

2023 HOUSE ENERGY AND NATURAL RESOURCES

HB 1414

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1414
2/3/2023

Relating to a resident family member small game license.

9:45 AM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

Discussion Topics:

- Nonresident license fees
- Montana laws
- Small game deer
- Historical records
- Resident rates

Representative Karls, District 35, introduced HB 1414 (#21115).

Ben Aull, Bismarck North Dakota, testified in support (#19001,19021).

Casey Anderson, Wildlife Division Chief, North Dakota Game and Fish, testified in opposition (#18917).

John Bradley, Executive Director, North Dakota Wildlife Federation, testified in opposition (#18994).

Additional written testimony:

Jason Dyrdaahl, opposition #18120
Andrew Lindmeier, opposition #18134
Jeffrey Herman, opposition #18341
Mark Mazaheri, opposition #18825
Scott Lindgren, opposition #18938

11:05 AM **Chairman Porter** closed the hearing.

Kathleen Davis, Committee Clerk

Minutes completed by Mary Brucker, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1414
2/10/2023

Relating to a resident family member small game license.

Chairman Porter opened the meeting at 10:34AM.

Chairman Porter opened the meeting. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, and Roers Jones. Members absent: Representative Ruby.

Discussion Topics:

- Committee vote

Representative Dockter moved a **Do Not Pass**.

Representative Novak seconded the motion.

Roll call vote:

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	Y
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	AB

Motion carried 13-0-1

Representative Hagert is the bill carrier.

Chairman Porter closed the meeting at 10:36AM.

Kathleen Davis, Committee Clerk

Minutes completed by Mary Brucker, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1414: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1414 was placed on the Eleventh order on the calendar.

TESTIMONY

HB 1414

I am writing this email in the hopes that it will help in providing enough information for you all as a Conference Committee to recommend a **DO NOT PASS** of HB 1414 in its entirety. It has no place being passed, especially given the current status of one of our greatest natural resource given we are in the midst of one of the most crippling winters since 1996-97. Our wildlife (especially pheasants, as we all know this bill was intended to target this species for non-residents) has struggled and perished during the last few months and will continue to do so, especially if we have a wet spring. To put an additional strain on them at this time, could make their recovery even that much more difficult, if not pushing them further into peril.

As one of the smallest states per capita in the U.S., we still have one of the greatest natural resources to offer the other 49 states: wildlife. This wildlife was, is and always will be managed by the good people of North Dakota and their voices should be heard louder than all others. This wildlife has provided a great economic value to our state and should be regarded and treated as such. It is during times like these when money needs to be spent on conservation efforts for them, so in another 10 years or so, they are that much more prepared for a debilitating winter like the one we are going through. We should not be giving this resource away to others, especially those whom do not contribute fiscally to our great state as year round tax paying citizens, at a price that is deemed acceptable by a few ill-informed individuals. Our residents are the ones who are here day in and day out, see the crippling effects on the wildlife and what happens when people keep taking and give nothing back.

I want to make it very clear that I am not completely against having non-residents come more often (as this bill would allow). I hunt with them, I am friends with them and appreciate them coming to enjoy our greatest natural resource. I realize that they do contribute to our economy during hunting season, but studies show that it is in no way even close to what is contributed by the tax-paying citizens of this state. When the hunting resource is used up, the non-residents will go away and all that will remain is the residents who were slighted if this bill is passed.

I do not in any way, shape or form believe that this should be a resource that is given away for more time, with less amounts of money. I am not a mathematician, nor do I belong to a budget committee, but I do know that allowing individuals to be charged as residents, when they are non-residents, makes no fiscal sense whatsoever.

I know that these few paragraphs have been written to you many times in the same way, by the same type of people like me who oppose this bill, but everyone needs to understand the implications of this type of legislation. If the individuals want resident prices for licenses, then they can seek to become a member of our great state. With 10s of thousands of job openings in North Dakota, one cannot argue that there are not viable opportunities. If they moved away, that is their choice and should not enjoy resident license rates. When something so valuable is given away so cheaply, it is **bad for the North Dakota wildlife, our hunting heritage, the people of this great state and the economy that it is supposed to help.** .

Please for the sake of our great state, **do not recommend** the passage of this bill. I appreciate your time and pray you do the right thing. I hope to hear from all of you on your stance on this bill.

