

1999 HOUSE NATURAL RESOURCES

HB 1223

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1223

House Natural Resources Committee

Conference Committee

Hearing Date 1/21/99

Tape Number	Side A	Side B	Meter #
1	x		0.0-5.2
1		x	
Committee Clerk Signature <i>Kevin Gahl</i>			

Minutes:

SUMMARY OF THE BILL: A BILL for an Act to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to gratis and preferential landowner licenses to hunt deer.

Chairman Grosz called the hearing on HB 1223 into order in the Pioneer Room. All committee members were present: Chairman Grosz, Vice-Chairman Henegar, Rep. Drovdal, Rep. Galvin, Rep. DeKrey, Rep. Nottestad, Rep. Nelson, Rep. Clark, Rep. Porter, Rep. Martinson, Rep. Hanson, Rep. Kelsh, Rep. Lundgren, Rep. Sandvig, Rep. Solberg.

Rep. Ron Nichols from District 4 appeared in favor of HB 1223 and briefly summarized the bill.

Rep. Porter asks for a discription of "immediate family."

Page 2

House Natural Resources Committee
Bill/Resolution Number hb1223-2.lwp
Hearing Date 1/21/99

Rep. Nichols answered that it would be father, son, husband, wife, etc.. only and was assured by the Legislative Council, that that was so.

Rep. Porter asked Rep. Nichols if the law would include in-laws, and Rep. Nichols answered that it would not.

Sen. Kinnoin appeared in favor of HB 1223.

Mike Donahue, representing the ND Wildlife Federation appeared in favor of HB 1223.

Paul Krerry of the Cass County Wildlife Club appeared in favor of HB 1223.

Larry Knoboc of the North Dakota Sportsman Association appeared in favor of HB 1223.

Chairman Grosz closed the hearing on HB 1223.

Chairman Grosz reopened the hearing on HB 1223 in the Pioneer Room. All committee members were present: Chairman Grosz, Vice-Chairman Henegar, Rep. Drovdal, Rep. Galvin, Rep. DeKrey, Rep. Nottestad, Rep. Nelson, Rep. Clark, Rep. Porter, Rep. Martinson, Rep. Hanson, Rep. Kelsh, Rep. Lundgren, Rep. Sandvig, Rep. Solberg.

Rep. Hanson moved for a "Do Pass."

Rep. Martinson seconded the motion.

Rep. Hanson made a note on the definition of "immediate family," which included: husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in law, stepchild, aunt, uncle, niece, nephew, grandchild.

Rep. Nottestad asked whether it would be all right to add an amendment.

Rep. Nottestad made a point about people with different family situations who might be going back and forth in between land.

Rep. DeKrey commented that there are not many people who live out in the rural areas any longer, who actually own the land.

Rep. Grosz asked whether you could be a landowner or an active farmer.

Rep. Hanson answered that it could be either.

Rep. Porter commented that the point of the bill would be to benefit family in close proximity, and that an amendment should possibly be drawn up, to prevent family from farther distances from abusing the law.

Rep. Hanson commented that an amendment wouldn't do much good.

Rep. DeKrey commented that citizens are already limited on a gratis, by a hunting unit, so people would not be crisscrossing over the state hunting, because one has a unit on a gratis, so to change units, one would have to obtain another gratis.

Roger Rasoff of the Game and Fish Department appeared to answer questions pertaining to HB 1223.

Rep. Nelson asked if the landowner's gratis permit is limited to a region or a zone.

Mr. Rasoff answered that at present, it's assigned to a unit, but however, you could hunt on any of your property in anywhere in the state.

Chairman Grosz asked if one had a large family, would it be possible to hunt in every county, if the bill passed.

Mr. Rasoff answered that it would be possible.

Rep. Lundgren asked with the gratis, no matter how many areas, one hunted in, a person would still be limited to one animal.

Mr. Rasoff answered that Rep. Lundgren was correct.

Rep. Galvin agreed with Rep. Porter in the limitation of the area, and backed an amendment being made.

Rep. Nelson asked for HB 1223 to be held.

Rep. Hanson withdrew his motion for a "Do Pass."

