

2013 SENATE NATURAL RESOURCES

SB 2242

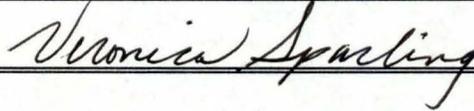
2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2242
February 1, 2013
18172

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to hunting and fishing fees for disabled veterans

Minutes:

Testimony attached

All committee members were present for roll call except for Senator Triplett. She joined the committee three minutes later.

Chairman Lyson opened the hearing on SB 2242.

Senator Oehlke, District 15, introduced the bill. He feels anything we can do for our veterans is a good thing.

There was a question about how a veteran is determined to be 100% disabled. The level of disability is determined by the Veterans' Administration.

There was a question about the \$1.00 charge mentioned in the proposed amendment.

Kim Molesworth, Chief of the Administrative Services Division of the ND Game and Fish Department, presented attached testimony #1. There was discussion about the fiscal impact of this bill. (7:55 to 9:00)

Lonnie Wangen, Commissioner of Veterans' Affairs for the State of ND, spoke in favor of the bill. He spoke about the necessity of putting a nominal fee charged. By charging it, it brings in the federal dollars. He also addressed how the VA arrives at the percentage of disability for a veteran. He explained the meaning of the word "schedular" used in the bill. As of 2011 we had 801 disabled veterans in ND.

Bill Helphrey, ND Bowhunters Association, spoke in favor of SB 2242.

There was discussion about the nominal fee that needs to be charged. The net amount has to be at least a dollar so about \$3 would have to be charged. There was also discussion about the estimates of how many of the disabled veterans do apply for licenses and what the fiscal impact would be. Kim Molesworth explained the process of how they estimated the numbers.

Chairman Lyson closed the hearing on SB 2242.

Senator Murphy offered to work on an amendment for the bill.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2242
February 7, 2013
18528

Conference Committee

Committee Clerk Signature

Veronica Spurling

Explanation or reason for introduction of bill/resolution:

Relating to hunting and fishing fees for disabled veterans

Minutes:

No testimony

Chairman Lyson opened the discussion on SB 2242.

Attachment #1 was submitted on behalf of Mike Donahue with the ND Wildlife Federation.

Senator Murphy submitted amendments. See attachment #2.

Senator Murphy made a motion to accept the amendment 13.0706.01001.

Senator Laffen: Second

There was a discussion about the need to set the fee so the net fee would be high enough so we would not lose out on federal dollars. The bill also excludes the lottery.

Amendment was accepted by voice vote.

Senator Murphy made a motion for a Do Pass as Amended.

Senator Burckhard: Second

Roll Call Vote: 7, 0, 0

Carrier: Murphy

FISCAL NOTE
Requested by Legislative Council
01/21/2013

Bill/Resolution No.: SB 2242

- 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				\$(10,218)		\$(20,436)
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 creates a new section waiving the hunting and fishing fees for 100% disabled veterans.

- 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.*

On the surface, this bill has a minimal fiscal impact on license sales revenue. However, it will affect the amount of federal apportionment we receive from the USFWS Wildlife & Sportfish Restoration Program. These federal funds are based on license sales. By waiving the fee, we can't count these licenses in our federal certification.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase a license or which hunting/fishing licenses they may elect to purchase. In the 2011 fishing season, we sold 412 resident totally/permanently disabled fishing licenses. It is unknown how many of these were disabled veterans. Per the Veteran's Affairs Office, the # of 100% disabled veterans was 801 in FY2011. Hypothetically, if half of the 412 fishing licenses sold were disabled veterans it will equate to \$618 (206 x \$3) a year. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. It is unknown which hunting licenses they will buy. Assuming they purchase a deer and waterfowl/pheasant license it will equate to \$9,600 (240 x \$40) per year. Total reduction in revenue for a biennium is \$20,436 (\$10,218 x2). The proposed bill will take effect for the 2014 season. Therefore, only 1 year in the 2013-15 biennium will be affected. This amount of estimated revenue loss does not include the amount of potential loss of federal funds due to issuing free licenses.

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 01/24/2013

2/6/13
TD

PROPOSED AMENDMENTS TO SENATE BILL NO. 2242

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 20.1-01-02 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to disabled veterans and hunting fees; and to amend and reenact subsection 6 of section 20.1-03-12 of the North Dakota Century Code, relating to fishing fees for disabled veterans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 20.1-01-02 of the North Dakota Century Code is created and enacted as follows:

"Disabled veteran" means a veteran who has a one hundred percent service-connected disability as determined by the department of veterans' affairs or has an extra-schedular rating to include individual unemployability that brings the veteran's total disability ratio to one hundred percent as determined by the department of veterans' affairs.

