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ROLL NUMBER

DESCRIPTION

1468

2001 HOUSE NATURAL RESOURCES

HB 1468

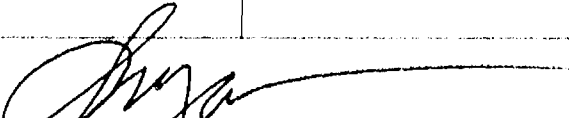
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1468

House Natural Resources Committee

Conference Committee

Hearing Date February 2, 2001

Tape Number	Side A	Side B	Meter #
2		x	3749 to 6150
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will open the hearing on HB 1468.

Rep. Al Carlson - District 41: One of the major changes on page one, line 9 through 14 where it states The non resident small game license....game license per year. The second section is another part of the bill that deals with non resident water fowl hunting. In the past we required when you bought a water fowl license that you had to also buy an upland or small game license. This removes that requirement. If you are coming here to hunt water fowl, you do not need to buy the small game license. You may buy it, but you don't need to. The changes in terms of fees are on the back side of the bill. It changes the non resident small game hunting license from \$75 to 85

dollars and I am sure after listening to the zone bill today, I am sure you understand there is a 14 day period on water fowl already, this matches up the 14 day period for the upland game. There are no zones involved, but it is 14 days. Non resident water fowl license goes from \$10 to \$85, but you realize that before they needed to pay that because they were required to buy both licenses. The non resident fishing license goes from \$25 to \$32. The non resident short term 7 day goes from \$15 to \$20. The non resident husband and wife goes from \$35 to \$45 and a non resident short term three day fishing license goes from \$10 to \$15. As I had the bill prepared the basis for this bill you will see it here, no where does it limit the number of hunters that can come to our state. That was not my intent with the bill. I believe we have a very valuable resource that needs to be properly managed and maintained. I looked at all the surrounding states and what they are charging for their license of similar value and these were adjusted to bring us more in line with what someone is going to pay within the region. I did have some concerns about the effective day, I know Game and Fish has a few concerns about this, it goes into effect April 1, 2002 and I understand they are already selling fishing licenses for 2002 and my intent is for the Saturday the bills go into effect that all the other hunting licenses would become effect on that day, they have a tremendous amount of licenses bought over the Internet which allows easy transition for those. I will bring you further amendments. This again is not an attempt to limit. It allows them to pick their dates, and does allow them to hunt from September 1 to January and buy an additional license when their 14 days are over with.

Larry Knoblich - ND Sportsmen Alliance: We rise in support of this bill. (See written testimony).

Vice Chair Nelson: When you contacted South Dakota, what is their license fee for their non residents?

Knoblich: You can go kinda like our season, 5 days and 5 days, or 10 days. I didn't ask what the fees were. I was most concerned about the fact that you could buy more than one license.

Mike Donahue - NDWF & USND: We support this bill. We looked at all the numbers with Game and Fish.

Jim Nagel - ND Guides and Outfitters & ND Sports Fishing Congress: We are here to support HB 1468. We feel the fee increases are reasonable and we recognize also that we are significantly lower than our neighboring states. At this point on behalf of ND Guides and Outfitters, I have two points for and one against this bill. We have to oppose the bill as written although we are agreeing with points of the bill. On behalf of Guides and Outfitters Association we have to oppose the bill as written, we do support the 14 day restriction for upland, again the access issue that we talked about earlier today. We would also like another lobbyist encourage why a second license if we are trying to put some restrictions, the cost of the license means nothing to the non resident coming in here to hunt. We would suggest an amendment to get that 2nd license out of the bill. We also, as far as the fishing increases, feel they are very reasonable increases and support this issue also. The only part of the bill we are opposed to is if you are a hunter coming in here to hunt water fowl and upland both on this bill, it seems like too much of an increase to go from \$85 to \$170 and a lot of the hunters do hunt both. We would like to suggest an amendment for one additional line added to the bill for a combination license of \$130. Somewhere in-between the old and new rates.

Rep. Nottestad: Does the sister state South Dakota have a combination license, single license or double license for water fowl and upland.

Nagel: I guess I don't know the answer to that question.

Vice Chair Nelson: Why did you choose \$130? That's not half way between.

Nagel: Am I not half way between? Are we a little on the high side of half?

Vice Chair Nelson: Just a little.

