

2013 HOUSE ENERGY AND NATURAL RESOURCES

HB 1131

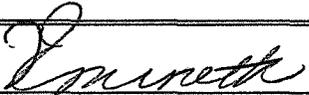
2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1131
Jan 24, 2013
17659

Conference Committee



Relating to big game and gratis licenses.

Minutes:

3 "attached testimony."

Rep. Porter: We will open the meeting on HB 1131.

Rep Hofstad: HB 1131 is a cleanup issue. The issue is the number of telephone calls I got during the hunting season and the time the gratis tags were being denied. Talking with the director and other people there were a couple of things that happened. I hope that this bill clears this issue up. Gratis tags were being denied because many of those people that were applying had their land in trust. That trust owner is still the owner and is still paying the taxes and is the owner in every way. When the game and fish were looking at gratis tags were the quarter section or the 160 acres. Many times that is not 160 acres of land so cleaned that language up and in the code so that those issues hopefully won't happen again. All of the overstrikes and the language that is added from page 2 on deals with those 2 issues in the bill.

Rep. Brabandt: This quarter of land is there a minimum acreage?

Rep. Hofstad: Not as defined here.

Rep. Keiser: Did you say that the license would be made available to the person who established the trust? The language on page 2 line 26 says" It is only available to the beneficiary of the trust is that correct".

Rep. Hofstad: The beneficiary of the trust or also it says" the holder of the life estate"

Rep. Porter: One doesn't realize how complicated this language in this issue is in regards to the gratis tags until you make a change and then as we sit through this we will find out how complicated this is.

Duane DeKrey: Deputy Director of the North Dakota Game and Fish Department; we are standing in support or opposition. We were asked to prepare amendments for the bill. Once we started preparing these amendments a lot of other issues that have been talked about started to come out of the weeds and so what we are going to do is give you an overview of where the gratis license is at. The gratis law was put in place in the mid 50's. What is started out was to allow a rancher to get a gratis license that was valid for him to

take any deer on his land? The changes since then it said a quarter in the original law and now it says 160 acres. A hard number of a certain amount of acres is easiest for us to administer. If the land was leased it must be achievability farmed or ranched and now we allow corporations limited liability companies, limited liability partnerships restricted to one license per entity and the license must be issued in the name of the individual shareholder member or partner. (See testimony 1)

Rep. Silbernagel: If there is a section in trust that could have 4 licenses available?

Duane DeKrey: That is correct it depends how the papers are put together legally and who owns the land in the trust.

Karen Mc Donald: I am appearing today as a private citizen I did own 2 sections of land south of McKenzie. When my husband died I placed them in my sons' names and kept the life estate. They have enjoyed a gratis license since 2002 up until the last hunting season. I support this bill it does expand it to the holder of the life estate I am not sure that language is correct.

Harriette Robsom: I am from Dickinson (See testimony 2) my hopes are that HB 1131 will address the issue so that in the future I as a trustee of this would have the ability to sign over one gratis license as listed here to transfer it to a spouse or legal dependent.

Michael McEnroe: I am with the North Dakota Chapter of the Wildlife Society; I am here to oppose the acreage limits on HB1131. The acreage limits only. (See testimony 3)

Foster Ray Hager: I represent Cass County Wildlife Club; there are 2 portions of this bill that we are concerned with. On page 2 line 15 and 16 " an entire quarter of land" What is an entire quarter of land? And the other one is we are now reducing the age again to hunt deer next session we will be looking at 10-11 years olds and that is why we oppose this bill.

Rep. Porter: One area of concern that you brought up in regards to the quarter of land. The intention of that particular wording being changed is to address that. One thing that has been brought to my attention is that there are a lot of people that own little bits and pieces of land all over the state and they may own 5 acres down on the river bottom and own 155 acres in Cass County and they can get a gratis license and hunt in Bismarck off of the old way the law was. I am wondering from an opposition stand point to that language change if you are opposed because the individuals that group land can't get a gratis tag or are you opposed because the person with 157 acres can't get a gratis tag?

Foster Ray Hager: We feel that it should remain the same as it is.

Rep. Froseth: I live near the Canadian Border and all the land that joins the border are short quarters. In the fiscal note it makes reference to the Canadian border. A quarter section ranges from 130 to 160. Has that land never been eligible for a gratis license?

Foster Ray Hager: The people that lost land along the river during the flood that now don't have 160 acres I assume won't be able to get a gratis license.

Robert Tinian: Chief Game Warden North Dakota Game and Fish; if you own land along the Canadian border he may own 2 or 3 of those quarters. If you include those short in you total acres in an application for your gratis you would be issued a gratis. If all you own is 130 acres under the current law we could not issue you a gratis license.

Rep. Porter: We will close the hearing on HB 1131. Rep. Hofstad, Rep. Anderson and Rep. Mock will work on this complicated issue.

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB1131
Jan 24, 2013
17691

Conference Committee

Minutes

Relating to hunting fees

Minutes:

1 testimony

Rep. Porter: We will the hearing on HB 1131.

Rep Hofstad: Deputy DeKrey Do you have some amendments for us?

Duane DeKrey: What we spook about the hearing was that gratis bill original intent in the mid 50"s was to reward the farmer and rancher a gratis license that was valid for them to take a deer his land. I went through the changes and read the way the law expanded over the years. Some of changes started with quarter sections then we did go to 160 acres and then we added in leased land. Later the legislature put in the language that they had to be actively involved in farming or ranching.

The way the law read now it allows cooperation's, limited liability companies, limited liability partnerships, limited partnerships or partnerships, restricted to only one license to per entity and the license must be issued the name of the individual shareholder, member or partner.(See testimony1).

Robert Tinian: Because of the way the law was written in the transfer of eligibility that is written very tightly that the person applying their spouse or a dependent living customarily with them can get transfer eligibility. With the family members hunting together it says the individual, their spouse, and their children. It makes no reference to their residency or their dependency anymore.

Rep. Anderson: What if a daughter files for a gratis tag and now they are wishing their grandchildren could get a gratis tag is that possible?

Robert Tinian: Are you talking about transfer of eligibility or something else?

Rep. Anderson: Yes.

Robert Tinian: I will send my answer to the chair. The law is complex it would depend on the ownership of the land. Legally the way eligibility works is there is the first level. The person who is legally eligible to a license under the current law that is the owner of the property or the person who farms, leases it, and actively farms and ranches it. They can go one step down; to either their spouse or their dependents residing with them and not to a third level.

Rep. Anderson: When they lease a quarter of land do they have to be a monetary transaction?

Robert Tinian: You bring up an issue that we have struggled with because in enforcing a law we have to go with the law in some of these cases there is not a clear definition and that is one of the reasons we want this to get a sense from the legislature because the gratis is a policy of how you want us to enforce this law. The gratis should go to somebody that has it as part of their farm or ranch.

Rep. Hofstad: Duane do you have some amendments?

Duane DeKrey: Chief Tinian has some language that we put together. We can define a quarter section regardless of acreage that would take care of the quarter part so the that guy with the short quarter is still going to get his gratis. That is not difficult to do.

Robert Tinian: It would be easiest to have a number for us to understand. In the case of the short quarters I don't know how many quarters like that are in North Dakota but I would say a fair number.

Rep. Hofstad: Would it be possible to identify that individual that just has that quarter that is applying just with that quarter to allow him that short quarter?

Robert Tinian? In our current licensing system we tried to do that. The way our licensing system is set up we could not pull out the single quarter ones.

Rep. Hofstad: Duane do you have amendments that deal with that?

Duane DeKrey: The amendments that I can out here do use the language "a quarter section of any acreage" and it adds the word trust but it lacks life estate and so it seems they wanted to add trust and life estate.

Rep. Hofstad: We will get this to the rest of our committee members so that we have an opportunity to ----

Robert Tinian: We talked about that to see if it was possible not to change the wording but it be may be for everybody's benefit if as an amendment the gratis law instead of being one long run on a paragraph be divided into subsections dealing with the ownership, leasing who can transfer eligibility to make it an attempt easier for people to read and understand.

Rep. Hofstad: That would be agreeable to me because it is complicated.

Robert Tinian: Do you want us to work on that?

Rep. Hofstad: If you could work on that and bring it back to the committee.

Rep. Anderson: Is it impossible for you guys to determine acres?

Robert Tinian: On the application whatever they put down we take at face value if they are not telling the truth that would be a felony.

Rep. Hofstad: Is it a spot check?

Robert Tinian: Last year we did a very extensive check and will probably not do that again because of the man power. We are working to correct errors like the directions of the quarter and plan to have a percentage check every year.

Rep. Hunsakor: Mike McEnroe mentioned the 320 acres or more to qualify for a gratis that would open a hornet's nest for the small guy verses the big guy.