SECTION 2. AMENDMENT. Subsection 6 of section 20.1-03-12 of the North Dakota Century Code is amended and reenacted as follows:

6. For a resident fishing license, ten dollars, except that for a resident sixty-five years or over ~~or~~, a resident totally or permanently disabled, or a resident disabled veteran, the license fee is three dollars.

SECTION 3. A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident disabled veteran combined general game, habitat stamp, small game, and fur-bearer license, three dollars."

Renumber accordingly

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

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2242

Senate Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.0706.01001

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment

Rerefer to Appropriations Reconsider

Motion Made By Murphy Seconded By Laffen (attachment # 2)

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:

*voice vote
yes -*

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

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2242

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 Burckhard

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 Murphy

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

REPORT OF STANDING COMMITTEE

SB 2242: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 20.1-01-02 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to disabled veterans and hunting fees; and to amend and reenact subsection 6 of section 20.1-03-12 of the North Dakota Century Code, relating to fishing fees for disabled veterans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 20.1-01-02 of the North Dakota Century Code is created and enacted as follows:

"Disabled veteran" means a veteran who has a one hundred percent service-connected disability as determined by the department of veterans' affairs or has an extra-schedular rating to include individual unemployability that brings the veteran's total disability ratio to one hundred percent as determined by the department of veterans' affairs.

SECTION 2. AMENDMENT. Subsection 6 of section 20.1-03-12 of the North Dakota Century Code is amended and reenacted as follows:

6. For a resident fishing license, ten dollars, except that for a resident sixty-five years or over ~~or~~, a resident totally or permanently disabled, or a resident disabled veteran, the license fee is three dollars.

SECTION 3. A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident disabled veteran combined general game, habitat stamp, small game, and fur-bearer license, three dollars."

Re-number accordingly

2013 HOUSE ENERGY AND NATURAL RESOURCES

SB 2242

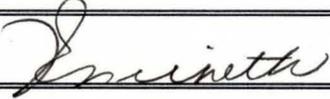
2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SB 2242
March 8, 2013
19608

Conference Committee



Relating to fishing fees for disabled veterans;

Minutes:

1 "attached testimony."

Rep. Porter: We will open the hearing on SB 2242.

Kim Molesworth: Chief Admin. Services Fish and Game; we are in support of SB 2242.

Rep. Porter: We want to be sure that we match the bills passed out of the house. We need to do the same on both bills if you would do that we would appreciate it.

Kim Molesworth: Fees? That was a HB 1434 that was a \$5.00 fishing license for 50% disabled veterans and did pass in subcommittee.

Rep. Porter: That one is the better disability language because it goes down to 50% up to 100%. Yes and the disability language that we put on the house side to be sure that is what is on this bill?

Kim Molesworth: That was just for fishing this bill started with no fee we testified that we would like a fee because it would allow us to be able to get federal revenue from the Fish and Wildlife Service by counting it as a license of \$3.00 it also added in the hunting portion which it never did before. We also ask that it excludes lottery hunting licenses that is why it specifies that this is for the general game habitat stamp, small game and fur bearer hunting licenses. If you are a 100 % disabled veteran your fee would be \$3.00 and if we are a 50% disabled the fee would be \$5.00. If we want to make them both \$5.00 it would be easier for the public to understand.

Rep. Porter: This bill in relationship to HB1434 is bow hunting and fishing where HB 1434 is just fishing and is at 50% this is at 100%. HB 1434 was at \$5.00 and this is at \$3.00.

Rep. Anderson: Wasn't it at \$3.00 and do to the license fee increase we changed it that to \$5.00?

Kim Molesworth: That was a do pass yesterday.

John Jacobson: I am a veteran of the North Dakota Legislative Committee of the Veterans Coordinating Council. (Testimony 1)

Rep. Porter: Does the Coordinating Council support \$5.00 in the other bill and \$3.00 in this bill as we bring these together; do they have a problem making this \$5.00 so they match the other bill?

John Jacobson: I am not a member of the Coordinating Council but I have reason to believe that there would be opposition at all.

Rep. Porter: We need to try to match things up.

David Munch: I am against this SB2242 is because of the rating on disability. There are only 57,074 veterans in the state and there are 10,336 disabled veterans. According to the Veterans Administration if you are 100 disabled you are most likely not interested in hunting. I am not impressed with this 100% when there only 10,000 of us out there.

Rep Porter: We will close the hearing for SB 2242.

2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SB 2242

March 14, 2013

19982

Conference Committee

Emineth

Relating to disabled veterans

Minutes:

"attached testimony."