Nagel: I am sure the committee will come up with their own number anyway.

Paul Crary - Cass County Wildlife Club: The bill speaks for itself, we go on record as being in support of it.

Chairman Rennerfeldt: Anyone else here to speak in favor of this bill?

Roger Rostvet - ND Game and Fish: We are neutral on this bill but I do have a handout that gives facts and figures. (See written testimony).

Rep. Porter: Looking down the hunting fees, and talking about Mr. Nagel's comments on combination licenses, as we are looking down here the uncoupling in North Dakota would cause a person to buy if they wanted to hunt both upland small game and water fowl to buy one in each column. How are the other states like Minnesota, Nebraska, Wyoming and Montana? Would they have to buy one in each column or just one license.

Rostvet: South Dakota requires they charge \$100 for small game and if you want to hunt water fowl that is an additional \$100 so the combination is \$200. In Montana it requires \$115 for small game stamp, in addition to that it is only \$5 for additional water fowl. They prerequisite the small game stamp which is \$120. North Dakota right now gets \$75 for the one license plus \$10 for general stamps and then another \$10 for water fowl for a total of \$95 if you want to hunt everything in ND. That is the significant difference, for that number of individuals that hunt both they would have the most significant financial impact.

Rep. Porter: What does Minnesota do?

Rostvet: Minnesota has a flat rate of \$66 plus some prerequisite licenses and that additional %5 for non resident fee.

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Chairman Rennerfeldt: Anyone opposed to HB 1468? If not, then I will close the hearing on HB 1468.

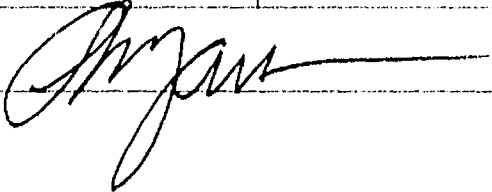
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1468

House Natural Resources Committee

Conference Committee

Hearing Date February 15, 2001

Tape Number	Side A	Side B	Meter #
1	x		275 to 1057
1		x	2208 to 3220
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Drovdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Winrich.

Chairman Rennerfeldt: Let's do HB 1468, Rep. Carlson's increase of fees. I have some amendments here, they have the combination license on their.

Vice Chair Nelson: I move the amendments.

Rep. Drovdal: I second.

Rep. Hanson: What is the combination price in HB 1269 and this one?

Vice Chair Nelson: What the amendments do is allows a non resident to buy an additional 14 day license, when they make that decision to buy that combination license at a rate of \$130. Which is half the cost of that double license, so the sticker shock isn't quite as great as double. Currently a non resident for \$85 can hunt full season upland and 14 days water fowl. What 1468 does is

separate upland from water fowl so the bill clean would cost them \$170 to hunt both, this one would be a \$130. It is an incentive to buy the combination license.

Chairman Rennerfeldt: Is that clear with everyone, what the amendment does?

Vice Chair Nelson: When we take up HB 1269, this same language is included in that bill also.
(some discussion)

Vice Chair Nelson: I would like to further amend section 6, the emergency clause, so we can get this in place for the current season. That would be the same in the proposed amendments to 1269. Game and Fish don't have a problem with this. I move the emergency clause.

Rep. Droydal: I accept that with my second.

Rep. Keiser: What is the effective date of the emergency clause.

Chairman Rennerfeldt: When the Governor signs it.

Rep. Nottestad: Okay, if section 6 becomes an emergency and becomes effective immediately, what does that do to section 5?

(some more discussion)

Vice Chair Nelson: In the amendment section 5 is the combination. That is why we added section 6.

Rep. Hanson: That is not a combination hunting and fishing and water fowl and upland game combination.

Rep. Nottestad: What happens to the wording of section 5? That was sent if for the change in fishing licenses, it had nothing to do with hunting.

(More discussion)

Vice Chair Nelson: I did not discuss the fishing portion of this..

Rep. Nottestad: That is what section 5 is all about.

Chairman Rennerfeldt: That is a good point. (more discussion).

Vice Chair Nelson: On section 5 as printed now, it just speaks to that section. We can leave that and add section 7 or whatever.....(more discussion).

Chairman Rennerfeldt: We need to take it upstairs and have them correct it. Motion was withdrawn. HB 1468 was tabled.