As a resident of North Dakota, I am not in support of HB 1414. The North Dakota Game and Fish department gets a large amount of revenue from license sales. Non-resident hunting licenses are generally more expensive and help fund wildlife management, habitat and access for both residents and non-residents to enjoy.

If we allow non-residents to get licenses at resident prices, we would be decreasing the funds that the North Dakota G&F department would receive via license sales.

Also, I am not in favor of the dates chosen. The ND deer gun season typically covers part of the timeframe for the proposed season. I feel like this will put more pressure on the animals and result in a lesser quality experience for the deer hunters in the field at that time of year.

Please consider my testimony and vote no on HB 1414.

Best Regards,

Andrew Lindmeier

*Members of the House Energy and Natural Resources
Committee,*

*I would like to see a DO NOT PASS come out of Committee for
HB 1414. Non-resident license fees are fair and well established.
Creating another license should not have to be done to
accommodate small game hunting opportunities for non-
residents! The one aspect of only having to be a family resident
of eighteen years old to sponsor another family adult non-resident
to obtain this special Family license isn't fair to resident hunters.
Furthermore, until they reside in North Dakota and become part of
the tax basis that the rest of us residents adhere to and pay for
living in this great state – they should not get the perks to acquire
resident licensing!*

Thank you,

PS I was born a North Dakotan, Raised a North Dakotan, Never
left the state North Dakota, and have been Supporting North
Dakotan's by Supporting North Dakota my entire life.

Best Regards,

Jeffery A Herman

Chairman Porter, Vice Chair Anderson, and Members of the Committee:

HB1414 should get a DO NOT PASS recommendation by the committee. Each session it seems that someone comes up with an idea to loosen restrictions for non-resident hunters. This is another flawed concept.

If non-residents want to hunt more days, they should buy another license. It's that simple. The license cost is one of the smallest expenses of any hunting trip-almost insignificant.

1414 is a complicated bill that will also be a nightmare for NDGF to administer. (did anyone ask them if this is even possible?) Who gets to go through 50 year-old paper files trying to prove/disprove qualifications? And WHO will pay for that expense? This is a fiscal loser for NDGF.

Why are we giving ANY incentives to people who've left our state? We should provide incentives for those who have chosen to stay, raise a family, and work in the State.

HB1414 should get a DO NOT PASS recommendation. It will serve a very small number of people who are not ND residents. It will create an administrative nightmare for NDGF. It will put additional strain on wildlife and hunter access. And in the end, HB1414 does not solve one single problem. It only creates more.

Your consideration is appreciated, as is your time and service to the people of North Dakota.



Mark Mazaheri

2709 N 10th St

Fargo

701-799-2525



House Energy and Natural Resources Committee
Testimony on HB 1414

North Dakota Game and Fish Department
Casey Anderson Wildlife Division Chief
February 3, 2023

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Casey Anderson, Wildlife Division Chief for the North Dakota Game and Fish Department (Department). I am testifying today in opposition of HB 1414.

Passage of this bill presents some challenges for the Department. The Department would need to determine historical records for former resident license buyers, and we would not have digital records for all of these former residents spanning an indefinite amount of time. We would need to determine sponsorship with an application and most likely development of an online application to accomplish this. The Department would need to determine who is eligible to be a sponsor, what level of relationship is a sponsor and how exactly to enforce or verify that information. These scenarios would create complications and require significant programming development.

This bill would allow an individual with this license to hunt 4 days consecutively or non-consecutively. The Department would need to determine how to handle these dates and if these dates are allowed to change after initial license purchase. Currently the non-resident upland license contains two 7-day periods that can be changed before each of the periods has started. This system has its challenges already and hunters being able to move individual days would only add to that systems challenges and would likely include additional programming and struggles for enforcement.

The Department is always working to keep licensing and regulations as simple as possible. North Dakota already offers a comparable or lower cost non-resident license compared to our neighboring state of South Dakota who we are often compared to in terms of pheasant success.

North Dakota -- \$100.00 for two – 7-day periods

South Dakota -- \$121.00 for two – 5-day periods

The fiscal note on this bill is hard to determine as we have no way of knowing if a non-resident license buyer still has a relative in the state. Also, programming costs are difficult to determine but the Department would expect significant changes.

