

2013 SENATE NATURAL RESOURCES

SB 2231

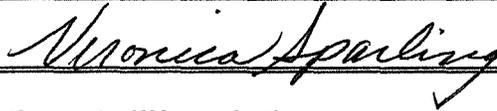
2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2231
February 1, 2013
18173

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to hunting fees

Minutes:

Written testimony attached

Chairman Lyson opened the hearing on SB 2231.

Senator Laffen, District 43, introduced the bill. The purpose is to increase funding for the operation of the Game and Fish Department. By statute the fund has to stay above 15 million dollars. There was discussion about the number of hunters and the amount of habitat declining. Sportsman's groups are in favor of this bill.

Senator Murphy also spoke in favor of the bill. He feels the fee increases are a very small cost.

Duane DeKrey, Deputy Director of the ND Game and Fish Department, spoke in support of SB 2231. See attached testimony #1. There has been a 60% decrease in habitat due to land being taken out of CRP. (Ends at 10:40) All of the hunting numbers have been on the increase except for waterfowl.

There was a question about the number of big-game licenses issued in 2010 and 2011 and the refunds given on some license fees.

Randy Kreil, Chief of the Wildlife Division of the ND Game and Fish Department, spoke about the trends in big game licenses. Six years ago there were 150,000 licenses issued and last year there were 65,350. That was the lowest since 1988. He also answered the question about refunds given. Sometimes due to disease (EHD) in the deer population there will be refunds offered. (13:00 to 15:00)

There was discussion about why we are seeing a reduction in CRP land. (Ends at 16:35)

There were questions about the chart on page 3 of attached testimony #1. Was the projection part of the chart based on a guess or on statistics? It was based on the decrease in habitat due to lands taken out of CRP and also the fact that the dry conditions we are

experiencing will decrease our wetlands. With decrease in habitat we can expect fewer out-of-state hunters. (Ends at 20:07)

Kim Molesworth further explained the chart and the fund balance on page 3 of attachment # 1. (20:20 to 21:28)

Senator Triplett asked if there has been discussion on: Is it time for the state to stop relying on federal funds and hunting revenues as sources of income for Game and Fish? Is it time for the state to appropriate all or part of the funding?

Ms. Molesworth responded that the Game and Fish Department has a 45 minute budget presentation that they could bring to the committee. She briefly explained it. (Ends at 23:23)

Duane DeKrey mentioned the decrease in the deer population. In 2009 there were 125,000 licenses. In 2010 there were 101,000; in 2011 there were 86,000; and in 2012 there were 65,000.

Mike Donahue, representing the ND Wildlife Federation, spoke in favor of the bill. The federation has about 1300 members. The members are in favor of the bill and would even be in favor of increasing fees another 20%.

Duaine Ash spoke in favor of SB 2231. See attachment #2. (Ends at 26:50)

Michael McEnroe, representing the ND Chapter of the Wildlife Society, presented testimony in favor of SB 2231. See attachment #3. (Ends at 30: 40)

There was a question about whether there was record of a vote from the Wildlife Society and the Wildlife Federation. Mr. McEnroe will get that information to the committee.

There was a discussion about why the request is so modest if sportsmen are willing to pay a higher fee. (Ends at 33:50)

Opposition: None

Senator Triplett requested that the chair keep the record open so Game and Fish could make a presentation and a higher fee could be considered.

Mr. DeKrey said they would be happy to give the same presentation to this committee that they had given to the committee in the House.

Chairman Lyson recessed the hearing.

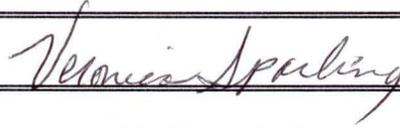
2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2231
February 7, 2013
18527

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to hunting fees

Minutes:

Written attachments

Chairman Lyson opened the discussion of SB 2231.

Chairman Lyson noted that the ND Wildlife Federation made a suggestion "please adjust as you see fit". See attachment #1.

The committee considered the letter that Michael McEnroe had sent in response to a request during the hearing. See attachment #2.

Senator Laffen made a Do Pass motion.

The motion was seconded by Senator Murphy.

Senator Burckhard noted that he would be voting "No" on the bill to honor the request of a constituent.

Senator Laffen mentioned that he spoke with two sportsman's groups and both of them were in favor of raising the fees. Emails from constituents reflected the same sentiment.

There was discussion about the Game and Fish coming in to do a presentation.

Chairman Lyson said he would like to hold off on the vote until they had a chance to hear the presentation from Game and Fish.

There was discussion about House Bills concerning this same issue.

Chairman Lyson closed the discussion on SB 2231.

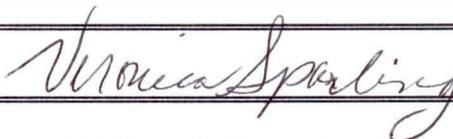
2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2231
February 8, 2013
18606

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to hunting fees

Minutes:

No attachments

Chairman Lyson opened the discussion on SB 2231.

Senator Murphy made a Do Pass motion.

Chairman Lyson said he decided not to have Game and Fish do a budget presentation.

Senator Hogue mentioned that there had been a Do Pass motion made yesterday.

The motion was seconded by Senator Hogue.

There was discussion about most sportsmen being in favor of this bill.

The motion made today was retracted by Senator Murphy because the committee realized there had been a motion made yesterday.

Roll call vote: Do Pass 4, 2, 1

Carrier: Senator Laffen

FISCAL NOTE
Requested by Legislative Council
01/18/2013

Revised
 Bill/Resolution No.: SB 2231

- 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				\$4,800,000		\$9,600,000
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.*

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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 increases hunting license fees, fishing license fees and boat registration fees.

- 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.*

A license fee increase is needed since our operating fund balance has been decreasing each year to an all time projected low of \$15M as of 6/30/15. Per NDCC 20.1-02-16.1, our fund balance may not go below \$15M without budget section approval. We are a special funds agency and do not receive general funds.

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.*

Fee increases are being projected to start in the 2014 hunting season since a fee increase for 2013 season isn't possible because the season begins April 2013. Therefore, the 2013-15 biennium has a fee increase for only 1 year. It is hard to estimate if a fee increase would have an effect on license sales; therefore, the amount in 1A is calculated using the # of license sold in 2011 & 2010. Keeping in mind that deer licenses were low in 2011.

- 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: 01/23/2013

Date: 2-7-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2231

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) 4 No 2 *holding off on the vote on 2-7-13*

Absent 1

Floor Assignment Laffen

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

Reopened this vote on 2-8-13

Date: 2-8-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2231

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 Murphy 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:

this motion was recalled retracted by Sen. Murphy

so yesterday's motion could be voted on.

REPORT OF STANDING COMMITTEE

SB 2231: Natural Resources Committee (Sen. Lyson, Chairman) recommends DO PASS
(4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2231 was placed on the
Eleventh order on the calendar.

2013 SENATE APPROPRIATIONS

SB 2231

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2231
February 18, 2013
Job # 19077

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to hunting fees.

Minutes:

Testimony attached # 1-2

Legislative Council - Brady Larson
OMB - Lori Laschkewitsch

Chairman Holmberg opened the hearing on SB 2231. Roll call was taken. All committee members were present.

Senator Laffen, District 43, Bill Sponsor This bill raises the fees on hunting, fishing and furbearing. The fiscal note says it all. The license fee increase is needed since our operating fund balance is decreasing each year to an all-time projected low of \$15M as of 6-30-15. We are a special funds agency and do not receive general funds. Nothing scientific about the numbers, I took the House bill, which was being considered at the time, changed the numbers and submitted this one. It passed our committee; we heard testimony from hunting groups - all in favor. Hunters want to pay their share to keep this fund where it needs to be.

Chairman Holmberg: why are you raising taxes?

Senator Laffen: Hunting groups were interested in state appropriations for improving hunting around the state. I asked them if they were willing to put their money in first and they all said yes and that is kind of where this came from.

Vice Chairman Bowman: What percentage of increase did you put on? Do out of state hunters pay the same as in state hunters?

Senator Laffen: I don't have an exact figure, each one was raised.