Rep. Porter asked for the provision to be carried through, would it be easier to restrict the hunting areas to those that are marked.

Mr. Rasoff responded that it would be easier, in response to Rep. Porter.

Chairman Grosz asked whether it would be to the committee's liking, to make the bill say that only the immediate family residing within the household would be better.

Chairman Grosz asked for the bill to be cleaned up.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1223

House Natural Resources Committee

Conference Committee

Hearing Date January 28, 1999

Tape Number	Side A	Side B	Meter #
2		X	
Committee Clerk Signature <i>Robin D. Small</i>			

Minutes: A BILL FOR AN ACT TO AMEND AND REENACT SUBSECTION 3 OF SECTION 20.1-03-11 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO GRATIS AND PREFERENTIAL LANDOWNER LICENSES TO HUNT DEER

REPRESENTATIVE GROSZ: Presents amendment for Representative Solberg.

REPRESENTATIVE HANSON: Motion to approve the amendment

REPRESENTATIVE NELSON: Seconds the motion.

Roll Call: Amendments are adopted by unanimous Yeas

REPRESENTATIVE DROVDAL: I move Do Pass as amended.

REPRESENTATIVE PORTER: Seconds the motion.

Roll Call: 12 Yeas, 1 Nay, 2 Absent

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1223

Page 1, line 14, replace "immediate family members" with "a person, that person's spouse, and their children"

Page 1, line 15, replace "on" with "within a twenty-five-mile [40.23-kilometer] radius of the"

Renumber accordingly

Date: 1/28/99
 Roll Call Vote #: 1

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO.**

House House Natural Resources Committee

Subcommittee on 1223
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS AMENDED

Motion Made By DROVDAL Seconded By PORTER
[Signature] [Signature]

Representatives	Yes	No	Representatives	Yes	No
Chairman Mick Grosz	X				
Vice-Chairman Dale Henegar		X			
Representative David Drovdal	X				
Representative Pat Galvin	X				
Representative Duane DeKrey	X				
Rep. Darrell D. Nottestad	X				
Representative Jon O. Nelson	X				
Representative Byron Clark					
Representative Todd Porter	X				
Representative Jon Martinson	X				
Representative Lyle Hanson	X				
Representative Scot Kelsh	X				
Representative Deb Lundgren	X				
Representative Sally M. Sandvig	X				
Representative Dorvan Solberg					

Total (Yes) 12 No 1

Absent 2

Floor Assignment No Hestad

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

1999 SENATE NATURAL RESOURCES

HB 1223

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1223

Senate Natural Resources Committee

Conference Committee

Hearing Date February 26, 1999

Tape Number	Side A	Side B	Meter #
1	x		2571-5840
1	x		1120-2355
1	x		1120-2355
Committee Clerk Signature <i>Sylvia A. Zagen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on HB1223: A BILL FOR AN ACT TO AMEND AND REENACT SUBSECTION 3 OF SECTION 20.1-03-11 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO GRATIS AND PREFERENTIAL LANDOWNER LICENSES TO HUNT DEER.

REP. NICHOLS testified in support of HB1223. The bill makes a change in the law related to gratis licenses for immediate families to be able to apply for and receive gratis licenses and if the licenses fit within a 25-mile radius that they would be able to hunt together.

SENATOR FREBORG asked if this would not allow one individual to hunt in a 25-mile radius.

REP. NICHOLS replied no. Nothing would change there. They would still be able to hunt on land that they own, but not on anything else.

SENATOR TRAYNOR asked if Rep. Nichols had reviewed the amendment submitted by Roger W. Rostvet.

REP. NICHOLS replied the amendment would not change what can be achieved with HB1223.

SENATOR CHRISTMANN asked if they could hunt only on the land listed in the affidavit.

REP. NICHOLS replied yes, and with this change it would make it lawful for several family members to hunt together on the land within the affidavit described.

SENATOR CHRISTMANN asked if someone can hunt within 25 miles of the land described in the affidavit.

REP. NICHOLS replied the reason for the 25-mile radius is that it would be in the same area and that they wouldn't be going to some prime hunting area and all of the members getting together to hunt in that area.

SENATOR TRAYNOR asked do you need the 25-mile radius area to make it work.