Members of the Energy and Natural Resources Committee:

HB 1414

This bill should get a DO NOT PASS by the Committee !!

Every session we see bills as such trying to loosen the restrictions placed on Non Resident Hunters.

All states treat Non-Resident Hunters differently than resident hunters and rightfully so – we live here, work here, have raised our families here and pay taxes here.

The cost of the hunting license is insignificant compared to all the other expenses one would have traveling back to ND. We already have regulations in place to accommodate non-resident small game hunters and this proposed bill would also be an administrative nightmare for the Game and Fish Dept to administer.

Creating another non-resident hunting license that would only serve a limited number people while creating an administrative nightmare along with enforcement issues is not needed.

Please give HB 1414 a DO NOT PASS recommendation.

Thank you for your consideration.

Sincerely,

Scott Lindgren

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Grand Forks, ND 58203

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218-779-8249 – cell

scottL@nspack.com



NORTH DAKOTA WILDLIFE FEDERATION

**TESTIMONY OF JOHN BRADLEY
NORTH DAKOTA WILDLIFE FEDERATION
HOUSE BILL 1414
HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE
FEBRUARY 3, 2023**

Chairman Porter and members of the House 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 thousands of members in 15 affiliated wildlife and sportsmen's clubs across North Dakota that make up the North Dakota Wildlife Federation.

The North Dakota Wildlife Federation opposes HB 1414. NDWF has a strong track record of defending resident hunting rights from bills that look to expand non-resident hunting in the state.

We believe that the current non-resident license fees are fair and well established. With North Dakota's small game licenses one of the lowest in the region, another license should not be created to accommodate additional small game hunting opportunities for nonresidents.

NDWF also believes that this would create an administrative nightmare for the licensing section of the Game & Fish Department and would be very hard for North Dakota's conservation officers to enforce.

We urge a Do Not Pass on HB 1414.



THE **OUTSIDE** IS IN US ALL.

2022 COME HOME TO HUNT REQUIRED ADDITIONAL INFORMATION

RETURN TO: FWP LICENSING – CHTH PO BOX 200701 HELENA MT 59620-0701

or email to: fwppaps@mt.gov

Your Come Home to Hunt application must be **completed and paid for online** at FWP.MT.GOV. If you are applying for special permits, those should also be submitted and paid for at your time of online application. The following is only for the required additional information that you and your sponsor are required to submit to complete your application. Once you have this information and signature, please mail this to the address above.

This information must be RECEIVED IN OUR OFFICE BY 5:00 PM ON April 1, 2022, if you are applying for special DEER or ELK permits. If you are NOT applying for any special permits or licenses, you must submit this documentation within 10 days of your online application. Montana FWP is NOT responsible for delays caused by the US Postal Service.

EFFECTIVE MARCH 1st, 2022

HB NO.45 REQUIRES A NONRESIDENT TO HAVE BOTH TAKEN MONTANA HUNTER SAFETY AND PREVIOUSLY PURCHASED A RESIDENT HUNTING LICENSE TO OBTAIN A COME HOME TO HUNT LICENSE.

Applicants who are unsuccessful in the Come Home to Hunt drawing will be entered into the general drawing for a nonresident license provided under MCA 87-2-505 or MCA 87-2-510.

PART A: REQUIRED INFORMATION FROM THE NONRESIDENT HUNTER

The nonresident hunter must be 18 years of age or older, **and**

- Must have completed a Montana hunter safety course **AND** have previously purchased a Montana resident hunting license, **and**
- Must be sponsored by a Montana resident family member within the second degree of kinship to the applicant by blood or marriage. This includes a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter, **and**
- Must be accompanied in the field by the sponsor who has a current hunting license.

1) NAME: _____

2) DATE OF BIRTH (MM/DD/YYYY) & ALS#: _____

3) MAILING ADDRESS: _____

4) EMAIL ADDRESS: _____



5) VERIFICATION OF MONTANA HUNTER SAFETY CLASS: _____

AND

6) DATE OF LAST RESIDENT HUNTING LICENSE: _____

Previous Come Home to Hunt licenses are not a resident license.

PART B: REQUIRED INFORMATION OF THE SPONSOR

The sponsor:

- Must be a Montana resident as defined in MCA 87-2-102, who is 18 years of age or older, **and**
- Must hold a 2022 Montana resident hunting license prior to this application, **and**
- Must be related within the second degree of kinship to the applicant by blood or marriage. This includes a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter.
- Sponsor must have a Montana resident hunting license prior to submitting this request.
- Must accompany the hunter in the in the field.