Rep. Hofstad: I agree with you. The department is going to work on this section of the law trying to put in some subsections identifying the various different items to make it easier to understand. We will stand adjourned.

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1131
February 8, 2013
18566

Conference Committee

Emineth

To amend and reenact section 21.1.03-11 relating to big game and gratis license

Minutes:

1 Attachment

The meeting took place at the pioneer room at 8:00 a.m. On Friday February 8, 2013 Present were Rep. Hofstad, Rep. Anderson, Rep. Mock.

Rep. Hofstad: We will open the subcommittee on HB 1131.

Bob Timian:

1. Explained in detail attachment the discussion was trust and life estate and how it ties in with gratis tags, and what is necessary to qualify for the gratis.
2. How can hunt and what with a gratis.
3. Applications and how people get licenses.

Rep. Hofstad: Would you like to work with the amendment or would you like us to work with the council to do that?

Robert Timian: We can do it either way. We can do a form that is consistent with the amendments, or we can meet with the Legislative Council.

Rep. Hofstad: We will work with the Council to save us steps with the amendments.

Robert Timian: Would you like us to redraft this and then bring it to the council?

Rep. Anderson made a motion to change the acreage from 160 acres to 150 acres seconded by Rep. Mock voice vote carried.

Rep. Hofstad: We will get these redrafted at the next meeting. We will close the hearing on HB 1131.

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1131
February 14, 2013
No Recording

Conference Committee

Relating to big game and gratis licenses

Minutes:

1 Attachment

The subcommittee was held on February 14, 2013 at 8:03 a.m. at the Pioneer Room
Present Were: Rep. Hofstad, Rep. Mock and Rep. Anderson
Others present were Robert Timian and Duane DeKrey.

Topics discussed were HB 1131 Amendments

Motion and vote: Motion by Rep. Anderson and Seconded by Rep. Mock to approve amendments to HB 1131. All approved.

No other discussion meeting adjourned at 8:10 a.m.

Minutes by Rep. Hofstad no recording.

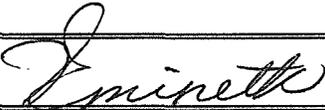
2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1131
February 14, 2013
18945

Conference Committee



To amend and reenact 20.1-3-11 relating to big game and gratis licenses

Minutes:

1 Attachment

Rep. Porter: We have HB 1131 in front of us. The subcommittee finished their work and will make a presentation.

Rep. Hofstad: The committee on HB 1131 has met a number of times. We worked with the department. Thank you to Rep. Anderson and Rep. Mock. We have a bill that we are ready to present that accomplishes what we were trying to do. What we were trying to do was rectify 2 issues that were left out.

The two issues are added language that outlined a limited liability company as to who could get a gratis tag. What was left out of that was life and trust estates. That has been addressed in this bill also many people because of the description of the land were eliminated from receiving a gratis tag so we changed that from 160 acres to 150 acres. That has added about 87 additional applicants. Under life and trust estates we will see some more people that are eligible which is about 100-150. Look at page 2 of the amendments (Attachment 1) I will move the amendments that we have before us 02002.

Rep. Porter: We have a motion from Rep. Hofstad to add the amendment 02002 and a second from Rep. Anderson with the notation that on the bottom of page 3 that there is an addition that is section 2 which is the emergency clause.

Rep. Porter: On that G portion on page 3 after the "application deadline will be based on licenses available" does that mean licenses in the state or in that unit?

Robert Timian: Chief Game Warden ND Game and Fish Department; we would guarantee the license if there was any license available state wide in that they would be issued a license. The guarantee would be they would get a license we just couldn't guarantee any longer that it would be any license.

Rep. Porter: What would the species be?

Robert Timian: That is currently the way we do the system. As long as there is any license available in the state if a person puts in for a gratis license and if there are licenses available we issue that to them. It is not by unit, we don't pull by unit. We don't envision changing that.

Rep. Froseth: During the testimony on this bill I asked the question about the short quarters along the Canadian border will that cover those parcels?

Rep. Hofstad: It will as long as those quarters are 150 acres or more.

Rep. Hunsakor: Trusts and life estates that are eligible for a gratis are there more gratis licenses available?

Rep. Hofstad: No what I was trying to say is that because trust and life estates were excluded from the previous legislation now we have added those.

Rep. Silbernagel: We could be adding 200 -250 gratis licenses to the pull?

Rep. Hofstad: That would be a good guess.

Rep. Porter: The addition of the additional gratis tags because of the languages on the bill how many was it estimated that would be available to the public because of the changes on the bill?

Rep. Hofstad: It is a positive impact on those licenses because the department will be able to manage those numbers better.

Rep. Brabandt: An individual owns a quarter of land which is only 155 acres would he be able to apply for a gratis license on that quarter of land and also in any area of that unit?

Rep. Hofstad: No.

Rep. Potter: Or land that is owned by his brother or father but it is restricted to just that land. We have the motion of the amendment in front of us. Voice vote motion carries. We have the bill in front of us HB 1131 as amended. We have a motion from Rep. Hofstad and a second from Rep. Schmidt for a do pass as amended to HB 1131. Motion Carried.

Yes 10 No 2 Absent 1 Carrier: Rep. Hofstad

FISCAL NOTE
Requested by Legislative Council
01/09/2013

Bill/Resolution No.: HB 1131

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(6,000)		\$(6,000)
Expenditures				\$0		\$0
Appropriations				\$0		\$0

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

The bill amendment clarifies age limitations for license to hunt big game, age limitations for youth deer hunting season and clarifies who is eligible for gratis licenses.

- 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 age fourteen limitation clarification has a minimal fiscal impact. For a license to hunt big game, it is extending the eligibility from "on or before the opening date" to "occurs in the same year". This will allow individuals to be eligible for the license that year instead of waiting until the next year. For youth deer hunting season it clarifies individuals with a twelfth or thirteenth birthday and it is extending the eligibility from "on or before the opening date or during" to "in the same year as". This will allow additional individuals to be eligible for the license that year instead of waiting until the next year. A clarification is needed on the size of sections in North Dakota and who is named on the title of the section. A quarter section ranges from 130 acres near the Canadian border to 160 acres. In 2012, some land owners (approx. 150) who owned an entire quarter section that was less than 160 acres did not qualify for a gratis license due to them having a short quarter. This bill amendment would allow these individuals a gratis which reduces our revenue by approx. \$6,000 (150x\$20x2)per biennium. This is a rough estimate.

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 difficult to estimate the fiscal impact affected by the amended age limitations to hunt big game and youth deer. We estimate a minimal number of individuals would get to hunt one year early. These licenses are \$10 and would generate minimal additional revenue. The fiscal impact based on how the bill is written would allow land owners who own an entire quarter section that have less than 160 acres be eligible for a gratis. In the 2012 season we had approx. 150 gratis applications that were denied due to short acreage. This would amount to \$6,000 less revenue collected under the new language.

- 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.*

None anticipated.

- 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.*

None anticipated.

Name: Kim Molesworth

Agency: ND Game & Fish Dept.

Telephone: 328-6605

Date Prepared: 01/14/2013

February 14, 2013

1/15/13
CONE
184

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1131

Page 1, line 2, after "licenses" insert "; and to declare an emergency"

Page 2, line 13, remove "A person"

Page 2, line 13, overstrike "who is a resident"

Page 2, line 14, remove "and who"

Page 2, line 14, overstrike "has executed a"

Page 2, line 15, overstrike "lease for at least"

Page 2, line 15, remove "an entire quarter section"

Page 2, line 15, overstrike "of"

Page 2, line 16, overstrike "land"

Page 2, line 16, remove ", regardless of size,"

Page 2, line 16, overstrike "and that actively farms or ranches that land or"

Page 2, line 18, remove "a person who is a resident and"

Page 2, line 18, overstrike "holds title to at least"

Page 2, line 19, remove "an entire quarter section"

Page 2, line 19, overstrike "of land"

Page 2, line 19, remove ", regardless of size,"

Page 2, line 19, overstrike "is eligible to"

Page 2, line 20, overstrike "apply for a license to hunt deer without charge"

Page 2, line 20, remove the underscored period

Page 2, line 21, remove "Upon"

Page 2, line 21, overstrike "payment of the fee requirement for a nonresident big game license"

Page 2, line 21, remove "and"

Page 2, line 22, overstrike "filing a signed application describing that land"

Page 2, line 22, remove ", a person who is a nonresident is"

Page 2, line 23, remove "eligible to hunt deer"

Page 2, line 23, overstrike ". If the license is issued to"

Page 2, line 24, remove "an organization"

Page 2, line 24, overstrike the third comma

Page 2, line 24, remove "no"