Vice Chair Nelson: I have some amendments on HB 1468.

Chairman Rennerfeldt: Okay, we will go back to HB 1468.

Vice Chair Nelson: I think the amendments are around. Earlier this morning we visited about what the amendments would do. It does create a combination water fowl license that can be purchased for \$130 for upland and water fowl. It keeps the effective date as April 1, 2002 for fishing license and it does create section 6 for that. In line 15 on page 2 is where the new language is inserted. Section 7 creates the emergency clause so the Upland situation can be enacted this year. I move the amendment.

Rep. DeKrey: I second.

Chairman Rennerfeldt: We have 1468 amended. Is there any discussion?

Rep. Keiser: This change in the combined license create a change in the fiscal note?

Vice Chair Nelson: I would guess that it would, although the Game and Fish Department were aware of the changes and we didn't get an updated fiscal note. My understanding would be, that it would. Under the original bill it would have doubled the fees for the small game. The fishing licenses are intact, that part of the bill would be the same. I guess it would be a potential change.

Chairman Rennerfeldt: A positive change?

Vice Chair Nelson: No, it won't. It would be a negative change.

(discussion on fiscal note.)

Chairman Rennerfeldt: We are debating the amendments, any further discussion on the amendments? All in favor of the amendments signify by saying Aye. Opposed? Amendments carry. We have HB 1468 before us in its amended form, any further discussion?

Rep. Klein: I got a lot of calls on this bill because of the people on the border around our area. They are complaining about this because they do buy a license over there and now they have to buy another license over here. They are going to be buying a lot of licenses. Am I wrong on that?

Rep. Hanson: We've got the same problem going with South Dakota, they give us 10 days and if you want to go the second ten days you buy another license for \$100 each, so coming this way is 14 days for \$85.

Rep. Porter: Just to echo Rep. Hanson, the other problem with this is the people you are hearing from in Lemmon might own land in North Dakota and they are living in Lemmon avoiding ND income taxes, but they want to take full advantage of what our residents get. If they want to take full advantage of our resident hunting and fishing provisions they should move a little farther north.

Rep. Weiler: I just wanted to add if they had to buy more licenses that would take care of the fiscal note problem.

Vice Chair Nelson: I move a Do Pass as Amended.

Rep. Porter: I second it.

Vice Chair Nelson: If I might continue, remember that the fiscal note is revenue, it is not expenditures that are created. This is all special funds which most all of the Game and Fish Department are special funds. So Rep. Weiler is correct in this, if they truly like to hunt pheasant they will pay several times to hunt.

Rep. Porter: One other point, certainly myself included, I am not looking at this as an anti-nonresident issue. I am looking at this as a fairness issue and as a way to build up additional revenue to get more land in the PLOTS program and open public land. This bill only deals with 2% of the nonresident population. Game and Fish handed out testimony that said that 98% of the non resident upland game hunters will not be affected by this bill. They hunt 14 days or less right now, it only affects less than 1.678% of non resident hunters. You might hear from a specific pocket that own land in ND and they feel it is unfair to them. ND landowner living in Hettinger can only hunt in SD for 10 days for \$100 so it is not any different as far as reciprocity goes. I would urge your support.

Rep. Klein: If this is such a small group, why are we bothering to change it?

Rep. DeKrey: We are trying to make our fees comparable, isn't that the purpose of this bill?

Rep. Keiser: Being my first year on this committee, why don't we have a reciprocity rule and just say whatever the other state charges, we will charge that. Other than complicating the administration?

Rep. Porter: That is exactly what I went to ND Game and Fish with earlier this year. The issue of them tracking it is so complicated because of the numbers of where the people are coming from, it is not just the states touching us. It would be people coming from North and South Carolina, Texas and every place else. To have a direct reciprocity system would complicate their license sales to the point that they would technically fiscal noted that to death. That is what I would have much rather had as a bill.

Rep. Keiser: Did they explore a 2 tiered system, one for adjacent states and one for all other states?

Rep. Porter: No. They weren't interested in any reciprocity.

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House Natural Resources Committee
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Chairman Rennerfeldt: Any further discussion? I have motion for a Do Pass as Amended on HB

1468. Motion carries.

MOTION FOR A DO PASS AS AMENDED

YES, 13 NO, 1

1 ABSENT AND NOT VOTING

CARRIED BY REP. PORTER