

FISCAL NOTE
Requested by Legislative Council
01/14/2019

Bill/Resolution No.: SB 2285

- 1 A. **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.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$0		\$0
Expenditures				\$10,000		\$0
Appropriations				\$10,000		\$0

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

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill creates and enacts a new subsection relation to fees for nonresident waterfowl hunting licenses, and amends two sections relating to nonresident (NR) waterfowl hunting licenses.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Revenue will be determined by how many NR hunters take advantage of this option. For example, if 100 NR hunters purchase the license we would have increased revenue of \$50,000 of which \$30,000 would go to the PLOTS program.

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.*

Unknown. We do not know how many NR hunters will purchase this option vs one of the other NR waterfowl licenses.

- 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.*

Expenditures would be estimated at \$10K for one-time IT programming costs.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Operating line would be increased by \$10K for estimated one-time IT programming costs.

Name: Kim Kary

Agency: Game & Fish Dept

Telephone: 328-6605

Date Prepared: 01/17/2019

2019 SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

SB 2285

2019 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2285
1/25/2019
Job Number 31478

- Subcommittee
 Conference Committee

Committee Clerk: Marne Johnson

Explanation or reason for introduction of bill/resolution:

A bill relating to fees for nonresident waterfowl hunting licenses; and relating to nonresident waterfowl hunting licenses.

Minutes:

3 attachments

Chair Unruh: opened the hearing.

Sen Klein, District 14 (0:20-2:35) Introduced the bill. The discussion as to how out-of-state hunters provide dollars to our state, this was a result of the main street initiative meetings. I liked my last bill better, with the three 4-day periods, but someone suggested since this is a family-oriented thing to be able to hunt whole season, come and go. That's a big chunk, there's a lot of days you can hunt waterfowl. But I thought here's an opportunity to put a high cost to the license, \$500, \$200 going to Game and Fish, \$300 to PLOTS program. Not allow them to hunt the first week, like we currently do. It would allow those folks to have an opportunity to come and go, stay in our motels, buy groceries from us, and provide for additional opportunity; it's broad but I've seen in some of our small towns, some of these folks have bought homes, and they come and go all fall.

Mike McEnroe, North Dakota Wildlife Society (3:30-5:30) Testified against, please see attachment #1.

Foster Ray Hager Cass County Wildlife Club (6:30-7:50) Testified in opposition. I was here for SB 2201, a bill for three 4-day hunting periods. It's the same problem now the young people, the people that work from 8-5pm every weekend except the first weekend. I tried to put a bill in a few years ago, that for \$500 you could hunt deer anyplace in North Dakota as a resident, Mule-deer or white tail. I was told that just the rich would be able to hunt. So we have the same deal for non-residents now. \$500 for some of the non-residents is pittance, I don't think that the residents should have to compete with the non-resident hunters all season.

Mike Szymanski, Migratory Game Bird Management Supervisor, North Dakota Game and Fish (8:30-10:50) Neutral agency test, please see attachment #2.

Senate Energy and Natural Resources Committee

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Chair Unruh: Closed the hearing.

Attachment #3, testimony in opposition, presenter was absent.

2019 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2285
1/25/2019
Job Number 31482

- Subcommittee
 Conference Committee

Committee Clerk: Marne Johnson

Explanation or reason for introduction of bill/resolution:

A bill relating to fees for nonresident waterfowl hunting licenses; and relating to nonresident waterfowl hunting licenses.

Minutes:

No Attachments

Chair Unruh: Opened committee work.

Senator Schaible: I move do not pass.

Senator Roers: I second.

Chair Unruh: Looking at history of the topic and what Game and Fish presented this morning, I think a more responsible approach to this topic is the bill we passed out just previously, this one seems to take it too far.

A roll call vote was taken.

Motion carries 6-0-0.

Senator Roers will carry.

Date: 1/25
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2285

Senate Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Sen. Schaible Seconded By Sen. Roers

Senators	Yes	No	Senators	Yes	No
Chair Jessica Unruh	X		Senator Merrill Piepkorn	X	
V. Chair Curt Kreun	X		Senator Jim Roers	X	
Senator Dwight Cook	X				
Senator Donald Schaible	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Roers

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

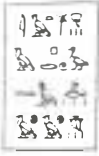
REPORT OF STANDING COMMITTEE

SB 2285: Energy and Natural Resources Committee (Sen. Unruh, Chairman)
recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
SB 2285 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

SB 2285

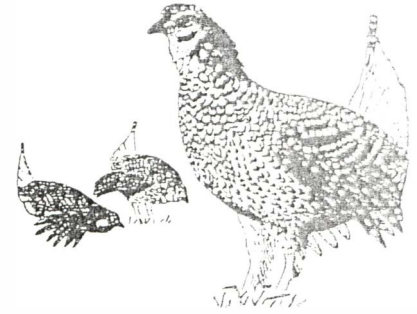
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North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF MICHAEL McENROE
ND CHAPTER OF THE WILDLIFE SOCIETY
SENATE BILL 2285
ENERGY AND NATURAL RESOURCES COMMITTEE
JANUARY 25, 2019**

Chairwoman Unruh and Members of the Senate Energy and Natural Resources Committee:

For the record, I am Mike McEnroe representing the North Dakota Chapter of The Wildlife Society, comprised of some 350 wildlife biologists, land managers, educators, students, law enforcement officers, and administrators in the State.

