about.

Senator Heitkamp said that he thought Game and Fish had some hard numbers as to what they thought would happen and the next time of course it would go down. I think that goes back to what Chairman Porter was talking about earlier as to what that age should be. It

Chairman Porter asked for further testimony in support of SB 2250.

Mr. Roger Collins came forward in support of SB 2250. See written testimony marked as item #1. He said he had contacted Senator Heitkamp about both SB 2250 & SB 2251. He urged a do pass on this bill.

Chairman Porter asked for further support of SB 2250. Hearing none, he asked for opposition to SB 2250.

Mr. David Munch came forward in opposition to SB 2250. He said he hunts turkeys in ND and in other states. He said the turkeys in ND are semi domesticated turkeys. They are in the farmer's yards and as soon as they step out of that yard, they are wild turkeys. Most of the farmers do not want them there because of the damage they do. He said he didn't have anything against getting the kids interested in hunting turkeys but these are not wild turkeys.

Mr. Terry Steinwand, Director of the Game and Fish came forward with neutral testimony. He said the number of licenses had been pretty steady around 6,300. In 2005 there were about 300 unsuccessful applicants. He also said that the youth are generally considered to be 16 and under. He thought it would affect between 300 and 500 youth. The success rate is currently about 72% but it would drop to about 68% if this bill were to pass. We also think this is going to be a short term impact.

Representative Hanson asked if they would get 1 youth license and then go into the regular drawing. Is that correct?

Mr. Steinwand said that was correct. The law says that if you have already had a license, you cannot be in the youth drawing as well. They will have to look at some of the areas that are areas where it is already difficult to get a spring license.

Chairman Porter asked about line 12 and changing that to be consistent with the other bills. After the word younger we would overstrike "on the opening day of" and replacing that with during so that they would be able to access that season they would be able to access that season.

Mr. Steinwand said they would have no problem with that. It is difficult for the young people who are one day late of being able to hunt that season.

Representative Charging asked if there were problems with deprivation.

Mr. Steinwand said there were problems in the Dickinson area. He said they try to work with the landowners and before we relocate the turkeys, they try to get hunters out there to take care of the problem by harvesting the birds.

Representative Charging said this could change with the snow.

Representative Hunskor asked if there could be a situation where there is a limited number of turkey licenses in a certain unit and a large number of youth wanting a license. Could this be a problem?

Mr. Steinwand said yes. They have already considered that and they may have to go with a certain percentage of licenses.

Chairman Porter asked if he saw flexibility in this bill.

Mr. Steinwand said absolutely.

Mr. Dennis Daniel came forward in opposition of SB 2250. He said on line 8 says in the state's best interest. He think it should say in the best interest of the states turkey population.

He think this will open this up to tourism. He thinks they should put this back into the hands of the state biologist to decide what is best for the turkey population in ND.

Chairman Porter asked for any further testimony in opposition to this bill. Hearing none, he close the hearing on SB 2250.

2007 HOUSE STANDING COMMITTEE MINUTES

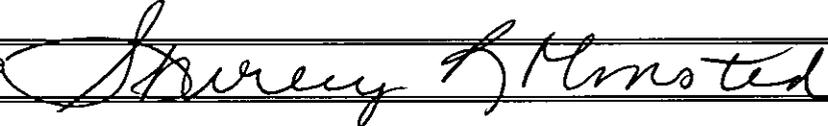
Bill/Resolution No. SB 2250

House Natural Resources Committee

Check here for Conference Committee

Hearing Date: March 2, 2007

Recorder Job Number: 4270

Committee Clerk Signature 

Minutes:

Chairman Porter asked the committee to consider SB 2250.

Representative Hanson said that on line 9, during the hearing there was a suggestion to change the word state to department so that it would read in the department's best interest.

Chairman Porter said he thought in the constitution and everywhere that it exists, that the state's best interest does fall back to the Game and Fish. I think that language is the language that the council picked. I would like to amend this bill so that on line 12 we overstrike the language that says "on the opening day of" and insert the word "during" so that it covers those situations when someone has their birthday during the season and it does not exclude anyone. He said he would accept a motion to change that wording.

Representative Damschen asked if that would be the proper wording for this.

Chairman Porter said you would have to go up to "to be eligible" on line 11. That is just describing what would be the eligibility on this. The individual must be 15 years of age of younger during the spring wild turkey season and have never received a spring turkey license.

Representative Damschen asked if he just had to be under the age of 16.

Chairman Porter said yes, at any point in the season. He asked Mr. Roger Rostvet if by having it under the age of 15 or younger during or on the opening day of the spring wild turkey season, are we going to run the risk of excluding anyone from applying or getting that tag.

Mr. Rostvet said this is a one time only thing so they are only going to get one, one time. The youth deer season has that you are 14 or 15 prior to the opening of the season. You are only going to get one chance at it.

Chairman Porter said so it looks like we do not need that language.

Representative Drovdal made a motion for a do pass on SB 2250.

Representative Hofstad seconded the motion.

Chairman Porter asked for discussion. Hearing none, the clerk took the roll vote for a **do pass on SB 2250**. Let the record show 11 yes, 0 no with 3 absent.

