

1999 SENATE NATURAL RESOURCES

SB 2228

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2228

Senate Natural Resources Committee

Conference Committee

Hearing Date January 22, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-2525
1	x		4780-End
1		x	0-380
1		x	600-950
Committee Clerk Signature <i>Lyla A. Hagen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on SB 2228: A BILL FOR AN ACT TO AMEND AND REENACT SUBSECTION 3 OF section 20.1-03-11 OF THE NORTH DAKOTA CENTURY CODE, REALTING TO GRATIS AND PREFERENTIAL LANDOWNER LICENSES TO HUNT DEER.

SENATOR O'CONNELL, stated that the language needs to be changed in the bill. This bill is meant to allow a lessee and landowner to hunt together on the same land. This should allow team hunting.

SENATOR TRAYNOR asked if the bill passes, could a lessee have a license to hunt on land that is leased by him, no matter who the owner is.

SENATOR O'CONNELL replied that the bill will have to be changed to show the gratis license is tied to ownership of the property and not the lessee.

SENATOR REDLIN asked if you rent land or own land, would either one be eligible for a gratis license. The same quarter could be used by the renter and the owner to get a gratis license.

SENATOR CHRISTMANN clarified by stating that when the landowner or renter, whomever is filing for land gratis, when the form is filled out, that person specifies as being the only person entitled to have a land gratis on a particular piece of property. Either the landowner or renter is able to receive the gratis license, and the other party purchases a license.

DEAN HILDEBRAND, ND Game and Fish Department, stated the department's intent is that it does not affect the number of deer being taken, because both parties are authorized to do this.

This language needs to be clarified so that it can be enforced.

MIKE DONAHUE, ND Wildlife Federation, we concur and support the intent of the bill. As the current law states, both parties have to hunt on the acreage described in their permit and cannot come together into the lessee's portion or the landowner's portion. We would like to see verification that when both parties have their permits, they have to hunt in the same unit rather than being able to hunt in various places throughout the state.

SENATOR TRAYNOR asked if there should be added after the word license, "provided that the land is in the same unit".

MIKE DONAHUE replied it should be indicated that the lessee being the gratis permit holder and the landowner being the gratis permit holder. After license, put in "within the same unit".

PAUL CRARY, Cass County Wildlife Club, testified in support of the bill if the language can be changed.

SENATOR FREBORG asked if the bill would make more sense if the person leasing the land was restricted to the land described in the affidavit, and allow the landowner to roam around on his own land.

SENATOR TRAYNOR asked if a non-resident landowner could hunt under a gratis license.

DEAN HILDEBRAND replied yes. If the word contiguous is put into the bill, that would mean that a lessee could hunt together with the landowner on all of his property, even if the landowner has property in two different counties.

SENATOR TRAYNOR closed the hearing on SB 2228.

COMMITTEE DISCUSSION reconvened January 22, 1999, -(Tape 1, Side A-Meter# 4780-End and Side B-Meter# 0-380.

SENATOR FREBORG asked if the word contiguous could be contained in the amendment. To allow the lessee to travel across townships, counties, or the state, to hunt with his landlord, wherever the landlord owns land, doesn't seem right. With the word contiguous contained in the amendment, what we would be allowing is the lessee and the landowner to both have a permit on the same described land.

SENATOR TRAYNOR stated we could permit a landowner to hunt with his lessee on land described in the lessee's affidavit, and asked if this should be restricted to North Dakota resident landowners or should nonresident landowners be included.

SENATOR CHRISTMANN stated his understanding is that both would be eligible for a gratis and if the nonresident landowner receives the gratis, the lessee would have to buy a license. If a nonresident landowner applies and receives a gratis license, that individual still has to pay the nonresident license fee.

SENATOR CHRISTMAN stated that Senator O'Connell needs to be contacted to get his intention of this bill. Senator Christmann will work with him and will plan to bring in amendments to be discussed at a later date.

SENATOR TRAYNOR was in compliance with Senator Christmann's request and tabled the bill for discussion at a later date.

COMMITTEE ACTION-January 28, 1999-Tape 1, Side B-Meter# 600-950. Senator Christmann talked to the prime sponsor about the difficulties we are having with this bill, and does not have a proposal to improve this. Following this, SENATOR REDLIN moved for a DO NOT PASS, and seconded by SENATOR FISCHER. Roll Call Vote indicated 6 YEAS, 0 NAYS, and 0 ABSENT OR NOT VOTING. SENATOR REDLIN volunteered to carry the bill.

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

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

Senate Natural Resources Committee

Subcommittee on _____
or

Conference Committee

Legislative Council Amendment Number SB 2228

Action Taken DO NOT PASS

Motion Made By Sen. Redlin Seconded By Sen. 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) 6 No 0

Absent 0

Floor Assignment Sen. Redlin

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

REPORT OF STANDING COMMITTEE (410)
January 28, 1999 1:35 p.m.

Module No: SR-18-1386
Carrier: Redlin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2228: Natural Resources Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2228 was placed on the Eleventh order on the calendar.