29/24

Page 2, line 25, remove "more than"

Page 2, line 25, overstrike "one license may be issued and the license must be issued in the name of"

Page 2, line 26, overstrike "an individual"

Page 2, line 26, remove "who is a beneficiary of a trust or estate, a"

Page 2, line 26, overstrike "shareholder"

Page 2, line 26, remove "of a corporation or"

Page 2, line 27, remove "company"

Page 2, line 27, overstrike the first comma

Page 2, line 27, remove "the holder of a life estate, a"

Page 2, line 27, overstrike "partner"

Page 2, line 27, remove "of a partnership, or a"

Page 2, line 28, remove "member of an association, enterprise, venture, or other entity"

Page 2, line 28, overstrike ". The land must be within"

Page 2, overstrike lines 29 through 31

Page 3, replace lines 1 through 13 with:

- "a. An individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that hold title to at least one hundred fifty acres [60.70 hectares] of land is eligible to apply for a license to hunt deer without charge, or if the individual named to receive the license is a nonresident, upon payment of the fee required for a nonresident big game license.
- b. A resident that is an individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that has executed a lease for at least one hundred fifty acres [60.7028 hectares] of land and that actively farms or ranches that land is eligible to apply for a license to hunt deer without charge. Upon request, a lessee shall provide proof the land described in the completed application is leased for agricultural purposes. If not otherwise specified in an agricultural lease, the landowner is entitled to receive the license. An individual issued a license under this subsection must be a resident.
- c. Applications must include a legal description of the eligible land, must be within a unit open for the hunting of deer, and must be signed. A license issued under this subsection is valid for the deer bow, deer gun, and muzzleloader seasons until filled and only upon the land described in the application.
- d. If the eligible applicant in subsections a and b is a corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate, only one license may be issued and

the license must be issued in the name of an individual shareholder, member, partner, beneficiary, or holder of a life estate.

- e. An individual who is eligible for a license under subsections a and b may transfer that eligibility for the license to a spouse or legal dependent residing customarily with that individual. An individual may be eligible for only one license. No more than one license may be issued under this subsection for all qualifying land. An individual transferring eligibility under this subsection may not receive a license under subsections a and b for seasons for which the eligibility was transferred.
- f. An individual, that individual's spouse, and their children who have a license issued under subsections a and b may hunt together on land described in any of the applications making them eligible for the license. Family members hunting together under this provision must hunt within the same unit within which the land described in the application making them eligible for the license is located.
- g. Applications for license issued under subsections a, b, and f received by the game and fish department on or before the date of the application deadline for deer gun lottery will be issued as any legal deer. Applications for license issued under subsections a, b, and f received by the game and fish department after the the application deadline will be issued based on licenses available."

Page 3, line 23, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 23, remove ", regardless of size."

Page 3, line 25, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 25, remove ", regardless of size."

Page 5, line 2, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 2, remove ", regardless of size."

Page 5, line 4, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 4, remove ", regardless of size."

Page 6, line 5, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 5, remove ", regardless of size."

Page 6, line 7, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 7, remove ", regardless of size."

Page 7, after line 22, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly



Date: 2-8-2013
Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1131**

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep Anderson Seconded By Rep Mock

Representatives	Yes	No	Representatives	Yes	No
Chairman Todd Porter			Rep. Bob Hunsakor		
Vice Chairman Chuck Damschen			Rep. Scot Kelsh		
Rep. Jim Schmidt			Rep. Corey Mock		
Rep. Glen Froseth					
Rep. Curt Hofstad					
Rep. Dick Anderson					
Rep. Peter Silbernagel					
Rep. Mike Nathe					
Rep. Roger Brabandt					
Rep. George Keiser					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: *voice vote carried on 2/8/2013*
Rep Anderson made a motion to change the acreage from 160 acres to 150 acres

Date: 2-14-13
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1131**

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep Hofstad Seconded By Rep Anderson

Representatives	Yes	No	Representatives	Yes	No
Chairman Todd Porter			Rep. Bob Hunsakor		
Vice Chairman Chuck Damschen			Rep. Scot Kelsh		
Rep. Jim Schmidt			Rep. Corey Mock		
Rep. Glen Froseth					
Rep. Curt Hofstad					
Rep. Dick Anderson					
Rep. Peter Silbernagel					
Rep. Mike Nathe					
Rep. Roger Brabandt					
Rep. George Keiser					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

voice vote
 move the amendments 02002
 with the notative bottom of page 3 + that there is an
 addition in section 2 which is the emergency clause

Date: 2-14-13
 Roll Call Vote #: 2

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. _____**

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Hofstad Seconded By Rep. Schmidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Todd Porter	✓		Rep. Bob Hunsakor	✓	
Vice Chairman Chuck Damschen	✓		Rep. Scot Kelsh		✓
Rep. Jim Schmidt	✓		Rep. Corey Mock		✓
Rep. Glen Froseth	✓				
Rep. Curt Hofstad	✓				
Rep. Dick Anderson	✓				
Rep. Peter Silbernagel	✓				
Rep. Mike Nathe	✓				
Rep. Roger Brabandt	✓				
Rep. George Keiser	✓				

Total (Yes) 10 No 2

Absent 1

Floor Assignment Hofstad

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

REPORT OF STANDING COMMITTEE

HB 1131: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1131 was placed on the Sixth order on the calendar.

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Page 2, line 20, remove the underscored period

Page 2, line 21, remove "Upon"

Page 2, line 21, overstrike "payment of the fee requirement for a nonresident big game license"

Page 2, line 21, remove "and"

Page 2, line 22, overstrike "filing a signed application describing that land"

Page 2, line 22, remove ". a person who is a nonresident is"

Page 2, line 23, remove "eligible to hunt deer"

Page 2, line 23, overstrike ". If the license is issued to"

Page 2, line 24, remove "an organization"

Page 2, line 24, overstrike the third comma

Page 2, line 24, remove "no"

Page 2, line 25, remove "more than"

Page 2, line 25, overstrike "one license may be issued and the license must be issued in the name of"

Page 2, line 26, overstrike "an individual"

Page 2, line 26, remove "who is a beneficiary of a trust or estate, a"

Page 2, line 26, overstrike "shareholder"

Page 2, line 26, remove "of a corporation or"

Page 2, line 27, remove "company"

Page 2, line 27, overstrike the first comma

Page 2, line 27, remove "the holder of a life estate, a"

Page 2, line 27, overstrike "partner"

Page 2, line 27, remove "of a partnership, or a"

Page 2, line 28, remove "member of an association, enterprise, venture, or other entity"

Page 2, line 28, overstrike ". The land must be within"

Page 2, overstrike lines 29 through 31

Page 3, replace lines 1 through 13 with:

- "a. An individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that hold title to at least one hundred fifty acres [60.70 hectares] of land is eligible to apply for a license to hunt deer without charge, or if the individual named to receive the license is a nonresident, upon payment of the fee required for a nonresident big game license.
- b. A resident that is an individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that has executed a lease for at least one hundred fifty acres [60.7028 hectares] of land and that actively farms or ranches that land is eligible to apply for a license to hunt deer without charge. Upon request, a lessee shall provide proof the land described in the completed application is leased for agricultural purposes. If not otherwise specified in an agricultural lease, the landowner is entitled to receive the license. An individual issued a license under this subsection must be a resident.
- c. Applications must include a legal description of the eligible land, must be within a unit open for the hunting of deer, and must be signed. A license issued under this subsection is valid for the deer bow, deer gun, and muzzleloader seasons until filled and only upon the land described in the application.
- d. If the eligible applicant in subsections a and b is a corporation, limited liability company, limited liability partnership, limited

partnership, partnership, trust, or life estate, only one license may be issued and the license must be issued in the name of an individual shareholder, member, partner, beneficiary, or holder of a life estate.

- e. An individual who is eligible for a license under subsections a and b may transfer that eligibility for the license to a spouse or legal dependent residing customarily with that individual. An individual may be eligible for only one license. No more than one license may be issued under this subsection for all qualifying land. An individual transferring eligibility under this subsection may not receive a license under subsections a and b for seasons for which the eligibility was transferred.
- f. An individual, that individual's spouse, and their children who have a license issued under subsections a and b may hunt together on land described in any of the applications making them eligible for the license. Family members hunting together under this provision must hunt within the same unit within which the land described in the application making them eligible for the license is located.
- g. Applications for license issued under subsections a, b, and f received by the game and fish department on or before the date of the application deadline for deer gun lottery will be issued as any legal deer. Applications for license issued under subsections a, b, and f received by the game and fish department after the the application deadline will be issued based on licenses available."

Page 3, line 23, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 23, remove ", regardless of size."