Rep. Porter: This bill brought forth is regarding fishing fees we dealt with that earlier in 1434 that we dealt with just the fishing fees. I visited with the Morton County and Oliver Veteran Service Officer about the language and keeping the language the same going to the 50% on the hunting side and he felt that was not necessary. That 50% service related disability brings into play a large number of veterans that would take advantage of that. He was comfortable at leaving the 100% and the fishing component at 50% like we sent out. I am asking for some consensus from the committee to get the amendments drafted so that we do that action and have the amendments
We will close the meeting on SB 2242

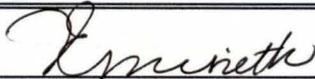
2013 HOUSE STANDING COMMITTEE MINUTES

House Energy and Natural Resources

Pioneer Room, State Capital

SB 2242
April 11, 2013
21113

Conference Committee



Relating to disabled veterans

Minutes:

1 "attached testimony."

Rep. Porter: We will open SB 2242. I passed out an amendment that amends SB 2242; the first thing that the amendment does is it removes section 2 and section 3 of the bill.

The reason is that HB 1434 that dealt with those sections has passed and has been signed by the governor. That bill has set the fee at \$5.00.

Section 3 of the amendment goes back to HB 1278 which was signed by the governor and sub c removes the specific of Ducks Unlimited, The Naturals Resources Trust Fund, and the North Dakota Chapter Pheasants Forever and it makes the 4 conservation community members at large for a couple of reasons.

From the time the senate passed that bill until it was signed by the governor I had been contacted by numerous conservation organizations that felt that they didn't have a fair chance at being part of this process.

Rep. Hofstad: I move the amendment 02004.

Rep. Porter: We have a motion from Rep. Hofstad seconded by Rep. Schmidt to move the amendment 02004.

Rep. Mock: I know there are other agriculture groups for example Corn Growers Association that may have an interest in this. So I have a concern that if we are because there are other options in the conservation community that don't have a listing for any of the categories that could tie the hands not only today but in future years. I would like to see all the names from all of the categories removed and leave it up to the governor.

Rep. Kelsh: I think amendment had the opportunity to be amended to or added to the original HB 1278 and was not adopted so I think that it is germane to this piece of legislation that we are discussing.

Rep. Porter: Voice vote carried.

Rep. Nathe: I make a motion for a do pass as amended.

Rep. Porter: We have a motion for a Do Pass as amended and a seconded by Rep. Schmidt.

Yes 11 No 2 Absent 0 Carrier; Rep. Silbernagel

FISCAL NOTE
Requested by Legislative Council
02/11/2013

Amendment to: SB 2242

- 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				\$(5,520)		\$(10,040)
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 creates a new section relating to hunting and fishing fees for 100% disabled veterans.

- 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.*

This bill has a minimal fiscal impact on license sales revenue because it is adding a resident disabled veteran combined general game, habitat stamp, small game and fur-bearer license for \$3, which is reduced from \$26.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase a license or which hunting/fishing licenses they may elect to purchase. The impact on fishing license revenue is \$0, because a 100% disabled veteran would have qualified for the \$3 resident totally or permanently disabled fishing license that is available. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. It is unknown which hunting licenses they bought in the past. Assuming they purchase a Resident Small game license it will equate to \$1,440 (240 x \$6) per year, General Game & Habitat \$3,120 (240 x \$13) per year and Resident Fur-bearer \$1,680 (240 x \$7) per year. Total reduction in revenue for a biennium is \$10,040 (\$5,520 x 2). The proposed bill will take effect for the 2014 season. Therefore, only 1 year in the 2013-15 biennium will be affected.

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 02/11/2013

FISCAL NOTE
Requested by Legislative Council
01/21/2013

Bill/Resolution No.: SB 2242

- 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				\$(10,218)		\$(20,436)
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 creates a new section waiving the hunting and fishing fees for 100% disabled veterans.

- 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.*

On the surface, this bill has a minimal fiscal impact on license sales revenue. However, it will affect the amount of federal apportionment we receive from the USFWS Wildlife & Sportfish Restoration Program. These federal funds are based on license sales. By waiving the fee, we can't count these licenses in our federal certification.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase a license or which hunting/fishing licenses they may elect to purchase. In the 2011 fishing season, we sold 412 resident totally/permanently disabled fishing licenses. It is unknown how many of these were disabled veterans. Per the Veteran's Affairs Office, the # of 100% disabled veterans was 801 in FY2011. Hypothetically, if half of the 412 fishing licenses sold were disabled veterans it will equate to \$618 (206 x \$3) a year. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. It is unknown which hunting licenses they will buy. Assuming they purchase a deer and waterfowl/pheasant license it will equate to \$9,600 (240 x \$40) per year. Total reduction in revenue for a biennium is \$20,436 (\$10,218 x2). The proposed bill will take effect for the 2014 season. Therefore, only 1 year in the 2013-15 biennium will be affected. This amount of estimated revenue loss does not include the amount of potential loss of federal funds due to issuing free licenses.

