

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

JUDICIARY B COMMITTEE

Thursday, October 11, 2001
O'Ryan and O'Malley Rooms, Kelly Inn
Main Avenue and I-29
Fargo, North Dakota

Representative Lois Delmore, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives Lois Delmore, Curtis E. Brekke, G. Jane Gunter, Lyle Hanson, Dennis E. Johnson, William E. Kretschmar, Jon O. Nelson, Todd Porter, Dorvan Solberg, Elwood Thorpe; Senators Michael A. Every, Thomas Fischer, John T. Traynor

Members absent: Representative David Drovdal; Senators Dennis Bercier, Ben Tollefson, Tom Trenbeath

Others present: See attached appendix

It was moved by Representative Thorpe, seconded by Representative Solberg, and carried on a voice vote that the minutes of the previous meeting be approved as distributed.

TRUSTS FOR INDIVIDUALS ON GOVERNMENT ASSISTANCE

Mr. Blaine Nordwall, Director, Economic Assistance Policy, Department of Human Services, presented testimony on forms being prepared by the department for the creation of third-party special needs trusts and self-settled special needs trusts. Mr. Nordwall said the availability of the forms was advertised in the *Gavel* (a publication of the State Bar Association of North Dakota). He said approximately 60 e-copies of the forms were sent to lawyers and interested groups and persons. He said he contacted the State Bar Association of North Dakota requesting comments on the forms. He said the association has not provided comments.

In response to a question from Representative Delmore, Mr. Nordwall said the intent of 2001 Senate Bill No. 2187 appears to be to provide for low-cost trust documents. He said the goal of the department in making the forms was to provide a template for law firms to use in making the appropriate trusts, which in turn should lower the cost of the legal service.

In response to a question from Representative Kretschmar, Mr. Nordwall said the e-transmittance of the forms allows for the forms to be easily changed for particular concerns.

Mr. Bill Guy, Gunhus Law Firm, Moorhead, Minnesota, presented written testimony on trusts for individuals on government assistance. He commended

Mr. Nordwall and the Department of Human Services for providing the template forms; however, he said the forms are no substitute for enabling legislation like that of 2001 Senate Bill No. 2187. He said the template forms were difficult to assemble. He said the template forms are rigid and assume the person wants to use a living trust. He said third-party trusts for individuals on government assistance are usually part of a will or another trust. He said legislation would provide the stability of interpretation that disabled individuals and the families of disabled individuals deserve. A copy of his testimony is on file in the Legislative Council office.

In response to a question from Senator Traynor, Mr. Guy said Senate Bill No. 2187 would be a good starting point for draft legislation.

In response to a question from Senator Traynor, Mr. Guy said there are two types of trusts--living and testamentary. He said living trusts may be revocable or irrevocable.

In response to a question from Senator Traynor, Mr. Guy said gift tax is applicable to an irrevocable trust and the gift to an irrevocable trust does not qualify for the \$10,000 per year gift tax exemption.

RESIDENT AND NONRESIDENT HUNTING ISSUES

At the request of Chairman Delmore, committee counsel reviewed a cover letter and survey to be sent to all licensed guides. He said the survey is meant to determine how many acres of land are purchased, leased, owned, or acquired for compensation by other arrangement for access to hunting by guides. A copy of the materials is on file in the Legislative Council office.

Mr. Larry Knoblich, Jamestown, presented testimony to the committee as a resident hunter. Mr. Knoblich said waterfowl move through the state and it is difficult to plan ahead to find a place to hunt because one does not know where the waterfowl will be located at a particular time. He said the hunting of waterfowl is based on opportunity and the opportunity can pass before permission can be received from a landowner. He said fee hunting is changing the friendly pursuit of hunting and making it a business. He said the social value of people living in this state

and hunting is like people in this state living on family farms. He said corporate hunting in this state should be controlled as is corporate farming.

Mr. Knoblich said the economic benefit of nonresident hunters to small town businesses is short term. He said these businesses must rely on the resident the rest of the year. He said as of October 10, 2001, there were 292 licensed guides and 30 certified guides in this state. He said guides do not pay sales tax.

Mr. Knoblich said the limitation on hunting within 440 yards of any occupied building without the consent of the person occupying the building places a large limitation on the amount of land that may be used to hunt on in this state.