Representative Hunskor will carry this to the floor.

Date: 3-2-07
 Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2250

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Droodde

Seconded By Hofstad

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 11 No 0

Absent 3

Floor Assignment Hunskor

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

REPORT OF STANDING COMMITTEE

SB 2250, as engrossed: Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2250 was placed on the Fourteenth order on the calendar.

2007 TESTIMONY

SB 2250



Cass County
WILDLIFE CLUB

Box 336
Casselton, ND 58012



TESTIMONY OF FOSTER HAGER
CASS COUNTY WILDLIFE CLUB
PRESENTED TO THE SENATE NATURAL RESOURCES COMMITTEE
ON

SB 2250

JANUARY 26, 2007

Mr. Chairman and Members of the Committee:

The CCWC is opposed to this bill because it gives preference to a small group of would-be turkey hunters.

Spring turkey permits are very hard to draw in some units. This bill may make it impossible to draw a permit in certain units.

Please **oppose** SB 2250.



Item # 1

To: Senators Heitkamp and Freborg, Representatives S. Meyer and Nelson

From: Roger L. Collins

Subject: Senate Bills 2250 and 2251

Date: February 28, 2007

Again, I wish to thank you all for your support in co-sponsoring the 2 wild turkey related bills I submitted to Senator Heitkamp.

When I submitted testimony at the Senate Natural Resources Committee hearing on these two bills, I had not seen the latest version of SB 2251 relating to the wild turkey hunting license raffle and auction. Since then, I noticed a deviation from my original language that warrants consideration for an amendment.

I suggest the following amendment:

Lines 18-19: Delete "game and fish fund" and insert "North Dakota NWTF Superfund account".

The rationale follows. The proposed amended language is based on my coordination with the North Dakota Game and Fish Department and is consistent with legislative language on bills in previous years for auctions or raffles for elk, bighorn sheep, and moose. Those bills included no specific language directing funds be transferred to the Department, but referenced coordination with the Department on use of funds. Transfer of funds to the game and fish fund in the Department adds unnecessary accounting to the Department. The North Dakota NWTF Superfund account provides the necessary accountability of use of the funds and requires coordination with the North Dakota Game and Fish Department's Technical Committee biologist to NWTF for review and approval of the use of funds for habitat projects.

I plan to testify in support of these bills at the House Natural Resources Committee hearing on Friday, March 2. For your information, I am providing bullet statements below for each bill that will form the basis for my comments at the hearing. If you have any questions or comments regarding these bullets, I can be reached at home (258-6849) or on my cell (391-0040).

Senate Bill 2250 (Relating to youth spring wild turkey hunting licenses)

- My name is Roger Collins and I live in the Baldwin area in District 8. I am a retired fish and wildlife biologist with a strong interest in promoting our hunting heritage by providing opportunities for our youth to be introduced to and participate in spring wild turkey hunting. Spring wild turkey hunting is one of the fastest growing hunting sports in the nation.
- In part, the future of hunting in general lies with the opportunity to introduce youth to hunting opportunities.

- In recent years, a number of bills have been passed by the legislature which support youth hunting opportunities (e.g. youth pheasant season, youth waterfowl season, youth deer hunting season, and youth deer hunting licenses).
- Currently, no similar programs exist for recruitment of youth spring turkey hunters.
- Spring turkey hunting provides a unique opportunity to provide youths with a safe, but exciting controlled hunting situation, usually with a mentor, to use a variety of calls and/or decoys to coax a wild turkey gobbler within shotgun range.
- I would like to see opportunities for youth spring turkey hunters comparable with those currently available to youth pheasant, waterfowl, and deer hunters.
- A special spring turkey hunting season for youth is not realistic because of limitations related to the breeding biology of the birds, relatively short length of the hunting season, weather, etc.
- The intent of this bill is to provide the same license opportunities to youth spring turkey hunters as currently provided to youth deer hunters (i.e., any youth that has never applied for a spring wild turkey license or applied but was unsuccessful would receive a spring wild turkey license).

Senate Bill 2251 (relating to a wild turkey license raffle and auction)

- Proposed amendment - Lines 18-19: Delete "game and fish fund" and insert "North Dakota NWTF Superfund account". (Note: rationale provided above).
- Each year at the National Wild Turkey Federation's National Convention, many fishing and hunting trips, licenses, and related opportunities are auctioned or raffled at the Grand National Hunt Auction and Celebrity Auction.
- Participants and attendees at the National Convention are avid turkeys hunters. Some take considerable pride in harvesting all the subspecies of wild turkey or harvesting a wild turkey in each state in the country.
- North Dakota has 2 subspecies of the wild turkey, the Eastern and the Merriam's. North Dakota is the only state in the Nation that does not provide non-residents with the opportunity to apply for spring wild turkey licenses. Therefore, a North Dakota license would be coveted.
- I would expect licenses auctioned or raffled to bring several thousand dollars. Ninety percent of these funds would come directly to North Dakota's Wild Turkey Superfund Account to be used in the state for wild turkey management, habitat improvements, youth education and scholarship programs, Women in the Outdoors Program, the Wheelin' Sportsmen Program, and other turkey related projects.