V.Chairman Grindberg could you get a copy of the history of fees over the last 10 years and the last time fees were raised.

Senator Murphy, District 20, Bill sponsor

Need to keep the managers of these resources viable so we have something to hunt. I have heard of no one that is against the bill.

Terry Steinwand, Director, Game and Fish

Testimony attached # 1 - ND Hunting License History The last time we had a resident fishing license fee was in 1996, fishing license fee increased from \$9 to \$10. For big game, meaning deer from \$18 to \$20 dollars in 1993.

Senator Erbele: Why can't we go below the \$15M balance, what is the purpose of the balance, what is the money used for?

Terry Steinwand: We had up to \$30 M dollars in reserve. Two sessions ago, we were told we can't go below that without budget section approval. The purpose was there are times when it costs us more to do business and we need to have that account to get us through those tough times. The reason we are going down, we had private land for a number of years that has never being self-sustaining we spend about \$4M a year on the PLOTS (Private Land Open to Sportsmen) program and we consistently spend more than what get in, we had three bad winters and a flood year.

Senator Erbele would there be a case in which you can go below the \$15M?

Terry Steinwand - Yes, with budget section approval.

Mike McEnroe - ND Wildlife Society Testified in favor of SB 2231 No written testimony. Sports people across the state are willing to pay more wildlife fees to support habitat programs, fish and wildlife management and for wildlife enforcement efforts. Protecting the department's resource fund is maybe not the only desired outcome of the license fee increase. Sportsmen would like more habitats and more conservation on the ground. The increased license fees support four additional game wards in the state two located in the western portion of the state, one on the eastern portion. Figures presented at a recent Hunter Safety and Instructors Conference indicated that game and fish citations have increased 40-45 %. Fewer wardens are still resulting in more tickets. Other law enforcement agencies out west have had their staff form doubled to quadruple over the same time period. License increases for the fishing and boating registration and licenses, would support the departments work on some 390 lakes, up from 180 lakes several years ago. The wet conditions that have prevailed have created more fishing waters, almost all of our fishing waters are maintained by stocking. The Game and Fish department has a unique partnership with the US Fishing and Wildlife Service to manage the two federal hatcheries in the state. All of the hatchery fish in the state comes from there and, depending on the state of the federal budget the department may have to pick up some slack or in the worst case take them over. Funds from the proposed license fee increases we suggest be used to support additional staff through the department to work on oil and gas issues. The state Land Board has directed the Game and Fish Department to review and provide recommendations on all state school land leases. The Department has developed geographic information system (GIS maps) for the oil industry, locating important habitats. The Department has also developed a set of recommended management practices for oil industry to use in voluntary sightings on private lands, which

make up 90% of the oil and gas exploration within the state. We didn't anticipate this kind of workload and energy issues out west.

V.Chairman Bowman have you got a lot of donations to increase amount of money or does it need to be done with this increase in fees? Regarding % of increase for out of state hunters compared to instate, are they paying more or less with increase for ND?

Mike McEnroe: I don't know if voluntary contributions will do it. The Game and Fish Department has had the non-game check off on your income tax form. I think it raises \$15-16,000 a biennium. I don't know what the percentage is but the increase is more on nonresidents, \$100 each,

Senator Laffen: I have the numbers: resident small game \$6 to 15 for nonresident \$85 to \$100; resident big game \$ 20-30 non-resident \$ 200-250.

Senator Wanzek: How did you come up with numbers increase?

Senator Laffen: Nothing scientific. Just increased the numbers.

Chairman Holmberg A somewhat similar bill has passed the House and is in the Senate.

Senator Robinson - I know that there are a number of wildlife conservation organizations across the state. They do yeomen's efforts in terms of contributing volunteer efforts to advancing hunting and wildlife conservation and resources across the state. They do a lot to help complement the efforts of Game and Fish and I know it is not monetary but if they weren't doing that there would be a tremendous void and the cost of someone having to pick up to preserve and advance conservation in the state.

Senator Carlisle: I'm one of the fundraisers for Dakota Pheasants Forever. We have ranchers sign up for wildlife plantings; we get the seeds for them we're a plus 30,000 group. I think this is fine - with what we pay for shells, fuel and dogs, this is needed.

Senator Krebsbach: A constituent was concerned about the furbearing license fees for non-residents. On page 4 line 3 there is an increase from \$25 to \$30 He is suggesting we go from \$30 to \$250. On line 17, same page, a nonresident reciprocal trapping license it is \$250 that was not changed he recommended going to \$500. Was that looked at and considered?

Chairman Holmberg not looked at and wasn't considered.

Senator Robinson This individual e-mailed this suggestion as an amendment

Terry Steinwand Attachment # 2 - Resident Fishing License Price Comparisons (2012)

Senator Robinson - Is this bill going to be enough of answer from us to respond to the challenges your department is facing? I think there are some serious issues down there that are impacting our department

Terry Steinwand right now with the current decline in CRP it would take \$89M a year just to maintain what we have right now. We can't afford it - need to find innovative ways to keep wildlife habitat safe.

Senator Carlisle There's another bill in House - \$30M biennium. That will help too.

V.Chairman Bowman I'm not opposed to raising fees; but if you went straight across the board 10%,, that increases the amount of revenue from out of state hunters considerably more than . To jump where some are 30-40-10% I don't see the continuity in that at all when we are talking about the same thing.

Terry Steinwand - I can't argue with that we are willing to work with this committee to find the appropriate balance.

Chairman Holmberg closed the hearing on SB 2231. Do you want to delve into the policy issues, there is another bill in the Senate, or do we want to take a motion.

Senator Carlisle moved Do Pass on SB 2231.

Senator Lee seconded the motion.

A roll call vote was taken. Yea: 10 Nay: 3 Absent: 0

Motion carried and it goes back to Natural Resources and Senator Laffen will carry the bill.

FISCAL NOTE
Requested by Legislative Council
01/18/2013

Revised
 Bill/Resolution No.: SB 2231

- 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				\$4,800,000		\$9,600,000
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 increases hunting license fees, fishing license fees and boat registration fees.

- 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.*

A license fee increase is needed since our operating fund balance has been decreasing each year to an all time projected low of \$15M as of 6/30/15. Per NDCC 20.1-02-16.1, our fund balance may not go below \$15M without budget section approval. We are a special funds agency and do not receive general funds.

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.*

Fee increases are being projected to start in the 2014 hunting season since a fee increase for 2013 season isn't possible because the season begins April 2013. Therefore, the 2013-15 biennium has a fee increase for only 1 year. It is hard to estimate if a fee increase would have an effect on license sales; therefore, the amount in 1A is calculated using the # of license sold in 2011 & 2010. Keeping in mind that deer licenses were low in 2011.

- 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: 01/23/2013

Date: 2-18-13

Roll Call Vote # 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2231

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Carlisle Seconded By Lee

Senators	Yes	No	Senator	Yes	No
Chariman Ray Holmberg	✓		Senator Tim Mathern	✓	
Co-Vice Chairman Bill Bowman		✓	Senator David O'Connell		✓
Co-Vice Chair Tony Grindberg	✓		Senator Larry Robinson	✓	
Senator Ralph Kilzer	✓		Senator John Warner	✓	
Senator Karen Krebsbach	✓				
Senator Robert Erbele		✓			
Senator Terry Wanzek	✓				
Senator Ron Carlisle	✓				
Senator Gary Lee	✓				

Total (Yes) 10 No 3

Absent 0

Floor Assignment Natural Resources - Laffer

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

REPORT OF STANDING COMMITTEE

SB 2231: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2231 was placed on the
Eleventh order on the calendar.

2013 HOUSE ENERGY AND NATURAL RESOURCES

SB 2231

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SB 2231
March 8, 2013
Job 19616

Conference Committee



Relating to hunting fees

Minutes:

Testimony 1, 2

Rep. Porter: We will open the hearing on SB 2231.

00:09 Senator Laffen: Discussed SB 2231.

02:19 Rep. Hunskor: On page 4, lines 7 & 8. Why did the swan license fees for non-residence and residence increase at a different price?

Senator Laffen: Our proposal is to increase both by \$5.00.