Mr. Knoblich presented written testimony to the committee as a representative of the North Dakota Sportsmen's Alliance. He made requests for legislative changes as follows:

1. Put a reasonable cap on the number of out-of-state duck, geese, and upland game hunters. He said 25,000 nonresident hunters would be a reasonable cap for waterfowl hunters.
2. Divide the state into six or more zones for out-of-state waterfowl hunters and allocate a specific number of licenses for each zone. He provided a map of suggested zones and nonresident hunter limitations for each zone.
3. Allow persons who were born in the state who now live elsewhere a preference for a hunting license.
4. Allocate up to 20 percent of the nonresident hunting licenses for certified guides.

A copy of Mr. Knoblich's testimony and the map are on file in the Legislative Council office.

In response to a question from Senator Traynor, Mr. Knoblich said a Chicago hunting club purchased 160 acres, 120 acres of which were water, for \$437 per acre. He said nonresidents buy land for hunting purposes and inflate prices. He said under the rules of the club, the area could be used by 240 people each season.

In response to a question from Representative Nelson, Mr. Knoblich said if landowners charge for everything, hunting will be too costly for the average resident or nonresident hunter.

Representative Nelson said there may be a backlash from landowners if hunters push for restrictions on nonresident hunters. He said landowners may post all their land and not permit any hunting. He said a possible solution would be for the Game and Fish Department to lease land for hunting by the public.

In response to a question from Representative Solberg, Mr. Knoblich said the numbers and zones on the map he provided are different from the numbers and zones provided for in 2001 House Bill No. 1269. He said the caps have increased from House Bill No. 1269.

Representative Porter said the issue is about access. He said there are approximately 140,000 acres for the PLOTS and Coverlocks programs. He said research over the Internet resulted in finding four or five guides that had approximately 140,000 acres advertised for hunting. He said the average price for a lease is between 30 cents and \$1.50 per acre. He said during the last legislative session, the decoupling bill would have brought in approximately \$400,000. He said this money could be used to allow the Game and Fish Department to purchase approximately 400,000 acres of access.

In response to a question from Representative Porter, Mr. Knoblich said the PLOTS program land can be used by nonresident hunters. He said this land is heavily used by resident and nonresident hunters. He said increasing access by the Game and Fish Department is a good idea.

Representative Porter said the access issue is not a resident or nonresident issue. He said the access issue is a cost issue. He said nonresidents should be able to use public land because their fees go to pay for Game and Fish Department land.

Mr. Loran Palmer, Cass County Wildlife Club, West Fargo, presented written testimony to the committee regarding the impact of nonresident hunters in this state. He said the economic benefit of nonresident hunters must be balanced against the negative impact to residents. A copy of his testimony is on file in the Legislative Council office.

Mr. Curt Wells, outdoor writer for *Dakota Country* and *Outdoor News*, Wahpeton, presented written testimony to the committee on nonresident numbers, guides and outfitters, landowners, and economic development. He said the key is to maintain quality hunting in North Dakota. He said if this state loses its quality hunting, it will be populated by a few corporate farmers, a couple of implement dealers, some outfitters, and senior citizens. He made the following recommendations as they relate to numbers of nonresident hunters. He said a cap on the number of nonresident waterfowl hunters should be set at current levels or at a level somewhere close to current levels. He said there are problems with the number of nonresident hunters in limited areas of this state; however, if their numbers continue to increase at the dramatic rate at which they have been increasing, there will be problems throughout the state. He said if the number of nonresident waterfowl licenses is capped, guides should not be guaranteed any percentage of those licenses. He said all nonresident hunters should have a fair chance to receive a license.

Mr. Wells said he is in favor of retaining the 14-day restriction for waterfowl. He said it is the only way to prevent wealthy nonresidents from purchasing land for hunting purposes. He said a limit on the number of days that nonresidents may hunt upland game may be advisable to discourage nonresident land

purchases. He said he opposes fee increases as a means to limit hunter numbers. He said fee increases hurt the average hunter and have no effect on the wealthy hunter. He said the license fees for youth up to 18 years of age should be lowered for nonresident hunters.