Page 3, line 25, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 25, remove ", regardless of size."

Page 5, line 2, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 2, remove ", regardless of size."

Page 5, line 4, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 4, remove ", regardless of size."

Page 6, line 5, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 5, remove ", regardless of size."

Page 6, line 7, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 7, remove ", regardless of size."

Page 7, after line 22, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2013 SENATE NATURAL RESOURCES

HB 1131

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee Fort Lincoln Room, State Capitol

HB 1131
March 8, 2013
Job Number 19649

Conference Committee

Monica Spaulding

Explanation or reason for introduction of bill/resolution:

Relating to big game and gratis licenses: and to declare an emergency

Minutes:

attachments

Chairman Lyson opened the hearing on HB 1131.

Rep. Curt Hofstad, District 15, introduced HB 1131 relating to big game and gratis licenses. The first part of the bill deals with the age. It moves the age of the applicant from the hunting season opening to the end of the year.

The reason the bill was introduced is because people were getting denied gratis tags for a couple of reasons.

(1) In order to apply the applicant needs to have a quarter section of land, defined as 160 acres. Many people were being denied the gratis license because they didn't have a full quarter. Many quarters are short quarters such as 158.6. The licenses that were denied in the last year were looked at and most were made from 155 acres up to 159.9. The definition was moved down to 150 acres. That should include most of the applicants. The intent is to make sure the short quarters are included. In the 2012 licensing season 87 permits were denied to that group of people.

(2) The other issue is that people were being denied licenses because they had their land in a trust or a life estate. The intent is to include them.

(3) Since this will include more people getting gratis tags, the application date will be moved up to the same time as the lottery tag. It will be easier for the department to administer.

Sen. Murphy asked about the age. (6:20)

Rep. Hofstad explained that it will just take the date of eligibility from the opening of the season back to that calendar year.

Karen Macdonald testified in support of HB 1131. See attachment #1.

Foster R. Hager, Cass County Wildlife Club, testified in opposition to HB 1131 specifically the age move. (10:20)

Mike McEnroe, ND Chapter of The Wildlife Society, spoke in opposition to portions of HB 1131. See attached testimony #2.

Chairman Lyson asked what he thought of the age limit.

Mr. McEnroe responded that giving eligibility to 11 year olds for 3 ½ more months is still a parental decision and they have to hunt with a parent present. He didn't see a big change in allowing someone who is twelve in December to hunt during the youth season as opposed to having to be twelve before the youth season.

Mike Donahue, ND Wildlife Federation, testified that they support most of the bill. (17:20) They support the youth part as far as the age goes. They support the language for life estate and trust. They support the application time for the gratis license. They did not support the acreage. They feel the gratis should be at least 320 acres or maybe even go as high as 600. He asked for the bill to be amended to increase the acreage.

David Munsch, Morton County, testified on his own behalf in opposition to the youth age. The gratis license keeps getting more lenient and he was definitely against the elk and moose for gratis. (18:20)

Dennis Daniel, Morton County, testified on his own behalf. His biggest concern was dropping down to 155 acres and thought it was too small. He spoke about the Montana laws.

Martin Marchello, a hunter, spoke in support of some portions of this bill. (25:20) He was in opposition to the acreage and thought the acreage should be increased for the gratis permits.

There was no neutral testimony.

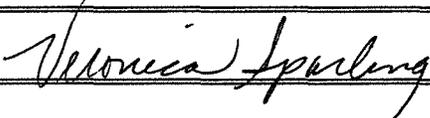
The hearing on HB 1131 was closed.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1131
March 21, 2013
Job Number 20321

Conference Committee



Explanation or reason for introduction of bill/resolution:

Relating to big game and gratis licenses: and to declare an emergency

Minutes:

No attachments

Chairman Lyson opened the discussion of HB 1131.

Senator Hogue stated he had contemplated amending the gratis portion of the bill. It would decrease the number of people who would pay for a license. Game and Fish does not want fewer people to pay for licenses. We already have 13,000 gratis tags. He also feels it is a bad idea to lower the age. He made a **Do Not Pass motion**.

Senator Unruh: **Second**. She stated that in addition to those reasons she does not like the portion of the bill that would have the gratis tags applied for earlier than the regular tags.

Senator Murphy agreed with the points made, but he feels people who own just short of 160 acres should get a gratis license.

Senator Triplett stated that she likes the gratis part but not lowering the age limit.

Roll Call Vote: 5, 2, 0

Carrier: Senator Laffen

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1131
March 28, 2013
Job Number 20642 & 20658

Conference Committee

Veronica Spurling

Explanation or reason for introduction of bill/resolution:

Relating to big game and gratis licenses; and to declare an emergency

Minutes:

attachments

Chairman Lyson opened the discussion for HB 1131. This bill had come out of the committee with a Do Not Pass recommendation but it was pulled back to add some amendments.

Senator Unruh explained the reasons for possibly reconsidering the bill. She explained the four issues in the bill and her proposed amendments. See attachment #1. There was also an explanation of how Game and Fish administers the gratis tag program. (00:43 to 08:20)

There was discussion about the reason landowners should get gratis tags and how early they are required to apply, and more information on how the gratis tags are handled by Game and Fish. (08:30 to 12:20)

There was discussion about the gratis program possible being out of control with more and more landowners becoming eligible and whether this bill should be considered in four separate parts.

There was discussion about possibly breaking out the parts of the amendment to be considered separately.

Senator Burckhard: Motion to reconsider this bill.

Senator Triplett: Second

Roll Call Vote: 4, 3, 0

Senator Unruh: Moved to adopt amendments 13.0197.03001

Senator Hogue: Second

Senator Triplett made a motion to amend the amendments by removing all the references to page 3 and everything after that.

Senator Murphy: Second

Voice Vote on Senator Triplett's motion: Motion Failed

Roll Call Vote on Senator Unruh's Motion to adopt amendment 13.0197.03001

Motion carried by Voice Vote.

Chairman Lyson closed the discussion.

Job Number 20658:

Chairman Lyson opened the discussion for HB 1131.

Senator Unruh: Do Pass as Amended on engrossed HB 1131.

Senator Burckhard: Second

There was discussion about the ramifications of this bill for landowners, trusts, life estates, and for Game and Fish. (Ends at 08:25)

Roll Call Vote: 5, 2, 0

Carrier: Senator Unruh

As per discussion with Chairman Lyson on March 29th, the committee will re refer the bill to Appropriations.

FISCAL NOTE
Requested by Legislative Council
02/18/2013

Amendment to: HB 1131

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(8,480)		\$(8,480)
Expenditures				\$0		\$0
Appropriations				\$0		\$0

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

The bill amendment clarifies age limitations for license to hunt big game, age limitations for youth deer hunting season, clarifies who is eligible for gratis licenses and changes # of acres to 150 for all big game.

- 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 age fourteen limitation clarification has a minimal fiscal impact. For a license to hunt big game, it is extending the eligibility from "on or before the opening date" to "occurs in the same year". This will allow individuals to be eligible for the license that year instead of waiting until the next year. For youth deer hunting season it clarifies individuals with a twelfth or thirteenth birthday and it is extending the eligibility from "on or before the opening date or during" to "in the same year as". This will allow additional individuals to be eligible for the license that year instead of waiting until the next year. This bill amendment would allow individuals of a trust or estate a gratis. The bill changed the acres from 160 to 150 for all big game licenses (deer, pronghorn, moose, elk).

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 difficult to estimate the fiscal impact affected by the amended age limitations to hunt big game and youth deer. We estimate a minimal number of individuals would get to hunt one year early. These licenses are \$10 and would generate minimal additional revenue. The fiscal impact of changing eligibility of a gratis to owning at least 150 acres and allowing individuals who own a trust or life estate is an estimate based on applications we received in the 2012 season. We had approx. 125 gratis applications that were denied due to a trust or life estate and we had approx. 87 applications between 150-160 acres. This would amount to \$8,480 (212 x 20 x 2) per biennium less revenue collected under the new language. The bill has an emergency clause so it would affect the 2013 season.

- 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.*

None anticipated.

- 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.*

None anticipated.

Name: Kim Molesworth

Agency: ND Game & Fish Dept.

Telephone: 328-6605

Date Prepared: 02/19/2013

FISCAL NOTE
Requested by Legislative Council
01/09/2013

Bill/Resolution No.: HB 1131

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$(6,000)		\$(6,000)
Expenditures				\$0		\$0
Appropriations				\$0		\$0

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

The bill amendment clarifies age limitations for license to hunt big game, age limitations for youth deer hunting season and clarifies who is eligible for gratis licenses.

