

2013 HOUSE ENERGY AND NATURAL RESOURCES

HB 1195

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

HB 1195
Jan 24, 2013
17672

Conference Committee

Eminette

Relating to carrying a game and fish license.

Minutes:

1 testimony

Rep. Damschen: We will open the hearing on HB 1195.

Rep. Porter: You have before you HB 1195. This issue has surfaced on numerous occasions and in today's world of technology we just haven't had equated a law on the requirement. Basically what the current law is that you have to produce a paper copy of your license upon the request of a game warden or other law enforcement officers. What this says is that I don't have to do that any longer that I can take my smart phone out and I show them a PDF of it the reference number if I lose my phone or I don't have cell coverage in that area they can go to their vehicle and pop up the same information on their computer under my name and see the information that they need.

Rep. Hunsakor: would the person who is approached by the warden then not have to have his paper copy?

Rep. Porter: That is correct.

Rep. Hofstad: Will game and fish make available the license in the PDF file so that we can download that?

Rep. Porter: I would think that at some point and time as they are working on their software it would be an easy thing to do that after you complete the purchase and your credit card has been charged that it would pop into another screen that says do you want to download this to your printer or do you want to download this to a PDF.

Rep. Silbernagel: Would you also have to have a PDF of your driver's license or ID card?

Rep. Porter: You could a couple of things that this wouldn't allow is that you still need a federal stamp for the taking of waterfowl and you would need your separate certificate or a scanned copy of your deer license to show that you have that.

Rep. Silbernagel: I think enforcement would probably want to make sure that theirs an ID of some sort they would available to know that they are talking to the right person.

Rep. Porter: If they would have a doubt and I showed them a copy of my license and the warren or deputy sheriff still had a doubt they can go back to their vehicle where a computer that is interacted with all the DOT files have and they could run my social security or my name and birthday off my license and come up with who I am.

Rep. Hunsakor: Would the hunter have to have anything with him?

Rep. Porter: Yes that is also the option. They have on their computer in their car and some point in time they will have smart phones and I pads to access that information. In the state of North Dakota you don't need a license to hunt on your own land.

Rep. Froseth: How did you verify that that was your land?

Rep. Porter: I didn't that was up to him it might have had something to do with the sign on the post.

Robert Tinian: North Dakota Game and Fish Department; I am testifying in opposition of HB 1195 as written. We are not opposed to the intent of the bill but the way the bill is written (see testimony 1)

Rep. Damschen: We will close the hearing on HB 1195.

2013 HOUSE STANDING COMMITTEE MINUTES

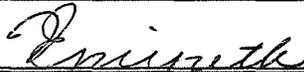
House Energy and Natural Resources

Pioneer Room, State Capital

HB 1195
Jan24, 2013
17684

Conference Committee

Committee Clerk Signature



Relating to carrying a game and fish license.

Minutes:

Rep. Porter: We have HB 1195 in front of us. I agree with Mr. Tinian on this.

Rep. Keiser: I move a do not pass on HB 1195 seconded by Rep. Froseth.

Rep. Hofstad: If we amended that out I think the bill has some merit and some benefit to those out in the field. I would speak against the motion.

Rep. Silbernagel: I agree with Rep. Froseth.

Rep. Porter: The second and the motion have been withdrawn. Is there a motion to amend?

Rep. Hofstad: I would amend taking our line 15 "verifying information on any of the proceeding to which the officers has actual or electronic access." Is that the tuff part of it?

Rep. Porter: I think that since we don't have the printed amendment I think if you go to Mr. Tinian's language and move his proposed amendment off of his testimony we can make it so it is the right language fitted in there and make it work.

Rep. Hofstad: Beginning with any person holding a hunting, trapping or fishing license and amendment that into the bill.

Rep. Porter: Second from Rep. Silbernagel we have a motion and a second to amend HB 1195 Voice motion carries. We have an amended bill in front of us.

Rep. Hofstad: I move a do pass as amended.

Rep. Porter: We have a motion from Rep. Froseth and a second from Rep. Anderson for a do pass on HB 1195 as amended.

Yes 12 No 0 Absent 1 Carrier; Rep. Keiser

January 25, 2013

12/5/13
CJRC

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1195

Page 1, line 6, replace "Identity" with "**Proof of license**"

Page 1, line 10, overstrike "police" and insert immediately thereafter "peace"

Page 1, line 11, after "fishing" insert "immediately"

Page 1, line 11, remove "that"

Page 1, line 12, replace "individual's identity" with "the appropriate license in paper or electronic format"

Page 1, line 12, remove "An individual may provide that"

Page 1, remove lines 13 through 15

Page 1, line 16, remove "access."