Mr. Wells said the greatest problem threatening resident hunters is the proliferation of licensed guides. He said the number of guides have increased over three times in the last 10 years. He said it is too easy to be a guide and made the following suggestions:

1. Cap the number of guide licenses available. The state should treat guide licenses like liquor licenses.
2. Increase the annual guide license fee to \$1,000. A portion of this money should go to the Game and Fish Department, the local county for road maintenance and other expenses, and a land access fund.
3. Require guides to have insurance and know first aid and CPR.
4. Prohibit guides from carrying weapons.
5. Prohibit guiding on public land of any kind.
6. Require a complete recordkeeping.
7. Raise the penalty for guiding without a license to a three-year suspension of hunting privileges.

Mr. Wells made the following comments about landowner issues. He said landowners must be given an option other than to lease land to a guide; otherwise, the resident and nonresident do-it-yourself hunters will not have a place to hunt. He said access to land is the real problem and the cause of conflicts, not nonresidents. He said there should be an access stamp with a fee of \$25, or whatever amount that would provide for more land access. He said money from the access stamp would go into a land access fund to purchase access.

Mr. Wells made the following comments about economic development. He said not one dollar of tax money goes to game management; therefore, he does not care if the hospitality industry makes money from game management unless they start to pay for it. He said the hospitality industry could provide money for the land access fund. He said nonresident hunters are not economic development. He said good quality hunting provides a reason for people to move to this state and raise their families. He said this is economic development.

In summary, Mr. Wells said other states have not stopped the commercialization of hunting and that is why there is a great influx of nonresident hunters into this state; hunting has not become completely commercialized. He said the order of priority for addressing the problems with hunting is as follows, greatest to least:

1. The resource.
2. The landowners.
3. Resident hunters.

4. Nonresident hunters.

5. Economic development or commercialism.

A copy of Mr. Wells's testimony is on file in the Legislative Council office.

In response to a question from Representative Hanson, Mr. Wells said a test of guides on the game laws in this state is a good idea. He said in Canada a guide must be an apprentice for three years before becoming a guide.

In response to a question from Representative Delmore, Mr. Wells said there needs to be limits on the number of guides and the number of acres they control. He said it is difficult to reduce the number of guides from the present number because it would put individuals out of business. He said guides do not help out local businesses if they have a lodge because the customers come to the lodge and receive all their goods and services from the lodge.

In response to a question from Representative Nelson, Mr. Wells said the land access fund would pay for wholesale access. He said more public access would reduce the inconvenience on landowners from having a constant procession of people asking for access.

In response to a question from Senator Traynor, Mr. Wells said nonresidents that purchase land for hunting purposes should pay a recreation tax instead of an agricultural property tax.

In response to a question from Representative Solberg, Mr. Wells said quality hunting keeps people in this state. He said providing a preference for nonresident hunters that were born in this state would be difficult to administer.

In response to a question from Representative Porter, Mr. Wells said the goal should be to provide high-access and quality hunting. He said landowners and hunters pay for the resource and whether the hospitality industry benefits from it is not important.

Representative Porter said last session a bill failed that would have limited the number of days of upland game hunting for nonresidents. He said there was an outcry from people that live just over the border in South Dakota and own land in both states.

In response to a question from Representative Porter, Mr. Wells said the people who live just over the border, live in South Dakota because of the taxing structure. He said their complaints would be solved if they moved to North Dakota. He said hunting is not a product to be sold.

Mr. Dick Knutson, guide, presented written testimony to the committee. He said the Game and Fish Department should actively lease prime hunting land from landowners. He said the land could be divided into smaller parcels that would be available on a draw basis, prorated between residents and nonresidents. He said the parcels could be allocated on a weekly basis to the winner of the draw for that week. The winner of each weekly draw could bring as many friends as that person wants as long as the winner is

present. He said money to finance this program could be gained from a surcharge on hunting licenses. A copy of his testimony is on file in the Legislative Council office.

Mr. Ron Gilmore, resident hunter, presented testimony to the committee. He said the flyway has changed from east to west and people hunt where the birds are. He said there should be a limit on the number of guides and they should be limited to how much land they can control. He said when guides get large tracts of land, it limits the effect of management by the Game and Fish Department. He said a reasonable limit would be 6,000 to 7,000 acres or about 10 square miles. He said there are benefits to hunting that are not monetary, including the continuation of our heritage and the teaching of good values.

Mr. Mark Sahli, resident hunter, presented written testimony to the committee. He said he is opposed to a full-season upland game license for \$75. He recommended increased fees for out-of-state hunters. He said there is no need to limit the number of out-of-state hunters; however, there should be a cap on the amount of time they can spend hunting. A copy of his testimony is on file in the Legislative Council office.