- 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 age fourteen limitation clarification has a minimal fiscal impact. For a license to hunt big game, it is extending the eligibility from "on or before the opening date" to "occurs in the same year". This will allow individuals to be eligible for the license that year instead of waiting until the next year. For youth deer hunting season it clarifies individuals with a twelfth or thirteenth birthday and it is extending the eligibility from "on or before the opening date or during" to "in the same year as". This will allow additional individuals to be eligible for the license that year instead of waiting until the next year. A clarification is needed on the size of sections in North Dakota and who is named on the title of the section. A quarter section ranges from 130 acres near the Canadian border to 160 acres. In 2012, some land owners (approx. 150) who owned an entire quarter section that was less than 160 acres did not qualify for a gratis license due to them having a short quarter. This bill amendment would allow these individuals a gratis which reduces our revenue by approx. \$6,000 (150x\$20x2)per biennium. This is a rough estimate.

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 difficult to estimate the fiscal impact affected by the amended age limitations to hunt big game and youth deer. We estimate a minimal number of individuals would get to hunt one year early. These licenses are \$10 and would generate minimal additional revenue. The fiscal impact based on how the bill is written would allow land owners who own an entire quarter section that have less than 160 acres be eligible for a gratis. In the 2012 season we had approx. 150 gratis applications that were denied due to short acreage. This would amount to \$6,000 less revenue collected under the new language.

- 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.*

None anticipated.

- 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.*

None anticipated.

Name: Kim Molesworth

Agency: ND Game & Fish Dept.

Telephone: 328-6605

Date Prepared: 01/14/2013

March 26, 2013

3/29/13
TD
1 of 3

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1131

- Page 1, line 12, remove the overstrike over "if"
- Page 1, line 12, remove "unless"
- Page 1, line 12, remove "or subsequent"
- Page 1, line 13, remove the overstrike over "~~does not occur on or before the opening date of~~"
- Page 1, line 13, remove "occurs in the same year as"
- Page 1, line 14, after "~~that~~" insert ", but"
- Page 1, line 14, remove the overstrike over "~~an individual who is~~"
- Page 1, remove the overstrike over line 15
- Page 1, line 16, remove the overstrike over "~~during the regular deer hunting season may hunt during the youth deer season~~"
- Page 1, line 20, remove "or thirteenth"
- Page 1, line 20, remove the overstrike over "~~on or before the opening~~"
- Page 1, line 21, remove the overstrike over "~~date of or during the~~"
- Page 1, line 21, remove "in the same year as a"
- Page 1, line 21, remove the overstrike over "~~but is~~"
- Page 1, line 22, remove the overstrike over "~~younger than fourteen years of age~~"
- Page 2, line 1, remove "or thirteenth"
- Page 2, line 1, remove the overstrike over "~~on or before the opening~~"
- Page 2, line 2, remove the overstrike over "~~date of or during the~~"
- Page 2, line 2, remove "in the same year as an"
- Page 2, line 2, remove the overstrike over "~~but is~~"
- Page 2, line 3, remove the overstrike over "~~younger than fourteen years of age~~"
- Page 3, line 11, replace "hold" with "holds"
- Page 3, line 11, replace "one" with "three"
- Page 3, line 12, remove "fifty"
- Page 3, line 12, replace "60.70" with "121.41"
- Page 3, line 18, replace "one" with "three"
- Page 3, line 18, remove "fifty"
- Page 3, line 18, replace "60.7028" with "121.41"

Page 3, line 23, replace "subsection" with "subdivision"

Page 3, line 29, replace "subsections" with "subdivisions"

Page 4, line 3, replace "subsections" with "subdivisions"

Page 4, line 6, replace "subsection" with "subdivision"

Page 4, line 7, replace "subsection" with "subdivision"

Page 4, line 8, replace "subsections" with "subdivisions"

Page 4, line 10, replace "subsections" with "subdivisions"

Page 4, line 14, replace "subsections" with "subdivisions"

Page 4, line 15, remove "on or"

Page 4, line 15, after the first "the" insert "end"

Page 4, line 15, remove "application deadline for"

Page 4, line 16, replace "lottery" with "season"

Page 4, line 16, replace "as" with "an"

Page 4, line 16, after the second "deer" insert "license"

Page 4, line 16, remove "Applications for license issued"

Page 4, remove lines 17 and 18

Page 4, line 28, replace "one" with "three"

Page 4, line 28, remove "fifty"

Page 4, line 28, replace "60.78" with "121.41"

Page 4, line 30, replace "one" with "three"

Page 4, line 30, remove "fifty"

Page 4, line 30, replace "60.78" with "121.41"

Page 6, line 7, replace "one" with "three"

Page 6, line 7, remove "fifty"

Page 6, line 7, replace "60.78" with "121.41"

Page 6, line 9, replace "one" with "three"

Page 6, line 9, remove "fifty"

Page 6, line 9, replace "60.78" with "121.41"

Page 7, line 9, replace "one" with "three"

Page 7, line 9, remove "fifty"

Page 7, line 9, replace "60.78" with "121.41"

Page 7, line 11, replace "one" with "three"

3093

Page 7, line 11, remove "fifty"

Page 7, line 11, replace "60.78" with "121.41"

Renumber accordingly

Date: 3-21-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1131

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Hogue Seconded By Unruh

Senators	Yes	No	Senators	Yes	No
Senator Lyson	✓		Senator Triplett		✓
Senator Burckhard	✓		Senator Murphy		✓
Senator Hogue	✓				
Senator Laffen	✓				
Senator Unruh	✓				

Total (Yes) 5 No 2

Absent 0

Floor Assignment Laffen

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

Date: 3-28-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. enr. 1131

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Burckhard Seconded By Triplett

Senators	Yes	No	Senators	Yes	No
Senator Lyson	✓		Senator Triplett	✓	
Senator Burckhard	✓		Senator Murphy	✓	
Senator Hogue		✓			
Senator Laffen		✓			
Senator Unruh		✓			

Total (Yes) 4 No 3

Absent 0

Floor Assignment _____

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

Date: 3-28-13
Roll Call Vote #: 2

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. eng. 1131

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0197.03001

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Triplet Seconded By Murphy

Senators	Yes	No	Senators	Yes	No
Senator Lyson			Senator Triplet		
Senator Burckhard			Senator Murphy		
Senator Hogue					
Senator Laffen					
Senator Unruh					

Total (Yes) Failed No _____
Absent by voice vote
Floor Assignment 0

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

*Remove references
to page 3 to
end of amendment.*

Date: 3-28-13

Roll Call Vote #: 3

2013 SENATE STANDING COMMITTEE

ROLL CALL VOTES

BILL/RESOLUTION NO. engr 1131

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider 13.0197,03001

Motion Made By Unruh Seconded By Hogue

Senators	Yes	No	Senators	Yes	No
Senator Lyson			Senator Triplett		
Senator Burckhard			Senator Murphy		
Senator Hogue					
Senator Laffen					
Senator Unruh					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

carried by voice vote

Date: 3-28-13
Roll Call Vote #: 4

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. eng. 1131

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass ^{as} Amended Adopt Amendment

As per Senator Lyson → 3-29-13
 Rerefer to Appropriations Reconsider

Motion Made By Unruh Seconded By Burckhard

Senators	Yes	No	Senators	Yes	No
Senator Lyson	✓		Senator Triplett		✓
Senator Burckhard	✓		Senator Murphy		✓
Senator Hogue	✓				
Senator Laffen	✓				
Senator Unruh	✓				

Total (Yes) 5 No 2

Absent 0

Floor Assignment Unruh

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

REPORT OF STANDING COMMITTEE

HB 1131, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)
recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1131 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1131, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1131 was placed on the Sixth order on the calendar.