03:18 Terry Steinwand, Director of the ND Game and Fish Department: We do support these license fees increases. See Testimony 1.

Rep. Porter: Please explain the online process.

05:20 Terry Steinwand: We currently have 18 counties that are electronic. All counties will be included in this process for a better count and ability to survey them for wildlife management.

06:19 Rep. Brabandt: Has the state calculated what it costs the state of ND to process fishing or hunting license?

06:35 Terry Steinwand: No.

06:55 Rep. Hunskor: On page 4, lines 3 & 17. What are your thoughts?

08:02 Terry Steinwand: Discussed these costs. Line 3 no, line 17 to consider.

Rep. Froseth: Fee vendors receive is that in code?

House Energy and Natural Resources

SB 2231

March 8, 2013

Page 2

09:27 Terry Steinwand: In code.

Rep. Froseth: Is the local hardware store also in code?

10:02 Terry Steinwand: Yes.

10:29 Duane Ash, from the ND Sportfishing Congress: See Testimony 2. North Dakota is the only state that does not have a hatchery. We are in support of this bill.

Hearing closed.

Subcommittee for SB 2231: Representative Anderson, Representative Silbernagel, and Representative Kelsh

Minutes of the

(HOUSE) (SENATE) BILL NO. 2231 SUBCOMMITTEE OF THE

STANDING COMMITTEE

Meeting location: Pioneer Room

Date of meeting: 3-14-12

Time meeting called to order: 8:00 AM

Members present: Rep. Dick Anderson, Rep. Pete Silbernagel
Rep. Scott Kelsch - NDGF Terry Steinwand, DIANE Dekrey
Kim Molesworth

Others present (may attach attendance sheet):

Topics discussed:

Amendments to Bill 2231 - related to
increase in fees

Motion and vote:

Motion to accept fee charges recommended by
NDGF by Rep. Silbernagel, second by Rep. Kelsch
PASSED 3 to 0 Motion by Rep Kelsch to
increase nonresident reciprocal trapping license
to \$350. Page 4 Line 17

Time of adjournment: 8:20

Note: If a motion is made, a description of the motion must be provided along with the member seconding the motion. A recorded roll call vote must be taken and reported for any nonprocedural motion.

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SB 2231
March 14, 2013
19970

Conference Committee

Minutes

Relating to hunting fees.

Minutes:

"attached testimony."

Rep. Porter We have SB 2231 in front of us. As we heard this bill we had a similar bill that was put in on the first portion of the session that dealt with the fees and fund.

Rep. Anderson: This bill if passed will replace HB 1130 we worked the Game and Fish on the amendments and tried balance the fees so they can meet their budget and be competitive the other states. If this bill is passed the fees will not take place until 2014.

Rep. Nathe: Did you say this takes place in 2014?

Rep. Anderson: Yes April 2014.

Rep. Silbernagel: Is this a 20% increase overall?

Rep. Damschen: Do these go inside of the other bill?

Rep. Anderson: No I think when we passed HB 1130 it was a 10-15% increase.

Rep. Porter: This bill is about \$4,000.000 and the senate was about \$1,000.000 less per biennium.

Rep. Damschen: On line 24 on the resident waterfowl what did you do previously on that?

Rep. Anderson: That was at 25 and we increased that to 50.

Rep. Porter: We have a motion from Rep. Anderson to move the proposed amendments on SB 2231 number 010001. And a second from Rep. Kelsh voice vote carried

House Energy and Natural Resources

March 14, 2013

SB 2231

Page 2

Rep. Porter: We have an amended bill; we have a motion for a do pass on SB 2231 as amended from Rep. Anderson and a second from Rep. Kelsh. Motion Carried;

Yes 11 No0 Absent: 2 Carrier; Rep. Anderson

FISCAL NOTE
Requested by Legislative Council
03/15/2013

Amendment to: SB 2231

- 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.*

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None anticipated.

Name: Kim Molesworth

Agency: ND Game and Fish Dept.

Telephone: 701-328-6605

Date Prepared: 03/15/2013

FISCAL NOTE
Requested by Legislative Council
01/18/2013

Revised
 Bill/Resolution No.: SB 2231

- 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				\$4,800,000		\$9,600,000
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 increases hunting license fees, fishing license fees and boat registration fees.

- 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.*

A license fee increase is needed since our operating fund balance has been decreasing each year to an all time projected low of \$15M as of 6/30/15. Per NDCC 20.1-02-16.1, our fund balance may not go below \$15M without budget section approval. We are a special funds agency and do not receive general funds.

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.*

Fee increases are being projected to start in the 2014 hunting season since a fee increase for 2013 season isn't possible because the season begins April 2013. Therefore, the 2013-15 biennium has a fee increase for only 1 year. It is hard to estimate if a fee increase would have an effect on license sales; therefore, the amount in 1A is calculated using the # of license sold in 2011 & 2010. Keeping in mind that deer licenses were low in 2011.

- 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: 01/23/2013

1/15/13
CWA
10/2

PROPOSED AMENDMENTS TO SENATE BILL NO. 2231

- Page 1, line 8, replace "fifteen" with "ten"
- Page 1, line 11, remove the overstrike over "~~ten~~"
- Page 1, line 11, remove "eleven"
- Page 1, line 16, replace "twenty" with "fifty"
- Page 2, line 8, replace "twelve" with "fifteen"
- Page 4, line 2, replace "twenty" with "twenty-five"
- Page 4, line 3, replace "thirty" with "forty"
- Page 4, line 4, replace "forty" with "fifty"
- Page 4, line 7, replace "fifteen" with "ten"
- Page 4, line 9, overstrike "and nonresident"
- Page 4, line 10, after "40." insert "For a nonresident sandhill crane license, thirty dollars.
41."
- Page 4, line 11, remove the overstrike over "~~42.~~"
- Page 4, line 11, remove "41."
- Page 4, line 12, remove the overstrike over "~~43.~~"
- Page 4, line 12, remove "42."
- Page 4, line 14, remove the overstrike over "~~44.~~"
- Page 4, line 14, remove "43."
- Page 4, line 16, remove the overstrike over "~~45.~~"
- Page 4, line 16, remove "44."
- Page 4, line 17, remove the overstrike over "~~46.~~"
- Page 4, line 17, remove "45."
- Page 4, line 17, overstrike "two" and insert immediately thereafter "three"
- Page 4, line 18, remove the overstrike over "~~47.~~"
- Page 4, line 18, remove "46."
- Page 4, line 19, remove the overstrike over "~~48.~~"
- Page 4, line 19, remove "47."
- Page 4, line 22, remove the overstrike over "~~49.~~"

Page 4, line 22, remove "48."

Page 4, line 22, replace "thirty" with "thirty-five"

Page 4, line 23, remove the overstrike over "~~50.~~"

Page 4, line 23, remove "49."

Page 4, line 24, remove the overstrike over "~~51.~~"

Page 4, line 24, remove "50."

Page 4, line 24, overstrike "twenty-five" and insert immediately thereafter "fifty"

Page 4, line 26, remove the overstrike over "~~52.~~"

Page 4, line 26, remove "51."

Renumber accordingly

Date: 3-14-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO SCR 2231

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Rep. Anderson Seconded By Rep. Kelsh

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:

To Amend Amendment 10001

*VOICE Vote
Carrier*

Date: 3-14-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2231

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number Do pass as amended

Action Taken _____

Motion Made By Anderson Seconded By Kelsh

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) 11 No 0

Absent 2

Floor Assignment Rep Anderson

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

REPORT OF STANDING COMMITTEE

SB 2231: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2231 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "fifteen" with "ten"

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Renumber accordingly

2013 TESTIMONY

SB 2231



Senate Natural Resources Committee

Testimony on SB 2231

Duane DeKrey, Deputy Director

North Dakota Game and Fish Department

February 1, 2013

Chairman Lyson and members of the Senate Natural Resources committee, my name is Duane DeKrey, Deputy Director of the North Dakota Game and Fish Department and I am testifying in support of HB 2231.