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 01/24/2013

April 8, 2013

11/13
JOP

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

Page 1, line 3, replace "subsection 6 of section 20.1-03-12" with "subsection 1 of section 54-17.8-06"

Page 1, line 4, after "Code" insert "as created by House Bill No. 1278, as approved by the sixty-third legislative assembly"

Page 1, line 4, replace "and fishing fees for disabled veterans" with "the members of the North Dakota outdoor heritage advisory board"

Page 1, remove lines 13 through 17

Page 1, after line 21, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 54-17.8-06 of the North Dakota Century Code as created by House Bill No. 1278, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

1. There is created a North Dakota outdoor heritage advisory board consisting of twelve members. The governor shall appoint representatives from each of the groups listed in this section based upon recommendations made by the appropriate group. The advisory board consists of:
 - a. Four members from the agriculture community. The governor shall appoint one member from the North Dakota farm bureau, North Dakota farmers union, the North Dakota stockmen's association, and the North Dakota grain growers association.
 - b. Two members from the energy industry. The governor shall appoint one member from the North Dakota petroleum council and one member from the lignite energy council.
 - c. Four members from the conservation community. ~~The governor shall appoint one member from ducks unlimited of North Dakota, the North Dakota natural resources trust fund, the North Dakota chapter of pheasants forever, and the conservation community at large.~~
 - d. One member from the business community from the greater North Dakota chamber.
 - e. One member from the North Dakota recreation and park association."

Renumber accordingly

Date: 4-11-13
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2242**

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

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) _____ No _____

Absent _____

Floor Assignment Rep.

If the vote is on an amendment, briefly indicate intent: Voice Vote motion carried to move the amendment 02004

Date: 4-11-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB-2242

House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Rep. Nathe 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) 11 No 2

Absent 0

Floor Assignment Rep. Silbernagel

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

Do pass as amended

REPORT OF STANDING COMMITTEE

SB 2242, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "subsection 6 of section 20.1-03-12" with "subsection 1 of section 54-17.8-06"

Page 1, line 4, after "Code" insert "as created by House Bill No. 1278, as approved by the sixty-third legislative assembly"

Page 1, line 4, replace "and fishing fees for disabled veterans" with "the members of the North Dakota outdoor heritage advisory board"

Page 1, remove lines 13 through 17

Page 1, after line 21, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 54-17.8-06 of the North Dakota Century Code as created by House Bill No. 1278, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

1. There is created a North Dakota outdoor heritage advisory board consisting of twelve members. The governor shall appoint representatives from each of the groups listed in this section based upon recommendations made by the appropriate group. The advisory board consists of:
 - a. Four members from the agriculture community. The governor shall appoint one member from the North Dakota farm bureau, North Dakota farmers union, the North Dakota stockmen's association, and the North Dakota grain growers association.
 - b. Two members from the energy industry. The governor shall appoint one member from the North Dakota petroleum council and one member from the lignite energy council.
 - c. Four members from the conservation community. ~~The governor shall appoint one member from ducks unlimited of North Dakota, the North Dakota natural resources trust fund, the North Dakota chapter of pheasants forever, and the conservation community at large.~~
 - d. One member from the business community from the greater North Dakota chamber.
 - e. One member from the North Dakota recreation and park association."

Renumber accordingly

2013 CONFERENCE COMMITTEE

SB 2242

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2242
April 19, 2013
Job Number 21316

Conference Committee

Veronica Spurling

Explanation or reason for introduction of bill/resolution:

Relating to hunting and fishing fees for disabled veterans

Minutes:

attachment

Chairman Laffen opened the discussion for the conference committee for SB 2242. Senators Hogue and Murphy and Representatives Silbernagel, Damschen, and Kelsh were also present.

Representative Silbernagel explained the addition the House had made to the bill. They feel the heritage fund is very important and they have high expectations of what it will accomplish. The amendment excludes naming specific groups but they are not excluding those groups from being considered if they show support for the heritage fund.

Senator Hogue said the senate was aware of the rift when they passed it out but they felt it was good policy to leave in the bill the organizations that have a long history of service to outdoor heritage. People will change over time and the senators considered it a personal conflict and not a long term conflict.

Representative Silbernagel said the House felt it was important to expand the pool to ensure that personalities aren't the issues and that there is a strong team around the table to successfully launch the heritage fund.

Representative Damschen stated there are a number of other conservation groups that weren't named. The amendment would open it to those groups. He felt there was a betrayal of trust in the effort to get a resolution for a constitutional initiative.

Senator Hogue asked if the House members felt this was germane to this bill.

Representative Silbernagel said it is germane. Considering the importance of the heritage funds and considering the concerns the House had as they went through the process, \$30M is a real commitment to improving the heritage legacy of our state and ensure that we make that happen and make it happen in a good way in response to the citizens of this state is very important. Putting a foundation in place to make this program a success is

critical. Getting the right people at the table is important. Some would perceive \$200M as not enough and some would perceive \$30M as too much. It is important to get the support behind this program to launch it.

Chairman Laffen asked if there was any value to leaving the big conservation groups listed so they would be part of it.