Mr. Mark Roster, resident hunter, presented testimony to the committee. He said it is not uncommon for ranchers to tell him to get off land the rancher says is owned by that rancher when it in fact is not owned by that rancher. He said an option for upland game would be to charge more if a person hunts more than one weekend.

Mr. Vern Lueth, nonresident hunter, presented testimony to the committee. He said nature may take care of the influx of nonresident waterfowl hunters more than legislation. He said he does not mind paying more to hunt; however, he does not like the 14-day limit. He said he owns land and rents it out and owns a home in North Dakota. He said ducks are migratory and there are about four weeks in which hunting is good. He said three weekends would be better than 14 days. He said he would like three 5-day seasons.

In response to a question from Representative Hanson, Mr. Lueth said the low number of ducks in Minnesota is not because of the breeding stock being shot off, but because the migratory pattern of ducks has changed from the east to the west.

Mr. Darrin Townsfeldt, resident hunter, presented testimony to the committee. He said he could make more money in his line of work in Minneapolis; however, he stays in this state because of quality hunting. He said he does not make much money, so fee hunting is not an option. He said there is collusion in pricing by guides. He said guides call other people who are charging for hunting and tell them to charge more because their prices are too low.

In response to a question from Representative Thorpe, Mr. Townsfeldt said there should be limits on the number of guides and limits on hunting by guides

on public land. He said he would pay an extra fee for funding the leasing of land from landowners. He said there should be limitations on nonresident hunters. He said if the quality of hunting is not maintained, the economic benefit from nonresident hunters will not remain either.

In response to a question from Representative Thorpe, Mr. Townsfeldt said he supports increased taxation on land primarily used for hunting. He said there is precedent in other states in which recreational property is taxed higher than homestead property, e.g., lake cabins in Minnesota. He said increased property taxes would aid schools.

In response to a question from Representative Thorpe, Mr. Townsfeldt said a limitation on the number of acres leased by guides is a good idea. He said a limitation of approximately 6,000 acres seems reasonable.

Representative Hanson said it is illegal for a guide to hunt on PLOTS land or on waterfowl production areas.

Mr. Steve Owens, resident hunter, presented testimony to the committee. He said the hunting season should be limited to 14 days for nonresident hunters to hunt upland game. He said guides are the main limitation on access. He said guides should be regulated and should pay more for a license. He said there should be aggressive enforcement of present laws. He said there are low numbers of game wardens and the number of game wardens should be increased. He said he has been on guided hunts in other states. He said any violation of game and fish laws by a hunter in some states would result in the guide reporting the violation. He said a guide loses the license if the guide violates a game and fish law in some states. He said in Texas there is lax enforcement of game and fish laws and the rules are broken often. He said a guide in this state advertises professional out-of-state duck callers. He said it is against the law for a nonresident to be a guide. He said some guides in this state have violations and are still in business.

Mr. Allan Vetsch, resident hunter, presented testimony to the committee. He said the biggest reason he lives in North Dakota is because of the hunting. He said he works for Microsoft GP in Fargo and could make three times the amount of money he makes now if he moved out of state. He said he would leave the state if the quality of hunting was reduced by a significant level. He said he had a cousin that left the state because the cousin thought hunting had become a "rich man's game."

In response to a question from Senator Traynor, Mr. Vetsch said last week he asked six people for access and four said there was fee hunting only. He said he does not support fee hunting operations. He said one landowner said no because other hunters were going to hunt already. He said one allowed him access.

Representative Nelson said some landowners think fee hunting allows them to stay on the land through providing a secondary income source. He said fee hunting fits into the economic development scheme in rural North Dakota.

In response to a question from Representative Nelson, Mr. Vetsch said he cannot afford to pay what is being charged to nonresidents to fee hunt. He said it is common for landowners to charge \$200 per gun.

Mr. Perry Anderson, nonresident hunter, presented testimony to the committee. He said he would gladly pay for land acquisition for residents through an extra license fee. He said tagging pheasants may be a solution instead of limiting the number of days the season is open.

Representative Hanson provided a handout from a publication for South Carolina Ducks Unlimited members. The headline reads "SCDU Invades North Dakota!" and pictures South Carolina hunters with harvested ducks. A copy of his handout is on file in the Legislative Council office.