We are a special fund agency and as such we don't receive any general fund monies. Instead, 44% of our revenue comes from federal excise taxes on hunting and fishing equipment, while the remaining primary source of our revenue is generated by license sales for hunting, fishing and boating. By state law, the department is required to maintain a \$15 million ending fund balance. Attached to my testimony is a graph showing the fund balance (and projected fund balance) since 1991.

In recent bienniums, the department had sufficient funding in reserve to carry us through. Many factors have contributed to the increased cost of day to day operations in the department. The most obvious is simply inflationary costs. A major fact is that, in 1999, a goal of 1 million acres of land was set to improve public access and hunting, which is the popular Private Land Open to Sportsmen Program. This is over a \$4 million a year program. In order to achieve the 1 million acre goal we had to spend into our reserve fund to partially fund and sustain the program.

North Dakota sportsmen and women have been enjoying good hunting and fishing opportunities for the last 20 plus years. Much of this has been due to over 3 million acres of land that had been enrolled in the Conservation Reserve Program, and many more wet years than dry ones. We can't predict the weather patterns but we do know and have already seen a dramatic loss of CRP acres. Sportsmen, in casual contact with department employees, and during scheduled Advisory Board meetings throughout the state have indicated that they want the department to come up with programs and new ideas that will try to negate or soften the loss of habitat

Our most recent license increase was 7 years ago and the oldest increase for 3 license types was 32 years ago. I've attached a history of license fee increases for hunting and fishing for your information.

We don't know what is going to happen with the federal budget but there would appear to be many indicators that we will be receiving less federal funding in the years to come. The Department is being asked continually to contribute more to the operation of the two Federal Hatcheries in the state that we partner with. We still don't have a Farm Bill so don't know where and how much the CRP program will be affected. There could be new provisions of the bill that will have an effect on our budget.

We are managing more fishing waters today than in history and management decisions need to be based on biological information. Monitoring for aquatic nuisance species (ANS) will be more important. The demand for development infrastructure in the form of boat ramps, docks, piers, etc. is growing and the cost of providing these is increasing. While we partner with the State Water Commission on dam repair projects, these have become extremely expensive and given that one-third of our current fishing waters are those behind dams its important these are addressed.

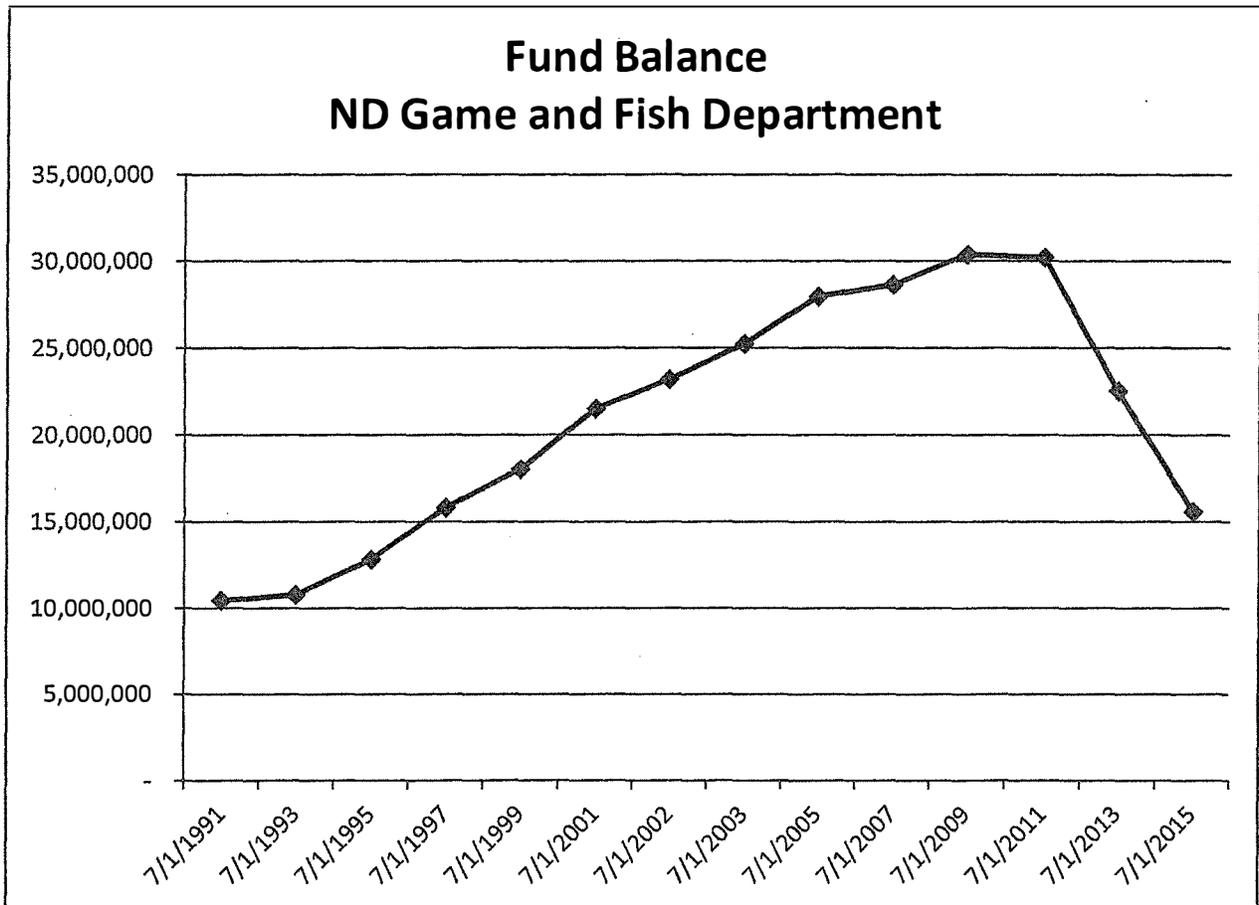
With the changing landscape in North Dakota's population demographics and increased population, many challenges have been presented to North Dakota's peace officers and our wardens are no exception. They are an integral part of our everyday operation and their budget consists of 88% license funds.

Our experience at the department is that our clientele are asking for more not less. We also realize there is a fine line to walk on the cost of our licenses. There are avid sportsmen and women in the state who are asking that the fees be increased substantially to support habitat, enforcement, fisheries and access. There are also causal sportsmen and women, many who are older and retired, that are on fixed incomes, that don't want to be priced out of the outdoors experience. During last November's statewide Advisory Board meetings, this was an unsolicited topic of discussion and everyone at those meetings supported a license increase. I respectfully submit this information for your use in discussing this bill.

Per NDCC 20.1-02-16.1, the fund balance shall not be reduced below \$15M unless authorized by the budget section.

Fund balance projections:

	<u>6/30/13</u>	<u>6/30/15</u>
Fund Balance	\$23,941,130	\$15,556,026



ND Hunting License History

General Game License – In 1981 this general license was increased from \$1 to \$3.

Resident Small Game License – In 1981 this was increased from \$5 to \$6.

Habitat Stamp – In 2004 this license was changed from \$5 to \$10. This fee is used for the Private Lands Program.

Resident Furbearer license increased from \$5 to \$7 in 1981

Resident Wild Turkey license increased from \$5 to \$8 in 1993

Resident swan license created in 1991 cost \$5

Resident and nonresident sandhill crane license created in 1991 costing \$5

Resident Combo license increased from \$27 to \$32 in 2003. This was related to the \$5 increase in the Habitat Stamp.

Resident big game – In 1981 changed from \$10 to \$18

In 1993 changed from \$18 to \$20

In 1993 the \$10 resident youth big game license was established

In 1986 the \$3 application fee for elk, moose and bighorn was created

Nonresident big game – 2003 increased from \$155 to \$200

2003 \$50 license created – for remaining deer tags

Nonresident small game and waterfowl – 2003 the small game and waterfowl licenses were split and the fee for each changed to \$85. In 2005 the \$125 statewide waterfowl license was created.

Nonresident furbearer and nongame license costing \$25 was created in 1989.