Representative Silbernagel said there is but, it can also be counter-productive to have people who are not totally behind the heritage fund as a part of this.

Senator Hogue asked if the groups wanted their names taken out. Did the House members ask them?

Representative Silbernagel said they are not being taken out of the pool. They are just being taken out of the language. As a committee they have not visited with those groups about this amendment. Maybe some individuals have communicated on this.

There was some discussion about whether this was germane to the bill. The tie seemed to be through hunting and wildlife conservation. (09:25 to 11:15)

Representative Kelsh presented an amendment. See attachment #1. HB 1278 was introduced on the House side. There were four members of the conservation community on the advisory committee for the outdoor heritage fund. They were at large but they were from a list of nominees provided to the governor by the ND Chapter of the Wildlife Society. This might be a reasonable compromise. Those names are provided but they are still at large and they come from an organization that is well invested and knowledgeable and known well throughout the state. They would be able to provide that list of nominees.

Chairman Laffen asked that they have time to research this amendment. The meeting was recessed.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2242
April 19, 2013 pm
Job Number 21336

Conference Committee

Monica Spurling

Explanation or reason for introduction of bill/resolution:

Relating to hunting and fishing fees for disabled veterans

Minutes:

No attachments

Chairman Laffen reconvened the conference committee on SB 2242. Senators Hogue and Murphy and Representatives Silbernagel, Damschen, and Kelsh were also present.

Representative Silbernagel said after he reviewed the amendment, they still felt it was too restrictive as to who the governor could appoint. He asked if the people present could be called upon to clarify whether some of the groups would continue to push for a constitutional measure.

There was discussion about whether to allow that, and the request was denied. ((01:50 to 03:18)

Chairman Laffen brought the conferees attention to another part of the bill and asked that when the next amendment was proposed it would also take out the part of the bill concerning resident fishing licenses for disabled veterans. (03:32 to 04:55)

Representative Damschen spoke of the integrity of the groups that want a seat on the board. He feels as a private landowner and a farmer there is a trust that has been repeatedly broken. He feels it parallels with those groups coming to the Senate with a resolution to circumvent the agreement that was made when the original heritage fund bill was drawn up. That is why he sees it as so important to address that issue in the forefront. He was talking about people who own the majority of the land that is accessible for hunting. He knows posting is always an issue but the reason posting has been increased is because of incidents like the very thing that happened with this heritage fund bill. (Ends at 07:36)

Chairman Laffen said the Senate likes these groups to be part of the discussion. They are large, they are regional, they are local or national, and they have many members. They get feedback from all of those people.

Representative Damschen agreed that input from membership is a good thing. That is why they didn't exclude them from being amongst the pool.

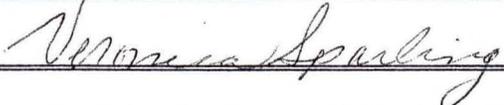
Chairman Laffen asked the representatives to bring amendments to the next meeting. He recessed the meeting.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2242
April 22, 2013
Job Number 21392

Conference Committee



Explanation or reason for introduction of bill/resolution:

Relating to hunting and fishing fees for disabled veterans

Minutes:

No attachments

Chairman Laffen opened the discussion for the conference committee for SB 2242. Senators Hogue and Murphy and Representatives Silbernagel, Damschen, and Kelsh were also present.

Chairman Laffen said there had been a lot of discussion since they last met. The members of the heritage fund were discussed. He has some amendments being drawn up on that issue. There was also some concern on the part of the senators to include this issue in this particular bill. He thinks he found a place where they can move it to a different bill. He is also working on that. He asked if the committee was in agreement with waiting until the committee that was considering that issue meets tomorrow. Then this committee could reconvene afterward.

Representative Silbernagel thought that was a good approach.

Chairman Laffen recessed the committee.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee
Fort Lincoln Room, State Capitol

SB 2242
April 24, 2013
Job Number 21488

Conference Committee

Veronica Spaulding

Explanation or reason for introduction of bill/resolution:

Relating to hunting and fishing fees for disabled veterans

Minutes:

attachment

Chairman Laffen reconvened the conference committee for SB 2242. Senators Hogue and Murphy and Representatives Silbernagel, Damschen, and Kelsh were also present.

Chairman Laffen distributed amendment #13.0706.02009. See attachment #1. He explained the amendment. The portion of the bill concerning the heritage fund was moved to HB 1017. (00:45 to 02:15)

Representative Silbernagel clarified the portion concerning the appointments to be made by the governor. (02:20 to 03:30)

Senator Hogue made a motion to adopt 13.0706.02009.

Representative Kelsh seconded the motion.

Roll Call Vote: 6, 0 Motion carried.

