

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1050

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10/2/03  
Date

2003 HOUSE NATURAL RESOURCES

HB 1050

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1050

House Natural Resources Committee

Conference Committee

Hearing Date January 16, 2003

Tape Number	Side A	Side B	Meter #
2	xx		all
3	xx		0-1900
Committee Clerk Signature <i>Jim Meyer</i>			

Minutes:

**Rep. Delamr:** Chair of Judiciary B committee. Gave an overview of HB 1048, 1049, and 1050.

**Tim Dawson:** Legislative Council. Gave a Further overview of HB 1048, 1049, and 1050.

**Rep. Porter:** Introduced HB 1050 as the Author. Testified that the #200 of outfitters was arbitrarily arrived at by judiciary B expecting changes to get the bill moving.

**Rep. DeKrey:** What are we trying to solve with the number 200. We are creating a no compete clause in this bill.

**Rep. Porter:** It was arbitrarily Picked to keep the business worth something.

**Rep. Nottestad:** On section 8 pg. 17 concerning guide service on persons own property.

**Rep. Porter:** If you are an outfitter you are also a guide.

**Rep. Kelsner:** Did the committee discuss the need to come up with an annual licensing. To allow for new entries when people drop out.

**Rep. Porter:** The current system is annual. That would take care of that.

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House Natural Resources Committee  
Bill/Resolution Number 1050  
Hearing Date January 16, 2003

**Rep. Kleia:** I have a question on line 17 the Person has to own the property. Why not land renters?

**Rep. Porter:** This was the cleanest definition for the legislation. Expansion beyond personal land would require licensing.

**Rep. Kleia:** The problem the value is figured in to the price of the land.

**Rep. Porter:** That is between the landlord and tenant. The value is definitely being realized more and more into the price of agricultural land.

**Chair Nelson:** Owner/operator may be amended into the bill.

**Rep. Drovdal:** The example of the liquor store owner does not apply when you figure in the 5 year waiting period of the guide to become an outfitter.

**Rep. Porter:** We need to determine the arbitrarily portions of this bill.

**Rep. Nottestad:** License value will go up as outfitting grows.

**Rep. Porter:** I do not see that happening. The access the outfitter has to good hunting will be the key to the value of the business.

**Rep. Kelsner:** Did the committee discuss multiple ownership or ownership by trust.

**Rep. Porter:** No, The other issue was the issue of limiting the number of acres under control by any one person.

**Roger Rostvet (1980):** North Dakota Game and Fish Department. Testified on behalf of HB 1050. (See Attached Testimony).

**Rep. Klein:** Page 18 line 7. Over the age of 18 and good tempered and high moral character may apply for an outfitters license. How are you going to check for these things?

**Roger Rostvet:** It was a recommend. This is rather difficult to prove in court.

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**Kyle Blanchfield:** Testified on behalf of HB 1050. (See Attached Testimony).

**Harold Neamy:** Spoke out on behalf of HB1050 (see Attached Testimony).

**Mike Donahue:** Support of HB1050. However we do have a few disagreements over access umbrellas. We also disapprove of the \$200 dollar guide fee.

**Jim Nagel:** Intended to support 1050. However the access issue is a cause for concern. He has decided to oppose it. Do we need this bill? I hope we are not passing this bill to appease some lobbyist groups. We also need to include fishing guides in this bill.

**Tape 3:**

**Terri Thiel:** Dickinson CVB. (See Attached Testimony).

**Rep. Hanson:** The city of Dickinson does the same thing with liquor licenses.

**Jeff Fields:** Guide and Outfitter. I oppose HB 1050.

**Troy Cunningham:** Came in favor of HB 1050. Now opposes.

**Chair Nelson** closes the hearing.

**Chair** appoints Porter, Hunskor, and DeKrey to sub committee.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1048

House Natural Resources subcommittee 1048,1049,1050

Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter #
Committee Clerk Signature			

Minutes:

**Chairman Porter** called the meeting to order.

**Rep. Porter:** Explained that the fishing provision which had caused concern in the hearing is explained in regulations already. A fishing outfitter is already a guide.

**Rep. DeKrey:** Change the fee to \$100.

**Rep. Porter:** Changing the owns or leases for primary persuit of agriculture.

**Rep. DeKrey:** We need to change this so landowners showing where hunters can hunt would not violate the law.

**Rep. Froelich:** We give an outfitter a liscense on a sliding scale of increasing rate for expansion.

**Roger Rosvit:** We should put a penalty in this for guiding without a liscense.

**Rep. Porter:** On a sliding scale. Depending on the severity of the crime.

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Bill/Resolution Number 1050  
Hearing Date January 23, 2003

**Roger Rosvit:** We should change the and's to or's. This fixes the problem of someone receiving money under the table for guiding. They cannot just say they were doing it out of the goodness of their hearts. That way we do not have to go through bank records.

**Rep. Porter:** Rep. Froelich would change the scale from number of employees to number of acres.

**Adjourned.**

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1050

House Natural Resources Committee

Conference Committee

Hearing Date January 30, 2003

Tape Number	Side A	Side B	Meter #
2	xx		-4,265
2		xx	0-1200
Committee Clerk Signature			

Minutes:

**Chair Nelson** called the meeting to order.

**Rep. Porter** proposed an amendment.

**Chair Nelson:** Is a day lease required when there is no money changing hands?

**Rep. Porter:** That was brought up in the discussion. This would and should require a day lease.

**Rep. Nottestad:** How enforceable is this.

**Rep. Porter:** It is as enforceable as the part with the county maps. There should be enough teeth in the law to avoid trouble.

**Rep. DeKrey:** There is something in this bill to hate for everyone. But, this is a good compromise.

**Chair Nelson:** This would be an all lands posted bill.

**Rep. Porter:** No, the intent of the fee structure is to distribute the impact of outfitters. The portion of the concerns of both resident and nonresidents is the amount of lands tied up in

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