Page 1, line 16, overstrike "person" and insert immediately thereafter "individual"

Re-number accordingly

Date: 1-24-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1195

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Withdrawn

Motion Made By Keiser Seconded By Froseth

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:

Do not pass - withdraw

Date: 1-24-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1195

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Voice vote motion carried

Motion Made By Hofstad Seconded By Silbernagel

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 verifying information took out line 15

Date: 1-24-
Roll Call Vote #: 3

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1195

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number do pass as amended

Action Taken Rep Keiser

Motion Made By Froseth Seconded By 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) 12 No 0

Absent 1

Floor Assignment Rep Keiser

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

Do pass as amended

REPORT OF STANDING COMMITTEE

HB 1195: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1195 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "Identity" with "Proof of license"

Page 1, line 10, overstrike "police" and insert immediately thereafter "peace"

Page 1, line 11, after "fishing" insert "immediately"

Page 1, line 11, remove "that"

Page 1, line 12, replace "individual's identity" with "the appropriate license in paper or electronic format"

Page 1, line 12, remove "An individual may provide that"

Page 1, remove lines 13 through 15

Page 1, line 16, remove "access."

Page 1, line 16, overstrike "person" and insert immediately thereafter "individual"

Re-number accordingly

2013 SENATE NATURAL RESOURCES

HB 1195

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1195
March 15, 2013
20003

Conference Committee

Veronica Spaulding

Explanation or reason for introduction of bill/resolution:

Relating to carrying a game and fish license

Minutes:

No attachments

Chairman Lyson opened the hearing for engrossed HB 1195.

Robert Timian, Chief Game Warden with ND Game and Fish Department, introduced the bill. Currently when you are in the field hunting or fishing you have to have your license in your possession to show the game warden. This bill would allow you to show your license in the electronic form or in the paper form.

Senator Triplett said a person may be taking a risk because they may be in an area of no cell phone service.

Mr. Timian said they do have the option of printing the paper copy also to carry it with them.

Senator Lyson asked what a Class 2 non-criminal offense is.

Mr. Timian said it is \$25.00.

Senator Laffen asked about the possibility of scanning it in as a jpeg file

Mr. Timian said that works or people have even taken a picture of it with their cell phone camera.

There was further discussion about the changes being made because of today's technology.

Opposition:

Foster Ray Hager, Cass County Wildlife, feels this bill is unnecessary.

Neutral: None

Senate Natural Resources Committee
HB 1195
March 15, 2013
Page 2

Chairman Lyson closed the hearing for HB 1195.

Senator Laffen: Do Pass

Senator Murphy: Second

There was discussion about society moving toward more technology and we might as well allow this.

Roll Call Vote: 7, 0, 0

Carrier: Senator Laffen

Date: 3-15-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1195 eng.

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 Laffen Seconded By Murphy

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

Total (Yes) 7 No 0

Absent 0

Floor Assignment Laffen

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

REPORT OF STANDING COMMITTEE

HB 1195, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1195 was placed on the Fourteenth order on the calendar.

2013 TESTIMONY

HB 1195

House Energy and Natural Resources Committee

Testimony on HB 1195

Robert Timian, Chief Game Warden

North Dakota Game and Fish Department

January 24, 2013

Chairman Porter and members of the House Energy and Natural Resources committee, my name is Robert Timian, Chief Game Warden of the North Dakota Game and Fish Department and I am testifying in opposition of HB 1195 as written.

As written this bill would remove the requirement that a person holding a hunting, trapping, or fishing license shall carry it and show it to the officer making request or demand. It would replace it with a show of identity by means of a hunting, trapping, fishing, or driver's license, a nondriver photo identification card, an electronic copy of the preceding, or by the officer verification of any of the preceding to which the officer has actual or electronic access. By doing this an individual that states that he had purchased a paper license, but only has his driver's license with him, would meet the requirements of this bill. As paper licenses are not in the electronic licensing system the officer would have no reasonable way to verify in the field if in fact this individual was licensed. To verify this would require that officer extend the normal time a license check in the field requires to record the individuals personal information. Additionally the officer would need to go to the license vendor where that individual said, if they remembered, the license was purchased, then reviewed the paper copies of licenses sold to see if that individual actually had purchased the license. This could become a significant increase in work load for the Game Wardens.

If the intent of this bill is to allow electronic verification of hunting, trapping, and fishing licenses if available, I suggest that wording of the bill be changed to read as follows:

Any person holding a hunting, trapping, or fishing license required under this title shall provide the license in paper or electronic form upon the request or demand of the director, the deputy director, any game warden, or any peace officer to any of the aforementioned making the request or demand. Any person who violates this section is guilty of a class 2 noncriminal offense.

This concludes my testimony, I would stand for any questions from the committee.