SB 2285 is another waterfowl hunting bill that offers a statewide, season-long, except for the first week, license for non-resident waterfowl hunters. The cost for the proposed license would be \$ 500.00, with \$ 300.00 going to the Game and Fish Department's Private Land Open to Sportsmen (PLOTS) program.

The Chapter opposes SB 2285 for a variety of reasons.

We again recommend that the North Dakota Game and Fish Department be the entity to determine the number and specifics of non-resident licenses, as well as resident licenses. In addition, this bill would encourage the leasing or purchasing of land by non-residents for waterfowl hunting.

North Dakota's resident sportsmen and women have long opposed more liberal and favorable non-resident hunting privileges, simply in return for a higher non-resident license cost. Non-resident hunters are welcome to enjoy our State's hunting opportunities, but they do not need special treatment. Please consider the wishes of the residents of North Dakota, who live and work and pay taxes in the State all year long.

On a personal note, I have hosted non-resident waterfowl hunters since 1975 when I moved back to North Dakota after college. This includes brothers (who grew up in ND), a nephew, cousins, and friends from college. They have never had a problem with North Dakota's past and current non-resident costs and regulations.

The North Dakota Chapter of the Wildlife Society respectfully asks for a Do Not Pass vote on SB 2285.

Thank you for the opportunity to address the Committee and I will stand for any questions.



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Senate Energy and Natural Resources Committee
Information on Senate Bill 2285

North Dakota Game and Fish Department
Mike Szymanski, Migratory Game Bird Management Supervisor
January 25th, 2019

Good morning Madam Chair Unruh and Committee Members,

SB 2285

--Current regulations allow a non-resident to spend 14 days hunting waterfowl in North Dakota. Those 14 days can be split into 2, 7-day periods either with zone restrictions or an option for a statewide license.

--Non-residents currently average 5 days afield waterfowl hunting in North Dakota.

--Approximately 5,000 (20-25%) non-resident waterfowl hunters currently make multiple trips to ND to hunt waterfowl.

--Average number of non-resident waterfowl licenses sold by time period:
1975 – 1993: 7,252 (restrictions added and variable, but numbers basically stable).
1994 – 2003: 20,394 (a contentious time period with a peak of 30,029 in 2002).
2004 – 2018: 23,118 (very stable numbers during this time period).

--North Dakota has not had a non-resident waterfowl license with unrestricted length since 1974. In 1975, due to concerns about purchasing and leasing of land by non-residents, the Legislative Assembly eliminated the existing non-resident license, and a zone-based, 10-day license was created. From 1979-1985 zones and options for use-periods were developed, with the license being expanded to 14 days in 1981. Changes up until 2002 were relatively minor (youth provisions and 7-day statewide options).

Conflict surrounding non-resident hunters increased, and in 2002, the Governor capped the number of non-resident waterfowl licenses at 30,000 and added the 7-day resident-only season and non-resident restrictions to hunting on PLOTS and WMAs during pheasant opening week. The Governor removed the license cap in 2003 and added our current zone structure.

North Dakota Wildlife Federation

Ensuring abundant wildlife, wildlife habitat, and access to wildlife recreational opportunities



TESTIMONY OF JOHN BRADLEY
NORTH DAKOTA WILDLIFE FEDERATION
SENATE BILL 2285
ENERGY AND NATURAL RESOURCES COMMITTEE
JANUARY 25, 2019

Madam Chair Unruh and members of the Senate Energy and Natural Resources Committee:

For the Record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation. I'm here today representing our 1,500 members in 15 affiliated wildlife and sportsmen's club across North Dakota. While I don't speak for the 100,000+ hunters that took to the field last year, I would say our views are representative of many of them.

SB 2285 is another waterfowl hunting bill that liberally opens hunting for non-residents. It provides a non-resident a season long (except for the opening week) license for \$500 with \$300 of those dollars going to the Game and Fish PLOTS programs.

NDWF opposes SB 2285.

The Federation believes in science-based wildlife management and believes that the Game and Fish Department should be the entity to determine the number of licenses, season dates, and bag limits of game for both residents and non-residents based on the health of the resource.

Currently, resident hunters have a greater economic impact to North Dakota than non-resident hunters. In 2017-2018, resident hunters outspent non-residents by roughly \$82 million. This bill would entice non-residents to begin to buy or lease hunting land for waterfowl hunting, locking out resident hunters. This bill would create a "pay to play" or duck club culture in North Dakota - the resident and youth hunter, those just getting into hunting, or those who don't have a big checkbook would have diminished opportunity if this bill passes.



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While we would love to see the PLOTS program have an additional funding source, we do not believe that this bill is an answer. We urge a Do Not Pass

Thank you for the opportunity to testify. I will stand for any questions