Nonresident swan license increased from \$20 to \$25 in 1993

ND Fishing License History

1993 Resident senior citizen and disability fishing licenses increased from \$2 to \$3

1996 Resident fishing license increased from \$9 to \$10

Resident husband/wife license increased from \$13 to \$14

2004 Nonresident fishing license fee increased from \$25 to \$35

Nonresident short-term 7 day license increased from \$15 to \$20

Nonresident husband/wife license increased from \$35 to \$45

Nonresident 3 day license increased from \$10 to \$15

2006 Nonresident 10 day license created - \$25

The 7 day license was eliminated.

State/Province	ND	MN	WI	IA	NE	SD	WY	MT	SAK	MAN	AVG
Non Res Any Deer Bow	200	140	160	298**							
Non Res Deer Gun*	200	141	160	298**	209	285	312*	561*	274.76	217	265
Non Res Landowner	200				105		312*				
Non Res Pronghorn Bow	200				155.50	285	272*	205			
Non Res Trapping	250	161	150	202	225	250	242	250			216
Non Res Nongame	15										
Non Res Furbearer & Non Game	25		160								
Non Res General Game & Habitat	13			13	20						
Non Res Swan	25										
Non Res Turkey	80	83*	60*	102	91	85	72	55*			78

*Requires additional nonrefundable application fee

**May require additional license, permits, or stamps based on species, area or method

NOTE: While the above will serve as a general comparison, they are in most cases not a one to one comparison. License, type/name, species allowed under a particular license and what additional license or permit may be required vary by state or province.

#2

North Dakota Sportfishing Congress Testimony

Feb 1, 2013

SB 2231

Chairman Lyson and members of the Senate Natural Resources committee:

My name is Duaine Ash and I am speaking on behalf of the North Dakota Sportfishing Congress, an organization of fishing clubs from around our great state of North Dakota. Our organization represents fifteen clubs and hundreds of individual members.

We surveyed our clubs and members to get their responses on the need to increase license fees for both fishing and boat registration. All the respondents stated there is a need to increase both the resident and nonresident licenses. Responses ranged from double the current prices to increase the price of licenses only as much as they need to meet their needs. We have not had a fishing license price increase for the past twenty years and even with these proposed increases, North Dakota licenses would still be far cheaper than surrounding states (see attachment). Any price increase will heighten the 'value' of fishing and more importantly it will assist the North Dakota Game and Fish Department in maintaining our states first class fishery.

Providing additional funding through an overall license increase will ensure the following will be adequately addressed:

- The number of fishing lakes in North Dakota has more than doubled in the past twenty years. In addition, these lakes need to be checked for aquatic nuisance species as this is a new requirement. License fee increases will help the continued professional management of the lakes stressing good biology.
- With the increased numbers of lakes so too are the number of boats that want to fish and boat on these lakes. Currently there are more than 60,000 boats registered in North Dakota and with this the demand for boat ramps and other development infrastructure work exceeds the funding to meet

these needs. With a license fee increase, the states need for developing and maintaining the network of boat ramps will continue to be met.

- 135 of today's fishing lakes in North Dakota were created from dam construction and long-term maintenance is very expensive. An increase in license fees will help the Department meet the future demand in cost sharing with other entities on dam projects.
- North Dakota is one of very few states that does not have a 'state' fish hatchery; rather, there are two federal hatcheries which we are thankful for as they are two of the most productive hatcheries in the nation. Although the Game and Fish Department provides more than half of the costs to support the fish hatchery, the unfortunate reality is federal priorities continue to shift away from recreational fisheries. As a result, a license fee increase is needed to help the State of North Dakota to continue to contribute its share of the costs to support fish production in the future.

For these reasons, the North Dakota Sportfishing Congress is fully supportive of SB 2231 and asks you to provide a DO PASS vote on this bill.

Non-resident Fishing License Price Comparisons (2012)

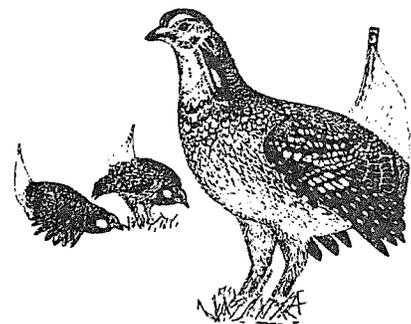
	<i>Annual</i>	<i>Hus/Wife</i>	<i>15-day</i>	<i>10-day</i>	<i>7-day</i>	<i>4-day</i>	<i>3-day</i>	<i>2-day</i>	<i>1-day</i>	<i>Youth</i>
North Dakota (16)	\$35.0	\$45.0		\$25.0			\$15.0			
Montana ^a (15)	\$70.0			\$53.5				\$25.0		
South Dakota (16)	\$62.0	\$62.0					\$34.0		\$16.0	
Minnesota ^b (16)	\$40.0	\$53.0			\$30.0		\$24.0		\$10.0	\$18.0
Wisconsin ^b (16)	\$50.0	\$65.0	\$28.0			\$24.0				
Iowa (16)	\$41.0				\$32.0		\$17.5		\$10.5	
Nebraska (16)	\$60.5						\$27.5		\$9.5	
Wyoming (14)	\$92.0								\$14.0	\$15.0
<i>Three State Neighbor Avg</i>	<i>\$57.3</i>	<i>\$57.5</i>		<i>\$53.5</i>	<i>\$30.0</i>		<i>\$29.0</i>	<i>\$25.0</i>	<i>\$13.0</i>	<i>\$18.0</i>
<i>Seven State Average</i>	<i>\$59.4</i>	<i>\$60.0</i>	<i>\$28.0</i>	<i>\$53.5</i>	<i>\$31.0</i>	<i>\$24.0</i>	<i>\$25.8</i>	<i>\$25.0</i>	<i>\$12.0</i>	<i>\$16.5</i>
() above indicates age when no longer considered youth										
^a - MT - includes conservation fees which are required; an additional \$5 fee is required for warmwater fisheries (statewide)										
^b - MN and WI - also has addt licenses f or ice shelters, dh spear houses, trout stamps are not included										
North Dakota (16)	\$35	\$45		\$25			\$15			
<i>Three State Neighbor Avg</i>	<i>\$57</i>	<i>\$58</i>		<i>\$54</i>			<i>\$29</i>			
<i>Seven State Average</i>	<i>\$59</i>	<i>\$60</i>		<i>\$54</i>			<i>\$26</i>			



North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MICHAEL R. McENROE
NORTH DAKOTA CHAPTER, THE WILDLIFE SOCIETY
SENATE BILL 2231
SENATE NATURAL RESOURCES COMMITTEE
FEBRUARY 1, 2013**

Chairman Lyson and members of Committee:

My name is Mike McEnroe and I am 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 support Senate Bill 2231.

Sportsmen and women across the State at the winter Advisory Board meetings have given strong support for license fee increases to support the Game and Fish Department. Hunters and fishermen in the State are willing to pay more in license fees to support habitat programs, fish and wildlife management on both private and public lands, and wildlife law enforcement efforts. Protecting the Department's reserve fund is not the desired outcome of the proposed license fee increases; more habitat and more conservation is what is needed.

Specifically, we see the increased license fees supporting four additional game wardens, three located in the western portion of the State and one in the east. I have attached a recent article from Dakota Country magazine that describes the wildlife law enforcement problems in western North Dakota; un-authorized camping and garbage and waste disposal on Wildlife Management Areas, increased poaching and vandalism, increased public use by an increasing population, and the misrepresentation on purchasing resident hunting and fishing licenses.

License fee increases for fishing and boat registration would support the Department's work on 390 lakes now managed for sport fishing, up from about 180 several years ago. In addition, the impacts of the 2011 flood on the Missouri River, Lake Sakakwea and Lake Oahe are just being determined. The federal government's budget problems threaten the two federal hatcheries in North Dakota. The Game and Fish Department has a unique partnership with the U. S. Fish and Wildlife Service and currently covers about half the management costs at the Garrison Dam hatchery. Depending on federal budgets, the Department may have to pick up the slack or in a worse case, take over the two hatcheries.

