

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

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| ROLL NUMBER |
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DESCRIPTION

2236

2001 SENATE NATURAL RESOURCES

SB 2236

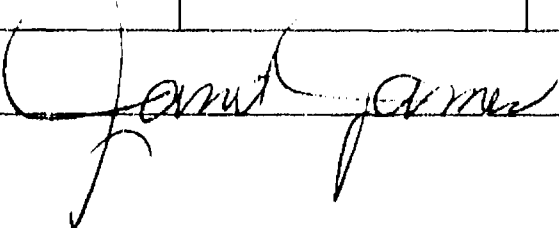
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2236

Senate Natural Resources Committee

Conference Committee

Hearing Date 1-25-01

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|--------------|
| 1 | X | | Start - 29.2 |
| | | X | 47.1 - 48.0 |
| Committee Clerk Signature  | | | |

Minutes:

SENATOR FISCHER: opened the committee meeting.

Attendance roll was taken with all committee members present.

SENATOR FISCHER: opened the hearing on SB 2236. A BILL RELATING TO OFF ROAD HUNTING.

Written testimony was distributed by JAMES NAGEL, representing the North Dakota Guides & Outfitters Association and MIKE DONAHUE, representing the United Sportsmen of North Dakota and the North Dakota Wildlife Federation.

SENATOR FREBORG: sponsor of the bill explained that off road hunting of big game, small game with the exception of ducks, geese, crane is not allowed. This bill changes the language so that a water fowl hunter also could not off road hunt without the permission. A constituent had photos displaying erosion of seeded farm land.

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Senate Natural Resources Committee

Bill/Resolution Number SB 2236

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DEAN HILDABRAND announced that the North Dakota Game & Fish Department took a neutral stand on SB 2236.

LARRY KNOBLICH, presenting the North Dakota Sportsmen's Alliance testified in opposition of the bill. (See attached testimony).

KYLE BLANCHFIELD, owner of the Woodland Resort in Devil's Lake feels the bill is a bad idea. Passing of the bill would not change hunting in North Dakota as we know it, but as we progress in the state, a lot of land is now in trust and it is difficult to find the owner of property. A land owner can always post his land to protect it from hunting and damage of crops. He suggested having the bill amended for spring time hunting only.

PAUL CRARY, representing the Cass County Wildlife Club, testified in opposition of Bill 2236 for reasons already stated by others.

JIM SCHUSTER, representing the Moose River Outfitters testified in opposition of the bill stating 2 other reasons other than those previously mentioned. Although his company makes a lot of effort in locate land owners, it is becoming very difficult to do so and a lot of their clients are handicapped and need to use vehicles for access hunting areas.

SENATOR FREBORG: asked of any of the testifiers that if the bill was amended so that permission was needed only if it was a seeded field.

JIM SCHUSTER agreed that would be all right because they never drive on seeded property but sometimes it is not easy to identify a seeded field that was perhaps air seeded.

DEAN HILDABRAND, Director of the North Dakota Game & Fish Department, did want to remind the committee that if there was a specification on the bill for identification of seeded farm land the difficulty of the warden and the hunter out in the field. The other thing it is very easy to post one's farm land.

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Senate Natural Resources Committee

Bill/Resolution Number SB 2236

Hearing Date 1-25-01

SENATOR FISCHER closed the hearing on SB 2236.

SENATOR TRAYNOR made a motion for a "Do Not Pass" of SB 2236.

SENATOR EVERY second the motion.

SENATOR FISCHER called for a roll vote of SB 2236. The vote indicated 6 YAYS, 1 NAY, 0

ABSENT OR NOT VOTING.

SENATOR TRAYNOR will carry the bill.

Date: 1-25-01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2236

Senate NATURAL RESOURCES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Traynor Seconded By Every

| Senators | Yes | No | Senators | Yes | No |
|---------------------------------|-----|----|-----------------------|-----|----|
| Sen. Thomas Fischer, Chairman | ✓ | | Sen. Michael A. Every | ✓ | |
| Sen. Ben Tollefson, Vice Chair. | ✓ | | Sen. Jerome Kelsh | ✓ | |
| Sen. Randel Christmann | ✓ | | | | |
| Sen. Layton Freborg | | ✓ | | | |
| Sen. John T. Traynor | ✓ | | | | |
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Total (Yes) 6 No 1

Absent 0

Floor Assignment Traynor

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

REPORT OF STANDING COMMITTEE (410)
January 25, 2001 2:20 p.m.