Page 1, line 12, remove the overstrike over "if"

Page 1, line 12, remove "unless"

Page 1, line 12, remove "or subsequent"

Page 1, line 13, remove the overstrike over "~~does not occur on or before the opening date of~~"

Page 1, line 13, remove "occurs in the same year as"

Page 1, line 14, after "~~that~~" insert ", but"

Page 1, line 14, remove the overstrike over "~~an individual who is~~"

Page 1, remove the overstrike over line 15

Page 1, line 16, remove the overstrike over "~~during the regular deer hunting season may hunt during the youth deer season~~"

Page 1, line 20, remove "or thirteenth"

Page 1, line 20, remove the overstrike over "~~on or before the opening~~"

Page 1, line 21, remove the overstrike over "~~date of or during the~~"

Page 1, line 21, remove "in the same year as a"

Page 1, line 21, remove the overstrike over "~~but is~~"

Page 1, line 22, remove the overstrike over "~~younger than fourteen years of age~~"

Page 2, line 1, remove "or thirteenth"

Page 2, line 1, remove the overstrike over "~~on or before the opening~~"

Page 2, line 2, remove the overstrike over "~~date of or during the~~"

Page 2, line 2, remove "in the same year as an"

Page 2, line 2, remove the overstrike over "~~but is~~"

Page 2, line 3, remove the overstrike over "~~younger than fourteen years of age~~"

Page 3, line 11, replace "hold" with "holds"

Page 3, line 11, replace "one" with "three"

Page 3, line 12, remove "fifty"

Page 3, line 12, replace "60.70" with "121.41"

Page 3, line 18, replace "one" with "three"

Page 3, line 18, remove "fifty"

Page 3, line 18, replace "60.7028" with "121.41"

Page 3, line 23, replace "subsection" with "subdivision"

Page 3, line 29, replace "subsections" with "subdivisions"

Page 4, line 3, replace "subsections" with "subdivisions"

Page 4, line 6, replace "subsection" with "subdivision"

Page 4, line 7, replace "subsection" with "subdivision"

Page 4, line 8, replace "subsections" with "subdivisions"

Page 4, line 10, replace "subsections" with "subdivisions"

Page 4, line 14, replace "subsections" with "subdivisions"

Page 4, line 15, remove "on or"

Page 4, line 15, after the first "the" insert "end"

Page 4, line 15, remove "application deadline for"

Page 4, line 16, replace "lottery" with "season"

Page 4, line 16, replace "as" with "an"

Page 4, line 16, after the second "deer" insert "license"

Page 4, line 16, remove "Applications for license issued"

Page 4, remove lines 17 and 18

Page 4, line 28, replace "one" with "three"

Page 4, line 28, remove "fifty"

Page 4, line 28, replace "60.78" with "121.41"

Page 4, line 30, replace "one" with "three"

Page 4, line 30, remove "fifty"

Page 4, line 30, replace "60.78" with "121.41"

Page 6, line 7, replace "one" with "three"

Page 6, line 7, remove "fifty"

Page 6, line 7, replace "60.78" with "121.41"

Page 6, line 9, replace "one" with "three"

Page 6, line 9, remove "fifty"

Page 6, line 9, replace "60.78" with "121.41"

Page 7, line 9, replace "one" with "three"

Page 7, line 9, remove "fifty"

Page 7, line 9, replace "60.78" with "121.41"

Page 7, line 11, replace "one" with "three"

Page 7, line 11, remove "fifty"

Page 7, line 11, replace "60.78" with "121.41"

Renumber accordingly

2013 TESTIMONY

HB 1131

67- 55,000 approx Deer Gun

843 apps - Gratis

1-24-13

HB1131 – Gratis 9:00am Energy and Natural Resources Committee, Pioneer Room

- The gratis law has seen a number of changes over the years.
- It started as a rather short law intending to allow a North Dakota resident farm/ranch owner or operator to get a gratis license that was valid for him to take any deer on his farm or ranch. The gratis law to date includes the following changes:
- Minimum of 160 acres own or lease to be eligible
- If leased must actively farm or ranch (no definition)
- Allows corporations, limited liability companies, limited liability partnerships, limited partnerships or partnerships, restricted to only one license per entity and license must be issued in the name of an individual shareholder, member or partner.
- Allows transfer of individual eligibility to spouse or legal dependent residing customarily with that individual.
- Allows individual, that individual's spouse and their children who have a gratis license to hunt together on land described in any of the affidavits making them eligible for license (note: affidavits no longer required) but must be within the same unit as land described in the individual application.
- Allow nonresident to receive a license if they pay the nonresident big game license fee, subject to the 1% for nonresidents.
- Valid for deer bow, deer gun, and muzzleloader seasons until filled
- Changed affidavit to signed application

We understand that intent of the current bill was to address short quarters and to include trusts and life estates.

Short quarters generally range from 135 to 159 acres, with most being in the 150's range. It is your call as to where or how to draw the line, realizing that no matter where the line is drawn someone will be just under it. As a practical matter for both the public and the department, a hard number is easier to understand and administer.

The use of the word organization we believe would do far more than just allow trusts and life estates to apply for gratis deer licenses. It would allow any organization such as the local lions club or toastmasters to potentially qualify. This could lead to a substantial increase in gratis applications.

2002 - 11,984
2012 - 15,574 - 65,000 license
Farms - 2001 30,600 - 2007 - 30,100

Chairman Porter : Committee members

January 24, 2013

Good morning, my name is Harriette Rebsom; I am from Dickinson, ND.

About 8 years ago my mother Helen and I went to her lawyer's office. My Mother was in early stages of Alzheimer's disease. That is when I became the Trustee of the Helen Froehlich Revocable Trust. I remember her lawyer pointing his finger at me and saying: "You're in charge now so do a good job." I took that very seriously.

My husband Lee wanted the ranch to be sustainable and easy to manage for the next generation, our children. We took down old fences and put in new fences. We also put in cross fences and water lines. We returned poor crop land back to native grass. Lee began aggressively spraying for wormwood and thistle, and has done so every year. My sister in law stated: "He might as well spray all of Dunn County while he is at it."

How did I become involved in this? After 37 years at CHS my husband retired on Nov. 1st. His goal was to finally be able to hunt deer on the first day of hunting season. Lacking the 'luck of the draw', he did not get a license. I decided to check into obtaining a gratis license for him. I called the ND Game and Fish and was told that Trust's had not been included-or should I say Trust had been excluded. The person I talked to at the Game and Fish suggested I contact my Legislators.

I discovered various options, you could have your land in a Corporation, Limited Liability Company, Limited Liability Partnership, Limited Partnership or Partnership organization and you could get a license to hunt big game. Or.... I could become dependent and live with my Mom in Assisted Living and she could then sign one over to me. I have no interest in hunting. *What I do have an Interest in is having the privilege to sign over a gratis license to my husband.* It seemed as if every entity was covered except what my Father and Mother had done some 40 years ago, it did not cover Trusts. I along with my husband manage this land covered in the Trust which comprises over 2 sections of land in Dunn County in an area known as the "Little Badlands." This was where I grew up.

In this Trust I am listed as the beneficiary of the above mentioned land. As of now I am merely the Trustee. It is my hopes that House Bill No. 1131 addresses this issue so that in the future someone in my circumstances will have the right to obtain a gratis license. *As a Trustee of our family trust I would like to see that Trusts have the same rights as the above mentioned corporations, companies, organizations and partnerships.*

Thank you for your time,

Harriette Rebsom
920 Senior Ave.
Dickinson, ND 58601
Phone: 701-227-1173

my husband is not listed as alternate trustee. he is listed as trustee.

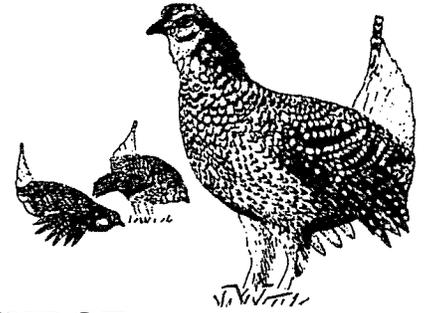
for a family member who may not be a beneficiary



North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MICHAEL R. McENROE
NORTH DAKOTA CHAPTER, THE WILDLIFE SOCIETY
HOUSE BILL 1131
HOUSE NATURAL RESOURCES COMMITTEE
JANUARY 24, 2013**

Chairman Porter and members of Committee:

For the record I am Mike McEnroe, representing the North Dakota Chapter of The Wildlife Society, a professional organization representing over 350 wildlife biologists, land managers, law enforcement officers, university professors and researchers in the natural resource field. I am here today to oppose House Bill 1131.

A couple years ago, at a hearing to reduce the acreage limit needed to receive a gratis deer license, a Game and Fish staff member commented that every time there is a funeral in rural North Dakota, there are four more gratis licenses. HB 1131 continues that trend.

There were 843 gratis licenses issued in 1966; 3,761 in 1975; 10,282 in 1990, and between 13,700 to 14,200 since 2004. This year approximately 13,700 gratis licenses were issued out of about 65,000 firearms deer licenses in the State.

The gratis program was started as a thank you and encouragement to farmers and ranchers who provided habitat for the deer on their property, who tolerated the problems the deer may have caused, and encouraged them to allow some degree of hunter access to their lands. Now days there are people who buy land to get the gratis license, especially for mule deer bucks and elk in the Badlands.

The Chapter would recommend that the acreage limit for a gratis license be increased to at least 320 acres, or even higher, perhaps 400 or 600 acres. This would reward the farmer or rancher who actually is in production agriculture, and not the hobby farmer or the heirs of a former farmer/rancher. We would also recommend that an actual acreage number be used, rather than the term half-section, three-quarters, or full section.

Thank you, and I will try answer any questions from the Committee.