Funds from the proposed license fee increases should be used to support three additional staff for the Department to work on oil and gas issues. The State Land Board has directed the Game and Fish Department to review and provide recommendations on all leases for oil development on State Trust Lands (School Lands). The Department has developed Geographic Information System (GIS) maps for important wildlife species in oil country (mule deer, pronghorn, bighorn sheep, elk, sage grouse, eagles, and terns and plovers), in order to assist oil companies in avoiding and minimizing impacts. The Department has developed a set of Recommended Management Practices (RMPs), again to assist the oil industry in minimizing and avoiding impacts from oil development on private land, which make up 90 percent of the new wells. All these efforts are having positive results, and the oil companies are requesting Department staff for assistance in planning oil development. Current staffing plans did not anticipate this oil and gas workload.

Last the Private Lands Open to Sportsmen (PLOTS) program has declined from over 1.1 million acres three years ago to 836,000 acres this past fall. Declining Conservation Reserve Program (CRP) acreages, high commodity prices and cash rents, and a growing agricultural economy have all contributed to the decline in the acreage and quality of the PLOTS tracts. Increased funding through an increase in the Habitat stamp would provide higher rent payments for landowners enrolling in the popular and highly successful PLOTS program.

There have been no meaningful increases in hunting and Fishing licenses since the 1980s. The cost for a small game, general hunting license and habitat stamp is currently \$ 19 for over four months of upland game hunting. Most boxes of shotgun shells cost more than that. A deer license has been \$ 20 since 1983. You cannot buy a box of rifle shells for \$ 20. An annual fishing license costs \$10; that's less than 3 cents a day to fish in North Dakota.

Thank you and I will answer any questions.



by Patricia Stockdill

Wildlife Enforcement in the **OIL PATCH**

Up until a few years ago, North Dakota Game and Fish Department game warden **Brent Schwan**, Watford City, recognized many of the vehicles whose owners were hunting and fishing in his district. But lately, not only does he not recognize vehicles or their owners, he's spending extensive time not watching and checking hunters and anglers, but on Game and Fish Department Wildlife Management Areas policing the influx of people using

and abusing the state's natural resources.

"It's been as frustrating of a spring as I've ever had," he admitted, "There's been significant damage to the WMAs."

The users and abusers aren't hunters and anglers, the user group for whom WMAs are generally intended, and the user group paying for their development, enhancement and policing, Schwan explained.

For years, hunters and anglers enjoyed free camping on WMAs

and could stay up to 10 days. While that's still the case on many WMAs across North Dakota, several in western and west-central North Dakota now have camping restrictions or are closed to all overnight camping.

It's an attempt to reduce a burgeoning amount of garbage strewn and dumped throughout the WMAs, Schwan said, and to crack down on extensive off-trail abuse of Lake Sakakawea shoreline and uplands. People are "mudding", Schwan described,

Western North Dakota is large country, and tracking poachers with no addresses is an expanding problem for wardens

the Oil Patch can be delayed in getting to a scene, game warden **Mike Raasakka** described, with heavy traffic on paved roads and state highways and township and county gravel roads in pathetic travel conditions.

Raasakka is stationed in Stanley, whose local Cenex station is emblazoned with the words "Bakken Central" at its entrance. The station, like many others in Raasakka's district, quit selling hunting and fishing licenses because clerks are too busy.

Statewide, North Dakota is experiencing increasing resident and nonresident licensing violations, Hoenke said, a combination of people not buying licenses or not understanding North Dakota's residency licensing requirements. Some people mistakenly think a resident fishing license from their home state is legal in North Dakota, Hoenke said. Other times, people don't remember to buy a license or are willing to simply take their chances they won't be caught. Sometimes vendors inadvertently give misinformation regarding residency requirements. However, it's the license buyer's responsibility, not a vendor's, Raasakka said.

The Game and Fish Department has an educational program to help license buyers and vendors address residency questions.

In addition, people aren't reading North Dakota's fishing and hunting regulations, Hoenke said, and mistakenly think the state's regulations are the same as their home state.

Many people coming to work in the Oil Patch don't have boats, Raasakka described, so small lakes in his district are experiencing an influx of users. For example, Raasakka checked anglers at tiny White Earth Dam one day, a lake that used to be considered busy if a couple of people were casting from shore.

"There were 25 people there that afternoon," he said.

Overall, the influx of people and activity in the Oil Patch extends to an influx of wildlife enforcement activity.

"The more volume of people you have, the more problems you have," Hoenke concluded. •

Enforcement problems in the oil patch by Patricia Stockdill

With 28 field wardens, four field supervisors, two wildlife enforcement investigators and one chief warden, North Dakota has one of the nation's smallest wildlife enforcement staffs, ND Game and Fish chief warden Bob Timian said.

Despite growing human populations and corresponding growth in wildlife-related enforcement issues, western North Dakota doesn't top the state when it comes to the number of wildlife violations and enforcement issues.

"Where do we have the most calls? Where the most people live," Timian said. "In just the volume of calls and field checks, dividing (the state) into regions, the southeast (Fargo, Bismarck and their surrounding areas) has the largest number of cases," he said.

However, based on 2008 through 2011 tracking of the number wildlife-related incidents and activities or calls involving a warden's response, "We have seen some slight trending up in certain cases (in western North Dakota)," Timian added. "As the population size increases, calls for service for wardens and violations will increase."

The big unknown is if increased warden demands translate into increased numbers of wardens in western North Dakota. Perhaps a bigger question, "Do we need more staff in the field?" Timian said, "is how do we get them out there, how do we get them to stay?"

Like many western businesses and government agencies, employees are leaving jobs for more lucrative employment in the Oil Patch. However, employers face more than the question of finding staff. The staff they find must have a place to live and wages competitive enough to handle increased living costs.

"We're not unique. Every state agency has been hit," Timian said. •



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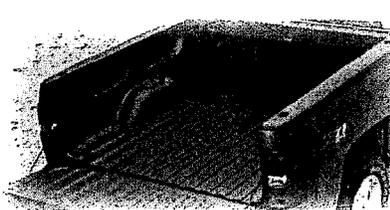
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Moose poaching among expansion problems in western, ND

by Patricia Stockdill

Once again, North Dakota's moose seem to be an easy target for poachers.

North Dakota Game and Fish Department game wardens **Jim Burud** and **Alan Howard** cracked a November 2011 moose-poaching case near Plaza. While moose still garner the attention of the state's resident poachers, Burud said their novelty seems to lend them as easy targets for people moving into North Dakota from areas where moose don't exist.

Dusty Clem, whose last known address was Plaza, is charged with five counts in the moose-poaching incident. Mountrail County State's Attorney **Wade Enget** said charges include three Class A misdemeanors: Illegal taking of a big game animal (moose), illegal possession of a big game animal, (white-tailed deer) and illegally transporting a big game animal (moose). In addition, Clem faces two Class B misdemeanors, illegal hunting of a big game animal out-of-season and concealment of a big game animal. Both charges involve the poached moose.

Clem is awaiting his initial court appearance where he will enter a plea.

A second suspect, **William Gilpin**, whose last known address was Makoti, was charged April 24, 2012 with six counts. Four relate to the moose incident: Hunting without resident big game license, illegal taking of big game animal, aiding in concealing big game and illegally transporting a big game animal. Two charges relate to the deer incident -- failure to tag big game and hunting in wrong unit.

While big game poaching tends to generate negative reactions among the public, Enget said people often are especially angry when cases involve moose. People enjoy seeing moose, he said. Even though they're becoming more commonplace across North Dakota's prairie, their presence still generates interest among people as they talk about where they've been observed or if they're still in a particular area, he added.

Burud agreed that most of his poaching cases involve deer, yet as moose numbers increase the number of moose poaching cases tends to increase, as well. The public helped with the moose incident by reporting it through the RAP (Report All Poachers) system, a simple, no-names-asked telephone number, **(800) 472-2121**.

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North Dakota Wildlife Federation

Ensuring abundant wildlife, wildlife habitat, and access to wildlife recreational opportunities



February 4, 2013

Senator Stanley Lyson, Chairman, and
Members of the Senate Natural Resources Committee:

Dear Chairman Lyson:

After last Friday's hearing, Feb. 1, 2013, I went back and reviewed the Secretary's notes from the January 12, 2013 business meeting of the North Dakota Wildlife Federation.