Module No: SR-13-1638
Carrier: Traynor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2236: Natural Resources Committee (Sen. Fischer, Chairman) recommends DO NOT PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2236 was placed on the Eleventh order on the calendar.

2001 TESTIMONY

SB 2236

North Dakota Sportsmen's Alliance

05 6th Avenue NE
Westtown, ND 58401
Phone: 701-252-1586



**TESTIMONY OF LARRY KNOBLICH
NORTH DAKOTA SPORTSMEN'S ALLIANCE
PRESENTED TO THE SENATE NATURAL RESOURCES COMMITTEE
ON SB 2236, JANUARY 25, 2001**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Larry Knoblich, representing North Dakota Sportsmen's Alliance, an organization that had its beginnings on December 20, 2000, and represents the wishes of approximately 2000 sportsmen throughout North Dakota.

The Alliance strongly opposes SB 2236, a bill which takes away something that we waterfowl and crane hunters already enjoy. That is, driving onto stubble fields to set out decoys for those game birds without "first obtaining the consent of the owner or tenant of the land" is something we do not wish to relinquish. This bill would cause owners or tenants to be bothered by hunters who presently consider an unposted slough or stubble field as an indication that the tenant/owner does not oppose the use of said properties by considerate sportsmen, both resident and non-resident. This bill takes away what we already enjoy, and the addition of lines 21, 22, and 23 sound strangely like a NO TRESPASS bill.

The North Dakota Sportsmen's Alliance urges a DO NOT PASS on SB 2236, a bill we perceive as one that removes something we now enjoy and also contains an opening for a NO TRESPASS for all of our state.

Respectfully,

Thank You L. Knoblich
Larry Knoblich

Executive Director

"To Lobby for the Good of North Dakota Sports Persons"

Senate Natural Resources Committee:

In regards to SB2236 the North Dakota Professional Guides and Outfitters Association Lobbyist James L. Nagel is unable to attend this hearing as he is attending hearings on the House Natural Resources Committee on HB1069 and HB1274 during this same time frame. Therefore I would like to submit this written testimony in behalf of the Guide and Outfitters Association.

The Guide and Outfitters Association would like to go on record as opposed to SB2236 for the following reasons:

1. Waterfowl Hunting requires carrying many large bags of decoys to the hunting site and it would be virtually impossible to do this without the use of a vehicle away from established roads or trails.
2. If the Landowner does not want vehicles across their land existing North Dakota law allows the landowner to post their land which then would insure hunters asking for permission before entering. In otherwards there is already provisions in the law to prevent unwanted vehicle traffic and this new proposed legislation would only be an additional burden to the individual hunter as well as to the Guide and Outfitter and his clients.
3. Prior North Dakota Legislative sessions have always defeated No-Trespass Legislation and this SB2236 would in effect become a No-Trespass bill for waterfowl hunting.

Thanks for your consideration and any questions concerning this matter please feel free to call Jim Nagel at 701-222-1620.

James L Nagel
Lobbyist Registration #369
North Dakota Professional Guides and Outfitters Association

January 25, 2001

For: Senate Natural Resources Committee

Reference: SB 2236

The members of the North Dakota Wildlife Federation and the United Sportsman of North Dakota ask for a do not pass for SB 2236.

We object to the deletion at line 19, and to the added language at lines 21, 22, and 23.

We see this as a "No trespass" bill aimed at a long standing waterfowl hunter tradition.

Rumor has it that the true problem driving this bill is soft/wet ground during the spring snow goose season.

Concerned landowners can post their land and control access in that manner.

Hunters in the fall (with their trailers loaded with decoys) will be absolutely dismayed by passage of this bill.

Please, do not pass!

Mike Donahue
Lobbist #258