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Diana G. Galt
Operator's Signature

10/2/03
Date

2003 HOUSE NATURAL RESOURCES

HB 1202

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Dennis Hall
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1202

House Natural Resources Committee

Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter #
2	x		264-end
		x	0-2367
Committee Clerk Signature <i>Eric Meyer</i>			

Minutes:

Rep. Porter introduced HB 1202 relating to eligibility to participate in the deer proof hay yard program. (See Attached Testimony).

Rep. Solberg: How would this program be policed?

Rep. Porter: They were operating this way prior to last session.

Rep. Klein: What about no hunting signs? Can I put up no hunting signs and still receive the fence?

Rep. Porter: My understanding is that the program was not based on access.

Rep. Nottestad: What about someone who rents their land to a fee hunting operation?

Rep. Porter: I am not sure how game and fish would handle that?

Chair Nelson: This issue received a thorough hearing last session. The idea behind this was to foster better relations between hunters and landowners. This program has only one year of practical application.

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Deanna Holbrook
Operator's Signature

1/21/03
Date

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House Natural Resources Committee
Bill/Resolution Number 1202
Hearing Date January 23, 2003

Rep. Porter: I think this bill was a slap in the face to sportsman. It did not foster better relations between both sides. It in fact was a dividing force.

Chair Nelson: This same issue was brought to us in Judiciary B. We can do little in regards to federal lands. This is one program that can mitigate the depravation problem. They have no management abilities. They only have the problems.

Rep. Porter: I disagree. The depravation problems in the park are a problem. There are also landowners around the park planting grasses and crops to lure the elk to their property so they can charge more.

Rep. Drovdal: Alfalfa was planted to feed cattle. What is compensation mean in terms of this bill.

Rep. Porter: I refer that to game and fish.

Mike Donahue: United Sportsman of North Dakota. (See Attached Testimony).

Chair Nelson: If there is a fee hunting operation by a landowner on a portion of the land to support losses due to the deer population?

Mike Donahue: We could pay for half the fence. It is about the principal of the thing.

Harold Neumeyer: Cass County Wildlife Club. Testified in support of HB 1202. (See Attached Testimony).

Greg Link: North Dakota Game and Fish Department. Testified in support of HB 1202. (See Attached Testimony).

Rep. Johnson: How many hay yards have been constructed.

Greg Link: There are 3 using the fee hunting method.

Chair Nelson: Did this program foster a better relationship between landowners and staff?

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Hearing Date January 23, 2003

Greg Link: For the landowner it was.

Chair Nelson: This program has cost only \$30,000 a year to fix chronic problems.

Greg Link: That is immaterial fee hunters are able to use this program to create density. That is against our goals.

Chair Nelson: If there is a fee hunting operation by a landowner on a portion of the land to support losses due to the deer population?

Greg Link: We can find every example. There usually is a distance factor.

Rep. DeKrey: This is an agency with money in reserve. There are only 3 applications. This has to be worth good landowner-hunter relations.

Greg Link: We are here to provide the service.

Rep. Porter: This has a fiscal note of \$15,000 how much access would that purchase.

Greg Link: We average \$3-\$5 per acre.

Rep. Porter: This would be about 5,000 acres.

Chair Nelson: Do you think all the funds for depravation should be spent on access?

Greg Link: We spend some on both.

Wade Mouser: North Dakota Stockman's Association. Testified against the bill. We have a lot of problems to work out. We need to move this out of the legislature.

Rep. Porter (4646): I'm all for compromise, but this is no compromise. What would you suggest we do?

Wade Mouser: If you are a licenses guide or outfitter you would be unable to qualify.

Dennis Miller: From District 15 in north eastern North Dakota spoke in opposition to HD 1202.

Because of the lack of personal mitigation to solve these problems.

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Dennis Miller
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Rep. Clark: Do you think the sportsman have a right to be concerned that there fees are paying someone who does not allow hunting?

Dennis Miller: It is not a major part of this issue.

Brian Kramer: North Dakota Farm Bureau. Testified against HB 1202. Cited examples of multiple ranches.

(600) Chair Nelson Closes the hearing.

Rep. Clark moves a do pass Seconded by **Rep. Norland**.

Rep. Drovedal: Said he could not support the bill unless he knew the definition of compensation. **Chair Nelson:** This issue is about more than just a deer proof hay yard.

Rep. Keiser: This is a fairness issue. It is a cost of doing business when you are charging for the right to hunt on the land. There are bigger issues to solve. If we cannot solve this one we will never solve the bigger issues.

Rep. Klein: Access will be shut down in this state if this goes through.

Rep. Nottestad: This is not worth going to war over.

Rep. DeKrey: This is only \$6,000 it is not worth going to war over.

The motion for a do pass failed 4-9-1.

Rep. Drovedal made a motion to recommend a do not pass on HB 1202. Seconded by **Rep.**

DeKrey. The motion passed 9-4-1.

Adjourned.

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Dorena Baller
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10/2/03
Date

FISCAL NOTE
 Requested by Legislative Council
 01/09/2003

Bill/Resolution No.: HB 1202

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				(\$15,000)		(\$15,000)
Appropriations						

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

It is estimated that 6 deer proof hay yards are provided for fee hunting operations each biennium. These cost about \$2500 each.

3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:

A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

The total cost of the six hay yards is \$15,000.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Paul Schadewald	Agency:	ND Game and Fish Dept.
Phone Number:	328-6328	Date Prepared:	01/10/2003

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Dorena Ballerath
 Operator's Signature

10/2/03
 Date

Date: 1/23/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1202

House House Natural Resources Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Recommend to Pass

Motion Made By Clark Seconded By Norland

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson		✓			
Vice-Chairman Todd Porter	✓				
Rep. Byron Clark	✓				
Rep. Duane DeKrey		✓			
Rep. David Drovdal		✓			
Rep. Lyle Hanson		✓			
Rep. Bob Hunskor		✓			
Rep. Dennis Johnson		✓			
Rep. George Keiser	✓				
Rep. Scott Kelsh	✓				
Rep. Frank Klein		✓			
Rep. Mike Norland		✓			
Rep. Darrell Nottestad		✓			
Rep. Dorvan Solberg		✓			

Total (Yes) 4 No 9

Absent 1

Floor Assignment _____

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

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Dorvan Solberg
Operator's Signature

1/23/03
Date