Mike Donahue, the Federation's lobbyist, discussed House Bill 1130 and the expected Senate version (SB 2231) with the delegates to the conference. After discussion, the membership, by voice vote, supported an across the board 20 % fee increase in all hunting and fishing licenses sold by the North Dakota Game and Fish Department. There was no written resolution passed regarding the fee increases.

The North Dakota Wildlife Federation is comprised of the following twelve organizations:

Barnes County Wildlife federation, Valley City
Bottineau County Wildlife Club, Bottineau
Central Morton Sportsmen's Club, New Salem
Grand Forks County Wildlife Club, Grand Forks
Hannaford Conservation and Wildlife Club, Hannaford
Hiddenwood Sportsmens Club, Makoti
Kindred Wildlife Club
Lewis and Clark Wildlife Club, Bismarck and Mandan
Missouri Valley Shooting Sports Assoc., Mandan
North Dakota Hunter Education Association, statewide
Red River Area Sportsmens Club, Wahpeton
Stutsman County Wildlife Federation, Buchanan

Thank you for the opportunity to provide this letter on behalf of the Federation.

Sincerely,


Michael R. McEnroe
President



PO Box 1091 • Bismarck, North Dakota 58502 • E-mail: ndwf@ndwf.org • Fax: 701-223-4645
Office Manager: 701-222-2557 • 1-888-827-2557 • Web: www.ndwf.org

#1

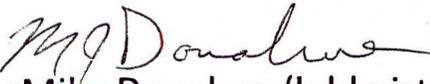
02-06-2013

For: Members, Senate Natural Resources Committee.

The North Dakota Wildlife Federation has some additional comments for some bills you are working.

SB 2231 (G&F license fees). Please adjust as you see fit and DO PASS.

Thank you,


Mike Donahue (lobbyist #8)

North Dakota Wildlife Federation

Ensuring abundant wildlife, wildlife habitat, and access to wildlife recreational opportunities



2231

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Michael R. McEnroe
President



Terry Steinwand #1
SB 2231
2-18-13

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The 7 day license was eliminated.

Non-resident Fishing License Price Comparisons (2012)

	<i>Annual</i>	<i>Hus/Wife</i>	<i>15-day</i>	<i>10-day</i>	<i>7-day</i>	<i>4-day</i>	<i>3-day</i>	<i>2-day</i>	<i>1-day</i>	<i>Youth</i>
North Dakota (16)	\$35.0	\$45.0		\$25.0			\$15.0			
(SB 2231)	\$45	\$60		\$30			\$20			
Montana ^a (15)	\$70.0			\$53.5				\$25.0		
South Dakota (16)	\$62.0	\$62.0					\$34.0		\$16.0	
Minnesota ^b (16)	\$40.0	\$53.0			\$30.0		\$24.0		\$10.0	\$18.0
Wisconsin ^b (16)	\$50.0	\$65.0	\$28.0			\$24.0				
Iowa (16)	\$41.0				\$32.0		\$17.5		\$10.5	
Nebraska (16)	\$60.5						\$27.5		\$9.5	
Wyoming (14)	\$92.0								\$14.0	\$15.0
<i>Three State Neighbor Avg</i>	<i>\$57.3</i>	<i>\$57.5</i>		<i>\$53.5</i>	<i>\$30.0</i>		<i>\$29.0</i>	<i>\$25.0</i>	<i>\$13.0</i>	<i>\$18.0</i>
<i>Seven State Average</i>	<i>\$59.4</i>	<i>\$60.0</i>	<i>\$28.0</i>	<i>\$53.5</i>	<i>\$31.0</i>	<i>\$24.0</i>	<i>\$25.8</i>	<i>\$25.0</i>	<i>\$12.0</i>	<i>\$16.5</i>
() above indicates age when no longer considered youth										
^a - MT - includes conservation fees which are required; an additional \$5 fee is required for warmwater fisheries (statewide)										
^b - MN and WI - also has addt licenses for ice shelters, dh spear houses, trout stamps are not included										
North Dakota (16)	\$35	\$45		\$25			\$15			
	\$45	\$60		\$30			\$20			
<i>Three State Neighbor Avg</i>	<i>\$57</i>	<i>\$58</i>		<i>\$54</i>			<i>\$29</i>			
<i>Seven State Average</i>	<i>\$59</i>	<i>\$60</i>		<i>\$54</i>			<i>\$26</i>			

State/Province	ND	SB2231	MN	WI	IA	NE	SD	WY	MT	SAK	MAN	AVG
Resident Combination	32	40				40						52
Res Small Game	6	15	19**	18**	19**	14						17
Res Deer Gun	20	30	26	24	28.50	30						28
Res Deer Gun Youth	10	11	13	20	28.50	6						15
Res Deer Bow	20	30	26	24	28.50							
Res Deer Bow Youth	10	11	13	20								
Res Pronghorn Gun	20	30				35	35	33*	19			
Res Pronghorn Youth	10	11						15*				
Res Pronghorn Bow	20	30					35					
Res Pronghorn Bow Youth	10	11										
Res Elk*	20	30	10*			159	305	52*	20	32.38	52	81
Res Moose*	20	30	310*					112*	130*	32.38	52	109
Res Bighorn*	20	30						117*	130*			
Res Turkey	8	12	23	15*	24.50	24	20	16	6.50	23	17	
Res Furbearer	7	15	20	20**	22.50	16	27	44	20	30		31
Res General Game & Habitat	13				13	20				10		
Res Crane	5	10	3						5			
Res Swan	5	15							5			
Res Deer Muzzleloader	20		26		28.50							
Non Res Small Game	85	100	84.50	85**	112.50	81	114	72	110	113.83	155	102
Non Res Zoned Waterfowl	85	100										
Non Res State Wfowl	140		7.50		10				50			
Non Res Crane	5	10	3						5			

Non Res White T Deer Bow	200		140									
State/Province	ND		MN	WI	IA	NE	SD	WY	MT	SAK	MAN	AVG
Non Res Any Deer Bow	200	250	140	160	298**							
Non Res Deer Gun*	200	250	141	160	298**	209	285	312*	561*	274.76	217	265
Non Res Landowner	200	250				105		312*				
Non Res Pronghorn Bow	200	250				155.50	285	272*	205			
Non Res Trapping	250		161	150	202	225	250	242	250			216
Non Res Nongame	15											
Non Res Furbearer & Non Game	25	30		160								
Non Res General Game & Habitat	13				13	20						
Non Res Swan	25	30										
Non Res Turkey	80		83*	60*	102	91	85	72	55*			78

*Requires additional nonrefundable application fee

**May require additional license, permits, or stamps based on species, area or method

NOTE: While the above will serve as a general comparison, they are in most cases not a one to one comparison. License, type/name, what species allowed under a particular license and what additional licenses or permit may be required vary by state or province. species allowed under a particular license and what additional license or permit may be required vary by state or province.



House Energy and Natural Resources Committee

Testimony on SB 2231

Terry Steinwand, Director

North Dakota Game and Fish Department

March 8, 2013

Chairman Porter and members of the House Energy and Natural Resources committee, my name is Terry Steinwand, Director of the North Dakota Game and Fish Department and I am testifying in support of SB 2231.

We are a special fund agency and as such we don't receive any general fund monies. Instead, 44% of our revenue comes from federal excise taxes on hunting and fishing equipment, while the remaining primary source of our revenue is generated by license sales for hunting, fishing and boating. By state law, the department is required to maintain a \$15 million ending fund balance. Attached to my testimony is a graph showing the fund balance (and projected fund balance) since 1991.

In recent bienniums, the department had sufficient funding in reserve to carry us through. Many factors have contributed to the increased cost of day to day operations in the department. The most obvious is simply inflationary costs. A major fact is that, in 1999, a goal of 1 million acres of land was set to improve public access and hunting, which is the popular Private Land Open to Sportsmen Program. This is over a \$4 million a year program. In order to achieve the 1 million acre goal we had to spend into our reserve fund to partially fund and sustain the program.