Carriers

House: Representative Silbernagel

Senate: Senator Murphy

FISCAL NOTE
Requested by Legislative Council
04/24/2013

Amendment to: SB 2242

- 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				\$(10,080)		\$(20,160)
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 creates a new subsection for hunting fees for 100% disabled veterans.

- 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.*

This bill has a minimal fiscal impact on license sales revenue. It allows 100% disabled veterans to purchase a \$3 hunting license which will include general game & habitat, small game, and fur-bearer. These licenses will not be purchased on-line because veteran affairs documentation must be submitted to Bismarck to qualify for the license.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase this license. Per the Veteran's Affairs Office, the # of 100% disabled veterans was 801 in FY2011. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. If passed, this proposed bill will take effect for the 2014 season. Under the new 2014 fees, a general game & habitat, small game, and fur-bearer license equal \$45. The proposed amendment reduces that fee to \$3. The estimated net effect on revenue is a decrease of \$10,080 per year. (\$45-\$3 x 240). Since this bill would take effect in the 2014 season, only 1 year in the 2013-15 biennium will be affected. Estimated total reduction in revenue for a full biennium is \$20,160 (\$10,080 x2).

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 04/24/2013

FISCAL NOTE
Requested by Legislative Council
04/12/2013

Amendment to: SB 2242

- 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				\$(10,080)		\$(20,160)
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 creates a new subsection for hunting fees for 100% disabled veterans.

- 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.*

This bill has a minimal fiscal impact on license sales revenue. It allows 100% disabled veterans to purchase a \$3 hunting license which will include general game & habitat, small game, and fur-bearer. These licenses will not be purchased on-line because veteran affairs documentation must be submitted to Bismarck to qualify for the license.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase this license. Per the Veteran's Affairs Office, the # of 100% disabled veterans was 801 in FY2011. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. If passed, this proposed bill will take effect for the 2014 season. Under the new 2014 fees, a general game & habitat, small game, and fur-bearer license equal \$45. The proposed amendment reduces that fee to \$3. The estimated net effect on revenue is a decrease of \$10,080 per year. (\$45-\$3 x 240). Since this bill would take effect in the 2014 season, only 1 year in the 2013-15 biennium will be affected. Estimated total reduction in revenue for a full biennium is \$20,160 (\$10,080 x2).

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 04/12/2013

FISCAL NOTE
Requested by Legislative Council
02/11/2013

Amendment to: SB 2242

- 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				\$(5,520)		\$(10,040)
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 creates a new section relating to hunting and fishing fees for 100% disabled veterans.

- 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.*

This bill has a minimal fiscal impact on license sales revenue because it is adding a resident disabled veteran combined general game, habitat stamp, small game and fur-bearer license for \$3, which is reduced from \$26.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase a license or which hunting/fishing licenses they may elect to purchase. The impact on fishing license revenue is \$0, because a 100% disabled veteran would have qualified for the \$3 resident totally or permanently disabled fishing license that is available. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. It is unknown which hunting licenses they bought in the past. Assuming they purchase a Resident Small game license it will equate to \$1,440 (240 x \$6) per year, General Game & Habitat \$3,120 (240 x \$13) per year and Resident Fur-bearer \$1,680 (240 x \$7) per year. Total reduction in revenue for a biennium is \$10,040 (\$5,520 x 2). The proposed bill will take effect for the 2014 season. Therefore, only 1 year in the 2013-15 biennium will be affected.

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 02/11/2013

FISCAL NOTE
Requested by Legislative Council
01/21/2013

Bill/Resolution No.: SB 2242

- 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				\$(10,218)		\$(20,436)
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 creates a new section waiving the hunting and fishing fees for 100% disabled veterans.

- 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.*

On the surface, this bill has a minimal fiscal impact on license sales revenue. However, it will affect the amount of federal apportionment we receive from the USFWS Wildlife & Sportfish Restoration Program. These federal funds are based on license sales. By waiving the fee, we can't count these licenses in our federal certification.

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.*

The fiscal impact is difficult to calculate as we do not know how many 100% disabled veterans will purchase a license or which hunting/fishing licenses they may elect to purchase. In the 2011 fishing season, we sold 412 resident totally/permanently disabled fishing licenses. It is unknown how many of these were disabled veterans. Per the Veteran's Affairs Office, the # of 100% disabled veterans was 801 in FY2011. Hypothetically, if half of the 412 fishing licenses sold were disabled veterans it will equate to \$618 (206 x \$3) a year. It is unknown how many 100% disabled veterans will hunt. On average, 30% of residents in ND hunt. By applying that % to the 801 disabled veterans it comes to 240. It is unknown which hunting licenses they will buy. Assuming they purchase a deer and waterfowl/pheasant license it will equate to \$9,600 (240 x \$40) per year. Total reduction in revenue for a biennium is \$20,436 (\$10,218 x2). The proposed bill will take effect for the 2014 season. Therefore, only 1 year in the 2013-15 biennium will be affected. This amount of estimated revenue loss does not include the amount of potential loss of federal funds due to issuing free licenses.