Mr. Lorne Sterner, resident hunter, presented written testimony to the committee. He said he supports a limit on the maximum number of nonresident waterfowl hunters in this state. He said the number of nonresident waterfowl hunters has increased from 5,500 in 1990 to 25,165 in 2000. He said if this trend continues, there will be an excessive number of nonresident waterfowl hunters in this state in the near future. He said many North Dakotans live in the state because of the quality of life, including abundant hunting opportunities. He said residents not only spend money in the state but provide social and cultural benefits. He said there should be increased funding for public access. A copy of his testimony is on file in the Legislative Council office.

Mr. Mike Donahue, North Dakota Wildlife Federation, Inc., Bismarck, presented testimony to the committee. He said the goal is to provide access for resident hunters through helping landowners. He said it is not difficult for him to find access because he is retired. He said access is difficult for young people and working people. He said guides should be certified, there should be caps on guide numbers, guide license fees should be increased, and there should be limitations on the number of acres guides may control. He said guide services should pay a sales tax. He said guides are selling a public resource as a product. He said there should be a limitation on the number of nonresident waterfowl and upland game hunters in this state. He said a cap of 25,000 nonresident hunters is reasonable for waterfowl hunting. He said a percentage of the previous season's resident hunters as a limitation of nonresident hunters is reasonable for upland game hunting. He said he supports a two or three 5-day period limitation for nonresident upland game hunters. He provided a copy of *Dakota Outdoors* magazine's "South and

North Dakota Hunting Directory." A copy of this directory is on file in the Legislative Council office.

Mr. Eric Aasmundstad, President, North Dakota Farm Bureau, presented testimony to the committee. He said there are two issues--the right of landowners to do what they want with their land and the economic development issue of individual sustainability. He said agriculture is the number one industry in North Dakota and tourism and recreation is the second largest industry. He said these two industries work well together. He said profitability in the agriculture sector looks bleak. He said if the number of acres a guide can lease is limited, guides will move to a day pay system based on the days hunted and number of people hunting. He said if land is used mainly for recreational purposes, then it should be taxed more than agricultural land. He said people from other states should be able to come into this state and buy land. He said it is a constitutional right to travel and a right to buy land. He said the motto on billboards purchased by the Game and Fish Department says "Ask and the gates shall open." He said this is true.

In response to a question from Representative Porter, Mr. Aasmundstad said it would be difficult to administer a tax for recreational use. He said a farmer that takes money for hunting should not pay sales tax for the service of hunting. He said he is not against taxing guides for the service they provide.

In response to a question from Representative Porter, Mr. Aasmundstad said some guides are not paying for hunting rights with cash but with gift certificates. He said he does not know how to enforce laws requiring tax paid on money received for day pay hunting.

In response to a question from Representative Porter, Mr. Aasmundstad said if zones are good for nonresidents, they should be good for residents as well because it is an issue of wildlife management.

Mr. William Kiefer, resident hunter, presented testimony to the committee. He said there needs to be compromise, respect for property rights, and cooperation.

Mr. Randy Frost, Executive Vice President, Devils Lake Chamber of Commerce, provided testimony to the committee. He said when the number of waterfowl hunters reach the level of hunters for the time period between 1975 and 1979 for resident and nonresident hunters, then the argument for a limitation on hunters would be reasonable. He said rural North Dakota cannot handle the capacity of many more out-of-state hunters because there are limited services. He said nonresident hunters will not come if rural North Dakota cannot provide services. He said the number of nonresident hunters are self-limiting.

Ms. Patti Lewis, Executive Director, North Dakota Hospitality Association, Bismarck, presented testimony to the committee. She said the use of the word selfish to describe hunters was too strong. She said

the hospitality industry wants resident and nonresident hunters to hunt in this state.

In response to a question from Representative Porter, Ms. Lewis said resident and nonresident hunters put money into the economy of many communities statewide. She said the Hospitality Association's membership appreciates the patronage from local customers throughout the year and needs the income from nonresidents during hunting season.

Senator Traynor provided written testimony from the Trails West Motel in Devils Lake. The testimony states from September 29, 2001, through October 8, 2001, the motel had 365 guests from five different states, mainly from Minnesota. A copy of the testimony provided is on file in the Legislative Council office.

Representative Hanson said that sportsmen are not selfish. He said they provide \$5 for habitat per license. He said it costs an additional \$15 for a waterfowl stamp. He said Ducks Unlimited members have provided \$3.9 million in this state for habitat. He said the hospitality industry does not put that kind of money into developing hunting.