North Dakota sportsmen and women have been enjoying good hunting and fishing opportunities for the last 20 plus years. Much of this has been due to over 3 million acres of land that had been enrolled in the Conservation Reserve Program, and many more wet years than dry ones. We can't predict the weather patterns but we do know and have already seen a dramatic loss of CRP acres. Sportsmen, in casual contact with department employees, and during scheduled Advisory Board meetings throughout the state have indicated that they want the department to come up with programs and new ideas that will try to negate or soften the loss of habitat

Our most recent license increase was 7 years ago and the oldest increase for 3 license types was 32 years ago. I've attached a history of license fee increases for hunting and fishing for your information.

We don't know what is going to happen with the federal budget but there would appear to be many indicators that we will be receiving less federal funding in the years to come. The Department is being asked continually to contribute more to the operation of the two Federal Hatcheries in the state that we partner with. We still don't have a Farm Bill so don't know where and how much the CRP program will be affected. There could be new provisions of the bill that will have an effect on our budget.

We are managing more fishing waters today than in history and management decisions need to be based on biological information. Monitoring for aquatic nuisance species (ANS) will be more important. The demand for development infrastructure in the form of boat ramps, docks, piers, etc. is growing and the cost of providing these is increasing. While we partner with the State Water Commission on dam repair projects, these have become extremely expensive and given that one-third of our current fishing waters are those behind dams its important these are addressed.

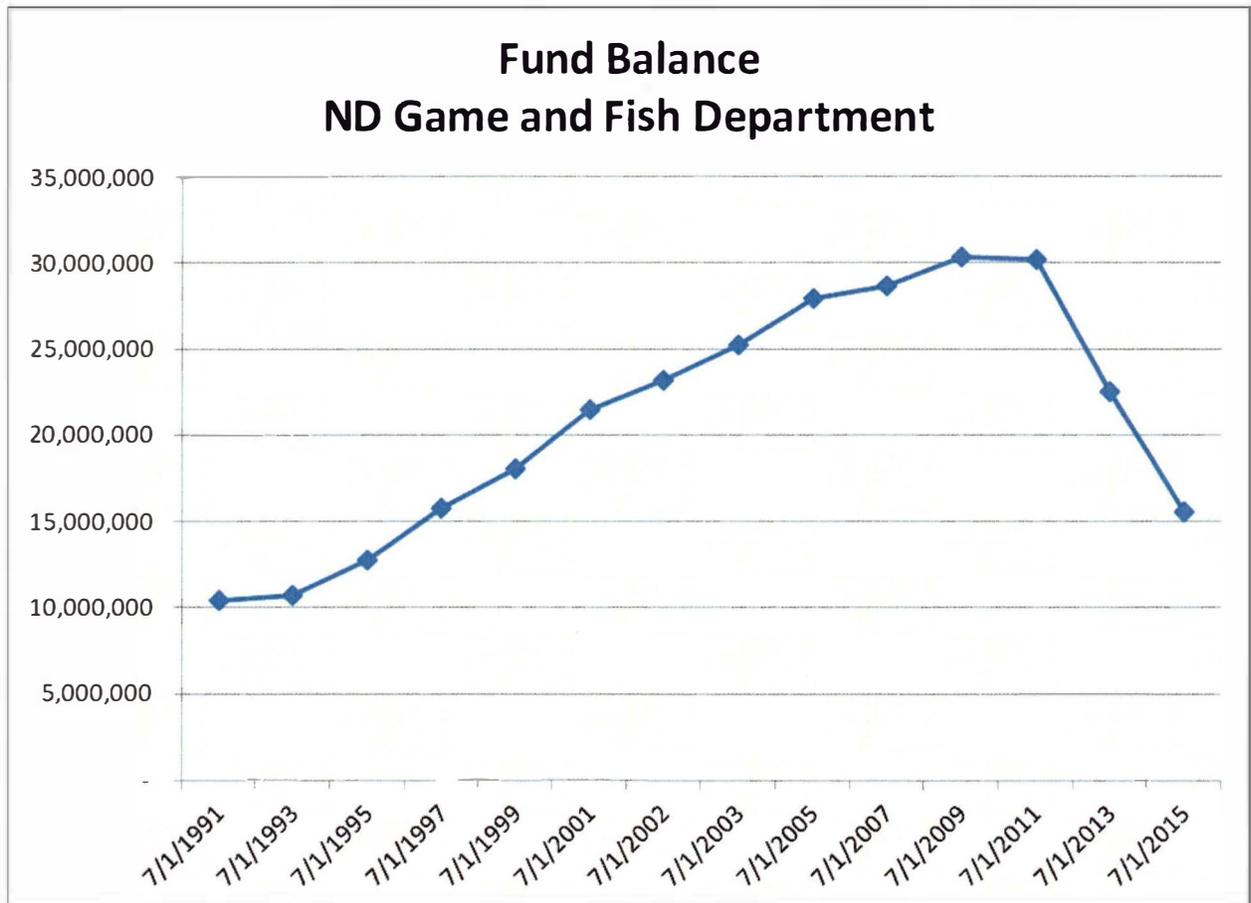
With the changing landscape in North Dakota's population demographics and increased population, many challenges have been presented to North Dakota's peace officers and our wardens are no exception. They are an integral part of our everyday operation and their budget consists of 88% license funds.

Our experience at the department is that our clientele are asking for more not less. We also realize there is a fine line to walk on the cost of our licenses. There are avid sportsmen and women in the state who are asking that the fees be increased substantially to support habitat, enforcement, fisheries and access. There are also casual sportsmen and women, many who are older and retired, that are on fixed incomes, that don't want to be priced out of the outdoors experience. During last November's statewide Advisory Board meetings, this was an unsolicited topic of discussion and everyone at those meetings supported a license increase. I respectfully submit this information for your use in discussing this bill.

Per NDCC 20.1-02-16.1, the fund balance shall not be reduced below \$15M unless authorized by the budget section.

Fund balance projections:

	<u>6/30/13</u>	<u>6/30/15</u>
Fund Balance	\$23,941,130	\$15,556,026



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2

North Dakota Sportfishing Congress Testimony

Mar 8, 2013

SB 2231

Mr. Chairman and members of the committee:

My name is Duaine Ash and I am speaking on behalf of the North Dakota Sportfishing Congress, an organization of fishing clubs from around our great state of North Dakota. Our organization represents fifteen clubs and several hundred individual members.

We polled our clubs and members to get their responses on increasing license fees for both fishing and boat registration. All the responses said to increase both the resident and nonresident licenses from double the current price to only as much as they need to meet their needs. We have not had a fishing license price increase for the past twenty years and even with these proposed increases, North Dakota licenses would still be far cheaper than surrounding states. With a price increase it will enhance the 'value' of fishing and it will assist with department in maintaining North Dakota's first class fishery.

In 1988, there were 168 fishing water bodies in North Dakota; today there are 400. Secured long term funding will ensure the following will be adequately addressed:

The professional management of the lakes are getting more and more difficult as the number of lakes to survey have increased substantially. In addition, these lakes need to be checked for aquatic nuisance species (ANS) as this is a new requirement.

Currently we exceed 60,000 boats registered in North Dakota, the demand for boat ramps and other development infrastructure work exceeds the funding to meet these needs and it is anticipated this disparity will grow in the immediate future. With the increased numbers of lakes so too are the number of boats that want to fish these lakes. With the number of boat ramps increasing and with the

booming economy comes the increased costs of concrete, rocks for riprap, steel and docks material it is difficult to meet the costs.

135 of today's fishing lakes in North Dakota were created from dam construction. Over time, many of these dams will require expensive maintenance if funding is not increased the ND Game & Fish will not have the money to partner with other entities on these projects.

North Dakota is the only state that does not have a 'state' fish hatchery; rather, there are two federal hatcheries which we are thankful for as they are two of the most productive hatcheries in the nation. Although the ND Game & Fish provides more than half of the costs to support the fish hatchery the unfortunate reality is federal priorities continue to shift away from recreational fisheries. As a result, it is highly likely that the State of North Dakota will need to contribute most if not all the costs to support fish production in the future.

The North Dakota Sportfishing Congress supports fishing license increases and thus this bill.