REP. NICHOLS replied if family members are going to be hunting together with gratis licenses they wouldn't be very far apart in going from one piece of land to hunt on to the other.

DEAN HILDEBRAND replied what this does is provide for a 25-mile radius from the description on the affidavit of the landowner.

SENATOR TRAYNOR asked if we took out the 25-mile radius entirely, would this operate.

SENATOR CHRISTMANN replied if you don't have a limit, then the concern is someone buying a few acres in a particular area getting their gratis somewhere where it is easy to obtain their deer.

REP. NICHOLS and DEAN HILDEBRAND volunteered to work with Legislative Council and review the changes.

Page 3

Senate Natural Resources Committee

Bill/Resolution Number Hb 1223

Hearing Date February 26, 1999

SENATOR TRAYNOR closed the hearing on HB1223.

COMMITTEE ACTION-March 4, 1999-(Tape 1, Side A, Meter# 1120-2355) A discussion was held on the proposed amendments. SENATOR HEITKAMP moved for a MOTION TO AMEND, seconded by SENATOR FISCHER. Voice vote indicated 6 YEAS, 0 NAYS, 0 Absent and not voting. A further discussion of amendments resulted in SENATOR HEITKAMP moving for a MOTION TO FURTHER AMEND, seconded by SENATOR FREBORG. Voice vote indicated 6 YEAS, 0 NAYS, 0 Absent and not voting. SENATOR HEITKAMP moved for a DO PASS AS AMENDED, seconded by SENATOR FISCHER. Roll call vote indicated 4 YEAS, 2 NAYS, 0 Absent and not voting. SENATOR FREBORG volunteered to carry the bill.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1223

Page 1, line 15, replace "within a twenty-five mile" with "on"

Page 1, line 16, remove "[40.23-kilometer] radius of the"

Page 1, line 17, after the underscored period insert "Family members hunting together under this provision shall hunt within the same or adjacent unit within which the land described in the affidavit making them eligible for the license is located."

Renumber accordingly

March 4, 1999

QNN
3/5/99

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1223
SENATE AMENDMENTS TO ENGR. HB 1223 NAT. RES. 3/5/99

Page 1, line 15, replace "within a twenty-five mile" with "on"

Page 1, line 16, remove "[40.23-kilometer] radius of the"

Page 1, line 17, after the underscored period insert "Family members hunting together under this provision shall hunt within the same unit within which the land described in the affidavit making them eligible for the license is located."

Renumber accordingly

Date:

Roll Call Vote #: 7

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1223

Senate Natural Resources Committee

- Subcommittee on _____
- or
- Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS AMENDED

Motion Made By Heitkamp Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Senator John T. Traynor, Chr	✓				
Senator Tom Fischer, Vice Chr	✓				
Senator Randel Christmann		✓			
Senator Layton Freborg	✓				
Senator Joel C. Heitkamp	✓				
Senator Rolland W. Redlin		✓			

Total (Yes) 4 No 2

Absent 0

Floor Assignment Freborg

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

REPORT OF STANDING COMMITTEE

HB 1223, as engrossed: Natural Resources Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1223 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "within a twenty-five mile" with "on"

Page 1, line 16, remove "[40.23-kilometer] radius of the"

Page 1, line 17, after the underscored period insert "Family members hunting together under this provision shall hunt within the same unit within which the land described in the affidavit making them eligible for the license is located."

Renumber accordingly

1999 TESTIMONY

HB 1223

Author: Roger W. Rostvet at ~NDGF

Date: 2/25/99 2:54 PM

Priority: Normal

From: Ronald Q. Nichols at HUB

Subject: HB 1223

----- Message Contents -----

Representative Nichols:

FYI

Our attorney reviewed HB 1223 and found that there may be a conflict. Lines 12 and 13 state you can only hunt on land described in the affidavit. Lines 14-17 say that same person can hunt in a 25 mile radius around that land. This may be clarified by inserting "Except as provided herein", in front of the word "the" on line 12.

You may want to check with the Legislative Council for clarification.

If I can be of help let me know.

Roger Rostvet, Deputy Director; North Dakota Game and Fish
PH. 328-6350