In response to a question from Representative Hanson, Mr. Frost said nonresident hunters pay for licenses and are Ducks Unlimited members. He said ducks are an international bird and are different from deer or pheasants. He said the state should be careful in limiting the citizens of the United States access to hunting waterfowl. He said the tourism industry provides tax money for access to Devils Lake.

Mr. James R. Schmitt provided written testimony to the committee. He said resident hunters make major purchases in this state and volunteer for rural fire departments, ambulance crews, and teach hunter safety. He supports limiting the numbers of nonresident hunters to provide more access to all hunters. A copy of his testimony is on file in the Legislative Council office.

RETENTION OF ELK

Mr. Russ Johnson, Alliance to Manage Elk in North Dakota, West Fargo, provided written testimony to the committee in support of retaining elk in this state for hunting opportunities. He provided a petition with approximately 246 signatures in opposition to the periodic exporting of elk from this state. He provided a copy of a videotape entitled *Landscape*, which shows that elk and cattle can complement each other, resulting in improved range conditions. A copy of each--his testimony, the petition, and the videotape--is on file in the Legislative Council office.

In response to a question from Representative Thorpe, Mr. Johnson said he supports transporting excess elk from the Theodore Roosevelt National Park to other portions of the state. He said elk will move within their range. He said the starting point for

discussion should be a review of other states' programs.

Mr. Ike Hecker, Medora Grazing Association, Fairfield, presented written testimony provided to him by Mr. Kim Wagenman, President, North Dakota Elk Growers Association, in opposition to the relocation of elk within the state. Mr. Wagenman is concerned with disease, elk being attracted to domestic herds, and the feeding of wild elk during harsh winters. He supports a hunting season within the Theodore Roosevelt National Park. A copy of his testimony is on file in the Legislative Council office.

Mr. Hecker, rancher, presented testimony to the committee. He said elk are very destructive on oat fields, fences, and hay bales. He said federal and deeded land is intermingled throughout the western portion of the state and it would be difficult to keep elk on federal land. He said a problem with the elk presently in the Theodore Roosevelt National Park is that they go in and out of the park through poorly maintained fences. He provided more signatures on a petition previously provided to the committee that expressed opposition to the release of any "surplus" elk from the Theodore Roosevelt National Park within the Little Missouri National Grasslands. A copy of the petition is on file in the Legislative Council office.

In response to a question from Representative Kretschmar, Mr. Hecker said elk move back into the park in the fall for the rut and are on private land mainly during the summertime.

In response to a question from Representative Nelson, Mr. Hecker said some ranches around the park have had a problem with the Park Service not properly repairing fences. He said the Park Service has paid for some depredation.

Mr. Gordon Gerbig, Medora Grazing Association, Amidon, read portions of documents on chronic wasting disease in Colorado. He said elk had to be destroyed in Colorado and this required the purchase of an incinerator. He said it is unknown how chronic wasting disease spreads. He said there is no vaccination for chronic wasting disease. He said it is unknown if it can move from wild elk to domestic livestock. The documents were from the Department of Agriculture, the *Denver Post Environment Writer*, and an Associated Press article from Denver. A copy of each document is on file in the Legislative Council office.

In response to a question from Representative Delmore, Mr. Gerbig said the elk are a problem created by the Park Service and they should solve the problem.

Mr. Gerbig presented a resolution adopted by the North Dakota Stockmen's Association in opposition to the release of any elk into the federal, state, or private lands in the state. A copy of the resolution is on file in the Legislative Council office.

In response to a question from Representative Hanson, Mr. Gerbig said he has a ranch 20 miles

south of Medora. He said he personally has no problem with elk on his property. He said the problem has moved within 10 miles of his place.

Mr. Roster presented testimony to the committee on the retention of elk in the state. He said North Dakota does not have chronic wasting disease in the elk herd in the Theodore Roosevelt National Park. He said whitetail and mule deer carry chronic wasting disease in this state. He said they travel throughout the state without the disease passing to domesticated livestock. He supports keeping North Dakota elk in

this state for the purpose of hunting by resident hunters.

No further business appearing, Chairman Delmore adjourned the meeting at 2:45 p.m.

Timothy J. Dawson
Committee Counsel

ATTACH:1