- 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 and Fish Dept.

Telephone: 328-6605

Date Prepared: 01/24/2013

April 22, 2013



Handwritten signature and date: 4-24-13

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

That the House recede from its amendments as printed on pages 1423 and 1424 of the Senate Journal and page 1497 of the House Journal and that Engrossed Senate Bill No. 2242 be amended as follows:

Page 1, line 3, remove "; and to amend and reenact subsection 6 of section 20.1-03-12 of the"

Page 1, line 4, remove "North Dakota Century Code, relating to fishing fees for disabled veterans"

Page 1, remove lines 13 through 17

Renumber accordingly

Date 4-24-13

Roll Call Vote # 1

**2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. 2242 as (re) engrossed

Senate Natural Resources Committee

- Action Taken**
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amend
 - HOUSE recede from House amendments
 - HOUSE recede from House amendments and amend as follows
 - Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Hogue Seconded by: Kelsh

Senators	<u>4/24</u>	Yes	No	Representatives	<u>4/25</u>	Yes	No
<u>Laffen</u>	✓	✓		<u>Silbermagel</u>	✓	✓	
<u>Hogue</u>	✓	✓		<u>Damschen</u>	✓	✓	
<u>Murphy</u>	✓	✓		<u>Kelsh</u>	✓	✓	
Total Senate Vote				Total Rep. Vote			

Vote Count Yes: 6 No: 0 Absent: 0

Senate Carrier Murphy House Carrier Silbermagel

LC Number 13.0706 . 02009 of amendment

LC Number _____ of engrossment

REPORT OF CONFERENCE COMMITTEE

SB 2242, as engrossed: Your conference committee (Sens. Laffen, Hogue, Murphy and Reps. Silbernagel, Damschen, S. Kelsh) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1423-1424, adopt amendments as follows, and place SB 2242 on the Seventh order:

That the House recede from its amendments as printed on pages 1423 and 1424 of the Senate Journal and page 1497 of the House Journal and that Engrossed Senate Bill No. 2242 be amended as follows:

Page 1, line 3, remove "; and to amend and reenact subsection 6 of section 20.1-03-12 of the"

Page 1, line 4, remove "North Dakota Century Code, relating to fishing fees for disabled veterans"

Page 1, remove lines 13 through 17

Renumber accordingly

Engrossed SB 2242 was placed on the Seventh order of business on the calendar.

2013 TESTIMONY

SB 2242

#1



Senate Natural Resources Committee
Testimony on SB 2242

North Dakota Game and Fish Department
Kim Molesworth, Chief Administrative Services Division
February 01, 2013

Mr. Chairman and members of the Senate Natural Resources Committee, my name is Kim Molesworth, Chief of the Administrative Services Division of the North Dakota Game and Fish Department. I am testifying today on SB 2242.

The department definitely supports veterans and the sacrifices they make for our country. By offering a free license for disabled veterans it cannot be counted as a license sale and would affect the amount of federal apportionment we receive from the USFWS Wildlife & Sport Fish and Restoration Program. This federal program distributes funds, from federal excise taxes on hunting and fishing equipment sales, to states based on annual license certifications. Per federal regulations, a fee of "at least \$1 of net revenue" must be received in order to count them as a license.

The reduction in licensing revenue by charging a nominal fee instead of full price is minor, but charging no fee would reduce the amount of federal funds we receive to fund our fisheries, wildlife and conservation divisions.

In addition, the bill states that it would include licenses to 'hunt and fish'. We're not sure of the intent but in our interpretation it would include all types of hunting, including those that involve a lottery for a limited resource. We request a clarification of the intent of the term 'hunting' and ask if it includes lottery licenses or is solely meant to include only the general game and habitat stamp and small game license that would allow hunting for most species except those in the lottery system.

Thank you for your consideration. I would be happy to answer any questions.

/

02-06-2013

SB 2242 (Resident 100% Disabled Veteran) Please amend so that there is a reduced (but not free) license cost so that federal funds are not reduced. And, word "hunting" so that lottery licenses are at the lottery fee. Then give a DO PASS.

Thank you,


Mike Donahue (lobbyist #8)

#2

PROPOSED AMENDMENTS TO SENATE BILL NO. 2242

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 20.1-01-02 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to disabled veterans and hunting fees; and to amend and reenact subsection 6 of section 20.1-03-12 of the North Dakota Century Code, relating to fishing fees for disabled veterans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 20.1-01-02 of the North Dakota Century Code is created and enacted as follows:

"Disabled veteran" means a veteran who has a one hundred percent service-connected disability as determined by the department of veterans' affairs or has an extra-schedular rating to include individual unemployability that brings the veteran's total disability ratio to one hundred percent as determined by the department of veterans' affairs.