1
1-24-13
Job# 17691
DRAFT

Proposed Amendments to HB 1131

Section 1.

Page 2

Line 13 after resident, add " trust," remove overstrike "corporation, limited liability company, limited"

Line 14 remove overstrike" liability partnership, limited partnership, or partnership that"

Line 15 remove "at least" add " an entire quarter section regardless of acreage or a minimum of 160 acres," remove "an entire quarter section of"

Line 16 remove "land, regardless of size" add after land or "a trust," remove overstrike "an individual,"

Line 17 remove overstrike

Line 18 remove overstrike " partnership" remove "a person who is a resident and" add "that holds title to an entire quarter section regardless of acreage or a minimum of 160 acres, is eligible to apply for a license to hunt deer without charge for a resident or for a nonresident upon payment of the fee requirement for a nonresident big game license, and filing a signed application describing that land.

Line 19 remove "an entire quarter section of land, regardless of size,"

Line 23 after to add "a trust," remove overstrike "corporation, limited liability Company,"

Line 24 remove overstrike "limited liability Partnership, limited partnership, or partnership," remove an organization,"

Line 27 after estate add "or" after partnership remove "," add"." remove "or a"

Line 28 remove "member of an association, enterprise, venture, or other entity."

Page 3

Line 22 remove "at least"

Line 23 remove "size" add "acreage" add "or a minimum of 160 acres,"

Line 24 remove "at least"

Line 25 remove "size" add "acreage, or a minimum of 160 acres,"

Page 5

Line 1 remove "at least"

Line 2 remove "size" add "acreage or a minimum of 160 acres,"

Line 3 remove "at least"

Line 4 remove "size" add "acreage or a minimum of 160 acres,"

Page 6

Line 4 remove "at least"

Line 5 remove "size" add "acreage or a minimum of 160 acres,"

Line 6 remove "at least"

Line 7 remove "size" add "acreage or a minimum of 160 acres,"

Add Section 2 Emergency Clause

1
2-8-13

NDCC 20.1-03-11(3) Deer Gratis

An individual who is a resident, corporation, limited liability company, limited liability partnership, limited partnership, or partnership that has executed a lease for at least one hundred sixty acres [64.75 hectares] of land and that actively farms or ranches that land or an individual, corporation, limited liability company, limited liability partnership, limited partnership, or partnership that hold title to at least one hundred sixty acres{64.75 hectares} of land is eligible to apply for a license to hunt deer without charge, or if that entity is a nonresident upon payment of the fee requirement for a nonresident big game license, upon filing a signed application describing that land. If the license is issued to a corporation, limited liability company, limited liability partnership, limited partnership, or partnership, only one license may be issued and the license must be issued in the name of an individual shareholder, member, or partner. The land must be within a unit open for the hunting of deer. The license must include a legal description of the eligible land described in the completed application and may be used to hunt deer only upon that land. A license issued under this subsection is valid for the deer bow, deer gun, and muzzleloader seasons until filled. However, an individual, that individual's spouse, and their children who have a license issued under this subsection may hunt together on land described in any of the affidavits making them eligible for the license. Family members hunting together under this provision shall hunt within the same unit within which the land described in the affidavit making them eligible for the license is located. Upon request, a lessee shall provide proof the land described in the completed application is leased for agricultural purposes. An individual who is eligible for a license under the subsection may transfer that eligibility for the license to a spouse or legal dependent residing customarily with that individual, but no more than one license may be issued under this subsection for any qualifying land. An individual transferring eligibility under this subsection may not receive a license under the subsection for the season for which the eligibility was transferred. If not otherwise specified in an agricultural lease, the landowner is entitled to receive the license.

2-8-13
#1 p2

2012 Gratis Deer Gun Applications Not Meeting 160 Acre Minimum

January 29, 2013 Draft Report

- 2012 the Game & Fish Department received 15547 gratis applications for Deer Gun Season.
- One hundred forty eight (148) were originally denied for not meeting the minimum acreage requirement; this is just under 1% (.95%) of the total applications received.
- Of the 148; 23 reapplied or amended the application with additional acreage, the remaining 125 did not receive a gratis due to not meeting the minimum of 160 acres.
- The acreage brake down in 10 acre increments for those 125 denied is as follows:

Acreage		Number of Applications
150-159	=	87
140-149	=	6
130-139	=	6
120-129	=	7
110-119	=	4
100-109	=	1
90-99	=	0
80-89	=	6
70-79	=	1
60-69	=	1
50-59	=	0
40-49	=	1
30-39	=	1
20-29	=	0
10-19	=	2
0-9	=	2
Total	=	125

1 p 3

The following draft document is provided at the request of the Chairman of the House Energy and Natural Resources Subcommittee on HB 1131 to facilitate discussion on HB 1131. It is not to be viewed as a position or recommendation of the Game & Fish Department.

3. An individual who is a resident, corporation, limited liability company, limited liability partnership, limited partnership, ~~or~~ partnership, trust, or life estate that has executed a lease for at least one hundred sixty acres [64.75 hectares] of land and that actively farm or ranches that land is eligible to apply for a license to hunt deer without charge. For the purposes of this subsection actively farm or ranches is defined as.... Upon request, a lessee shall provide proof the land described in the completed application is leased for agricultural purposes. If not otherwise specified in an agricultural lease, the landowner is entitled to receive the license.
4. An individual, corporation, limited liability company, limited liability partnership, limited partnership, ~~or~~ partnership, trust or life estate that hold title to at least one hundred sixty acres [64.75 hectares] of land is eligible to apply for a license to hunt deer without charge, or if that entity is a nonresident upon payment of the fee requirement for a nonresident big game license.
5. Application made under subsections 3 and 4, must include a legal description of the eligible land and must be within a unit open for the hunting of deer and be signed. A license issued under this subsection is valid only upon the land described in the application and for the deer bow, deer gun, and muzzleloader seasons until filled.
6. If the eligible applicant in subsections 3 and 4 is a corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust or life estate, only one license may be issued and the license must be issued in the name of an individual shareholder, member, partner, beneficiary, or holder of a life estate.
7. An individual who is eligible for a license under subsections 3 and 4 may transfer that eligibility for the license to a spouse or legal dependent residing customarily with that individual, eligibility is singular, ~~but~~ and no more than one license may be issued under this subsection for ~~any~~ all qualifying land. An individual transferring eligibility under this subsection may not receive a license under the subsection subsections 3 and 4 for ~~season~~ seasons for which the eligibility was transferred.
8. An individual, that individual's spouse, and their children who have a license issued under ~~this subsection~~ subsections 3 and 4 may hunt together on land described in any of the affidavits applications making them eligible for the license. Family members hunting together under this provision shall hunt within the same unit within which the land described in the affidavit application making them eligible for the license is located.
9. Applications for license issued under subsections 3,4, and 7 received by the Game & Fish Department on or before the date of the application deadline for deer gun lottery will be issued as any legal deer. Applications for license issued under subsections 3,4, and 7 received by the Game & Fish Department after the above date will be issued based on licenses available.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1131

- Page 2, line 13, remove "A person"
- Page 2, line 13, overstrike "who is a resident"
- Page 2, line 14, remove "and who"
- Page 2, line 14, overstrike "has executed a"
- Page 2, line 15, overstrike "lease for at least"
- Page 2, line 15, remove "an entire quarter section"
- Page 2, line 15, overstrike "of"
- Page 2, line 16, overstrike "land"
- Page 2, line 16, remove ", regardless of size,"
- Page 2, line 16, overstrike "and that actively farms or ranches that land or"
- Page 2, line 18, remove "a person who is a resident and"
- Page 2, line 18, overstrike "holds title to at least"
- Page 2, line 19, remove "an entire quarter section"
- Page 2, line 19, overstrike "of land"
- Page 2, line 19, remove ", regardless of size,"
- Page 2, line 19, overstrike "is eligible to"
- Page 2, line 20, overstrike "apply for a license to hunt deer without charge"
- Page 2, line 21, remove "Upon payment of the fee requirement for a nonresident big game license"
- Page 2, line 21, remove "and"
- Page 2, line 22, overstrike "filing a signed application describing that land"
- Page 2, line 22, remove ", a person who is a nonresident is"
- Page 2, line 23, remove "eligible to hunt deer"
- Page 2, line 23, overstrike ". If the license is issued to"
- Page 2, line 24, remove "an organization"
- Page 2, line 24, overstrike the third comma
- Page 2, line 24, remove "no"
- Page 2, remove lines 25 and 26
- Page 2, line 27, remove "company,"

Page 2, line 27, remove "the holder of a life estate, a"

Page 2, line 27, overstrike "partner"

Page 2, line 27, remove "of a partnership, or a"

