

## **Chairman Porter, Members of the Energy and Natural Resources Committee**

My Name is David Dewald, I'm currently the President of the North Dakota Wildlife Federation and was a member of the interim committee to study hunter access to public and private lands. Together with Brian Schanilec, we represented sportsman's interests on that committee. Unfortunately he is unable to attend today and I have included his remarks with mine. **We stand today in favor of SB2144.** Under Senator Erbele's leadership the Interim Legislative committee was able to tackle difficult issues relative to posting of private land. The committee's work, to get the pilot electronic posting study up and running, was a huge effort but also a huge success. We support electronic posting as an additional way to post land. We understand the expense and time of posting land. Electronic posting removes those burdens for landowners/operators that want to use electronic posting. Landowners/operators, that do not currently post, do not have to do anything under SB 2144 to continue to keep their land open to hunting without first asking permission. Electronic posting will provide current owner or operator contact information for hunters and anglers to easily access from the NDGF website via computer, smartphone, or other GPS devices. We also recognize that electronic posting will create some inconveniences in places where no phone signal is available. Hunters will need to plan ahead and either download the map on their phone or GPS device or download a printable map for the area they want to hunt. Yes, this is an inconvenience but one I believe today's hunters and anglers can easily overcome.

SB2144 does not add a new level of no-trespass for hunters and anglers. It provides landowners the protection from criminal trespass for fenced land. In the past, signs have been removed by protesters making it difficult for county States Attorneys to prosecute trespass violators. This change in law helps protect those landowner rights. However, with the exemption for hunting or angling, the fenced land remains open to hunter unless either physically posted following current state law or electronically posted.

Electronic posting would become an option for landowners/operators to post their land. Either a physical sign or electronic posting will be available. If they want to use both methods they may do so.

The pilot showed that electronic posting works for landowners and eliminates the cost and time for posting. Making fenced land automatically posted for criminal trespass provides added protection for landowners. The hunting and angling exemption does not increase the level of no-trespass for sportsmen.

The pilot also showed that electronic posting works for hunters allowing access to electronically post land via smartphone, Garmin type electronics, or downloadable/printable maps. Hunters and anglers will need to make sure they are not hunting on electronically posted land either by using their smartphone or other devices as they look for places to hunt or by downloading and printing a map from the NDGF web site. Many of today's hunters are watching their Garmin or smartphone as they drive around looking for a place to hunt. They will instantaneously know if a parcel is electronically posted. If not electronically posted they will still need to look for signs, as they do now.

SB2144 is a better alternative than a no-trespass law in ND because is very important for landowners/operators, that don't want to post and make their land available to hunting or fishing, do not have to do anything if SB2144 passes. Business as usual.

SB2144 provides added protection for criminal trespass for landowners/operators for fenced land. Since landowners groups have always said no-trespass legislation is not about hunting it is about private

landowner rights, this bill follows those guidelines by allowing for an exemption for hunting and angling on fenced land.

We urge a Do Pass vote for SB2144.

Thank you.