SECTION 2. AMENDMENT. Subsection 6 of section 20.1-03-12 of the North Dakota Century Code is amended and reenacted as follows:

6. For a resident fishing license, ten dollars, except that for a resident sixty-five years or over ~~or~~, a resident totally or permanently disabled, or a resident disabled veteran, the license fee is three dollars.

SECTION 3. A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident disabled veteran combined general game, habitat stamp, small game, and fur-bearer license, three dollars."

Renumber accordingly

NORTH DAKOTA VETERANS COORDINATING COUNCIL

My name is John Jacobsen. I am a member of the Legislative Committee of the North Dakota Veterans Coordinating Council. The Coordinating Council is made up of 15 members, 3 from each of the five veterans' organizations in North Dakota.

American Legion

AMVETS

Disabled American Veterans

Veterans of Foreign Wars

Vietnam Veterans of America

It is the policy of the Coordinating Council to support legislation that will benefit the welfare of the members of the Armed Forces. The committee **MUST** concur totally, that is all 15 members must agree on the legislation to be supported or else it does not get the support.

In this case, I have been instructed to recommend to this legislative committee that a "DO PASS" on SB 2242 is supported by the Veterans Coordinating Council.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

Page 1, line 3, replace "subsection 6 of section 20.1-03-12" with "subsection 1 of section 54-17.8-06"

Page 1, line 4, after "Code" insert "as created by House Bill No. 1278, as approved by the sixty-third legislative assembly"

Page 1, line 4, replace "and fishing fees for disabled veterans" with "the members of the North Dakota outdoor heritage advisory board"

Page 1, remove lines 13 through 17

Page 1, after line 21, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 54-17.8-06 of the North Dakota Century Code as created by House Bill No. 1278, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

1. There is created a North Dakota outdoor heritage advisory board consisting of twelve members. The governor shall appoint representatives from each of the groups listed in this section based upon recommendations made by the appropriate group. The advisory board consists of:
 - a. Four members from the agriculture community. The governor shall appoint one member from the North Dakota farm bureau, North Dakota farmers union, the North Dakota stockmen's association, and the North Dakota grain growers association.
 - b. Two members from the energy industry. The governor shall appoint one member from the North Dakota petroleum council and one member from the lignite energy council.
 - c. Four members from the conservation community. ~~The governor shall appoint one member from ducks unlimited of North Dakota, the North Dakota natural resources trust fund, the North Dakota chapter of pheasants forever, and the conservation community at large.~~
 - d. One member from the business community from the greater North Dakota chamber.
 - e. One member from the North Dakota recreation and park association."

Renumber accordingly

/

13.0706.02005
Title.

Prepared by the Legislative Council staff for
Representative S. Kelsh
April 18, 2013

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

That the House recede from its amendments as printed on pages 1423 and 1424 of the Senate Journal and page 1497 of the House Journal and that Engrossed Senate Bill No. 2242 be amended as follows:

Page 1, line 3, replace "subsection 6 of section 20.1-03-12" with "subsection 1 of section 54-17.8-06"

Page 1, line 4, after "Code" insert "as created by House Bill No. 1278, as approved by the sixty-third legislative assembly"

Page 1, line 4, replace "fishing fees for disabled veterans" with "the members of the North Dakota outdoor heritage advisory board"

Page 1, remove lines 13 through 17

Page 1, after line 21, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 54-17.8-06 of the North Dakota Century Code as created by House Bill No. 1278, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

1. There is created a North Dakota outdoor heritage advisory board consisting of twelve members. The governor shall appoint representatives from each of the groups listed in this section based upon recommendations made by the appropriate group. The advisory board consists of:
 - a. Four members from the agriculture community. The governor shall appoint one member from the North Dakota farm bureau, North Dakota farmers union, the North Dakota stockmen's association, and the North Dakota grain growers association.
 - b. Two members from the energy industry. The governor shall appoint one member from the North Dakota petroleum council and one member from the lignite energy council.
 - c. Four members from the conservation community. The governor shall appoint ~~one member from ducks unlimited of North Dakota, the North Dakota natural resources trust fund, the North Dakota chapter of pheasants forever, and the conservation community at large~~ the four members from the conservation community from a list of nominees provided to the governor by the North Dakota chapter of the wildlife society.
 - d. One member from the business community from the greater North Dakota chamber.
 - e. One member from the North Dakota recreation and park association."

Renumber accordingly

April 22, 2013

#1

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

That the House recede from its amendments as printed on pages 1423 and 1424 of the Senate Journal and page 1497 of the House Journal and that Engrossed Senate Bill No. 2242 be amended as follows:

Page 1, line 3, remove "; and to amend and reenact subsection 6 of section 20.1-03-12 of the"

Page 1, line 4, remove "North Dakota Century Code, relating to fishing fees for disabled veterans"

Page 1, remove lines 13 through 17

Renumber accordingly