Page 2, line 28 remove "member of an association, enterprise, venture, or other entity"

Page 2, line 28, overstrike ". The land must be within"

Page 2, overstrike lines 29 through 31

Page 3, replace lines 1 through 13 with:

- "a. An individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that hold title to at least one hundred fifty acres [60.70 hectares] of land is eligible to apply for a license to hunt deer without charge, or if the individual named to receive the license is a nonresident, upon payment of the fee required for a nonresident big game license.
- b. A resident that is an individual, corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate that has executed a lease for at least one hundred fifty acres [60.7028 hectares] of land and that actively farms or ranches that land is eligible to apply for a license to hunt deer without charge. Upon request, a lessee shall provide proof the land described in the completed application is leased for agricultural purposes. If not otherwise specified in an agricultural lease, the landowner is entitled to receive the license. An individual issued a license under this subsection must be a resident.
- c. Applications must include a legal description of the eligible land, must be within a unit open for the hunting of deer, and must be signed. A license issued under this subsection is valid for the deer bow, deer gun, and muzzleloader seasons until filled and only upon the land described in the application.
- d. If the eligible applicant in subsections a and b is a corporation, limited liability company, limited liability partnership, limited partnership, partnership, trust, or life estate, only one license may be issued and the license must be issued in the name of an individual shareholder, member, partner, beneficiary, or holder of a life estate.
- e. An individual who is eligible for a license under subsections a and b may transfer that eligibility for the license to a spouse or legal dependent residing customarily with that individual. An individual may be eligible for only one license. No more than one license may be issued under this subsection for all qualifying land. An individual transferring eligibility under this subsection may not receive a license under subsections a and b for seasons for which the eligibility was transferred.
- f. An individual, that individual's spouse, and their children who have a license issued under subsections a and b may hunt together on land described in any of the applications making them eligible for the license. Family members hunting together under this provision must

hunt within the same unit within which the land described in the application making them eligible for the license is located.

- g. Applications for license issued under subsections a, b, and f received by the game and fish department on or before the date of the application deadline for deer gun lottery will be issued as any legal deer. Applications for license issued under subsections a, b, and f received by the game and fish department after the the application deadline will be issued based on licenses available.

Page 3, line 23, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 23, remove ", regardless of size,"

Page 3, line 25, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 3, line 25, remove ", regardless of size,"

Page 5, line 2, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 2, remove ", regardless of size,"

Page 5, line 4, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 5, line 4, remove ", regardless of size,"

Page 6, line 5, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 5, remove ", regardless of size,"

Page 6, line 7, replace "an entire quarter section" with "one hundred fifty acres [60.78 hectares]"

Page 6, line 7, remove ", regardless of size,"

Renumber accordingly

#1

House Bill 1131

Senate Natural Resources – Chair Senator Stanley Lyson

March 8, 2013

Chairman Lyson, Members of the Senate Natural Resources Committee – My name is Karen Macdonald, I am appearing today in favor of HB 1131. My testimony is on my own behalf as well as my two sons who are not able to be here today because of work schedules.

I own two sections of land south of McKenzie in Burleigh County. After my husband's death, I deeded them to my sons but kept a life estate. Hunting is a way of life for them and for their sons and daughters as well. For over ten years, they benefited from the gratis deer license but suddenly last fall they were denied this – and were told I could have a gratis license but not them. Now I am not a hunter, I think the only thing worse than not getting a deer is getting one. But both boys do enjoy hunting and we do allow others to hunt on our land. We try to be good stewards of the land, but deer depredation of my garden and flowers and trees is a little tiresome so the deer that are harvested through the gratis license are at least those that I don't run into with my vehicle or don't live to harvest my garden before I do.

The changes in Section 20.1-03-11 #3 do provide for the gratis license to be issued to the beneficiary or holder of a life estate. I support those changes and ask for a Do Pass on this bill.

Karen Macdonald

8103 236th St. SE

Moffit, ND 58560

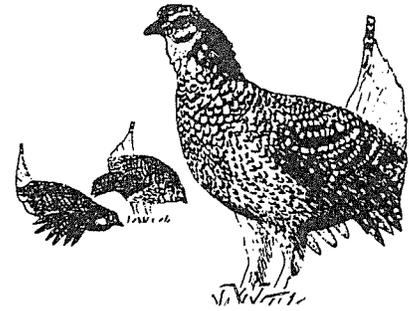
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North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MICHAEL R. McENROE
NORTH DAKOTA CHAPTER, THE WILDLIFE SOCIETY
HOUSE BILL 1131
SENATE NATURAL RESOURCES COMMITTEE
MARCH 8, 2013**

Chairman Lyson and members of Committee:

For the record I am Mike McEnroe, representing the North Dakota Chapter of The Wildlife Society, here today to oppose House Bill 1131.

A couple years ago, at a hearing to reduce the acreage limit needed to receive a gratis deer license, a Game and Fish staff member commented that every time there is a funeral in rural North Dakota, there are four more gratis licenses. HB 1131 continues that trend.

There were 843 gratis licenses issued in 1966; 3,761 in 1975; 10, 282 in 1990, and between 13,700 to 14,200 since 2004. This year approximately 13,700 gratis licenses were issued out of about 65,000 firearms deer licenses in the State.

The gratis program was started as a thank you and encouragement to farmers and ranchers who provided habitat for the deer on their property, who tolerated the problems the deer may have caused, and encouraged them to allow some degree of hunter access to their lands. Now days there are people who buy land to get the gratis license, especially for mule deer bucks and elk in the Badlands.

The Chapter would recommend that the acreage limit for a gratis license be increased to at least 320 acres, or even higher, perhaps 400 or 600 acres. This would reward the farmer or rancher who actually is in production agriculture, and not the hobby farmer or the heirs of a



former farmer/rancher. We would also recommend that an actual acreage number be used, rather than the term half-section, three-quarters, or full section.

We support the wording in HB 1131 that corrects the land trust language and the provisions for age requirements for the 12-and 13-year old youth deer season.

Thank you, and I will try answer any questions from the Committee.

March 26, 2013

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1131

Page 1, line 12, remove the overstrike over "if"

Page 1, line 12, remove "unless"

Page 1, line 12, remove "or subsequent"

Page 1, line 13, remove the overstrike over "~~does not occur on or before the opening date of~~"

Page 1, line 13, remove "occurs in the same year as"

Page 1, line 14, after "~~that~~" insert ", but"

Page 1, line 14, remove the overstrike over "~~an individual who is~~"

Page 1, remove the overstrike over line 15

Page 1, line 16, remove the overstrike over "~~during the regular deer hunting season may hunt during the youth deer season~~"

Page 1, line 20, remove "or thirteenth"

Page 1, line 20, remove the overstrike over "~~on or before the opening~~"

Page 1, line 21, remove the overstrike over "~~date of or during the~~"

Page 1, line 21, remove "in the same year as a"

Page 1, line 21, remove the overstrike over "~~but is~~"

Page 1, line 22, remove the overstrike over "~~younger than fourteen years of age~~"

Page 2, line 1, remove "or thirteenth"

Page 2, line 1, remove the overstrike over "~~on or before the opening~~"

Page 2, line 2, remove the overstrike over "~~date of or during the~~"

Page 2, line 2, remove "in the same year as an"

Page 2, line 2, remove the overstrike over "~~but is~~"

Page 2, line 3, remove the overstrike over "~~younger than fourteen years of age~~"

Page 3, line 11, replace "hold" with "holds"

Page 3, line 11, replace "one" with "three"

Page 3, line 12, remove "fifty"

Page 3, line 12, replace "60.70" with "121.41"

Page 3, line 18, replace "one" with "three"

Page 3, line 18, remove "fifty"

Page 3, line 18, replace "60.7028" with "121.41"

Page 3, line 23, replace "subsection" with "subdivision"

Page 3, line 29, replace "subsections" with "subdivisions"

Page 4, line 3, replace "subsections" with "subdivisions"

Page 4, line 6, replace "subsection" with "subdivision"

Page 4, line 7, replace "subsection" with "subdivision"

Page 4, line 8, replace "subsections" with "subdivisions"

Page 4, line 10, replace "subsections" with "subdivisions"

Page 4, line 14, replace "subsections" with "subdivisions"

Page 4, line 15, remove "on or"

Page 4, line 15, after the first "the" insert "end"

Page 4, line 15, remove "application deadline for"

Page 4, line 16, replace "lottery" with "season"

Page 4, line 16, replace "as" with "an"

Page 4, line 16, after the second "deer" insert "license"

Page 4, line 16, remove "Applications for license issued"

Page 4, remove lines 17 and 18

Page 4, line 28, replace "one" with "three"

Page 4, line 28, remove "fifty"

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Renumber accordingly