1) NAME: _____

2) DATE OF BIRTH (MM/DD/YYYY) & ALS#: _____

3) MAILING ADDRESS: _____

4) RELATIONSHIP TO THE HUNTER: _____

5) SIGNATURE OF SPONSOR: _____

PART C: LIST OTHER QUALIFIED FAMILY MEMBERS WHO WILL HUNT WITH THE NONRESIDENT HUNTER

The nonresident hunter must be accompanied in the field by a resident family member as defined in MCA 87-2-102. The resident family member must be related within the second degree of kinship to the applicant by blood or marriage. This includes a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter and hold a current 2022 Montana resident hunting license.

NAME	DATE OF BIRTH – ALS#	RELATIONSHIP TO HUNTER
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



PARTY INSTRUCTIONS - If you are applying as a party:

- **Repeat these steps separately for your combination license and any special permits you apply for online.**
- The first individual who applies online will indicate that they are the first person applying when prompted.
 - They will need to enter the names of **ALL** prospective party members. Party members cannot be added after application is submitted online.
 - They will be issued a "Party Number" upon completion of their transaction (the party number arrives via email as a PDF attachment). It is their responsibility to share this number with the other party participants.
 - The next individual who applies will indicate that they are **NOT** the first to apply and will then enter the party number when prompted.
- **ALL** party members must select the same Bonus Point option. This means, if the party leader selects "yes," to purchase a bonus point, all party members must select "yes" to purchase a bonus point. If the party leader selects "no," all party members must select "no." If you apply for different options, you will be removed from the party.
- If you are a Montana resident and apply in a party with nonresidents, your application will be treated as a nonresident for quota purposes (MCA 87-2-506).

You can email this document and any supporting documents to fwppaps@mt.gov Please be aware this is not a secure or encrypted email. Any documents containing personal identifiable information (PII) is sent at your own risk.

Chairman Porter, Vice Chairman Anderson, and members of the House Energy and Natural Resources Committee,

I am writing in support of House Bill 1414 to allow nonresidents originally from North Dakota the opportunity to return home to hunt. Hunting is one of the great privileges and traditions that is almost universally loved by our citizens, and it should be inclusive to all people who grew up here. The intent of this bill is to reunite families in the field and preserve and enhance our hunting traditions.

I myself made the difficult decision to leave as a young man to pursue opportunities outside of the state. The current nonresident fee structure made it impossible for me to spend a day in the field when I came back to visit my family. This I suspect is the case for many, especially young adults. I made the decision to return to North Dakota and raise my family here. When my children grow up, if they decide to move elsewhere, I want them to be able to come home to hunt with me. I want all of North Dakota's sons and daughters to be able to come home to hunt.

The state of our tradition is in peril. Habitat is vanishing, which any hunter knows means the game is over. How do we fix this, how do we enrich this heritage? By looking forward, by enabling younger hunters to get hooked, to care about the state of hunting here whether they currently live here or not. Hunting is traditional and intertwined with families in our state. Let's bring those families back together.

My inspiration for this bill is a program that has been implemented next door in Montana. Similar laws also exist in other states such as Maine. This is very doable in North Dakota, and the revenue generated could be used by the department to gain access to more public land for all hunters in our state to utilize.

Come home to hunt legislation HB 1414

**HB 1414 Testimony
House Energy & Natural Resources
Rep. Karen Karls**

Members of the Energy & Natural Resources committee...for the record, my name is Karen Karls and represent District 35 in Bismarck.

I received this email shortly after our organizational session in December--from a constituent I'd never met:

"I am a constituent of yours living here in Bismarck. I am writing today to see if you have interest in sponsoring a piece of legislation. I think that people who grew up in ND but no longer live here, should have the ability to purchase a nonresident hunting license for a reduced fee. A come home to hunt program. I have seen similar programs in Montana and perhaps other states. For example if my sister is home for the holidays it would be great if we could go pheasant hunting BUT the current nonresident fee structure makes that cost prohibitive. Let me know what you think! I appreciate your time, thank you. "

Something in this message struck a chord...maybe because all 3 of our sons loved to hunt with their dad. The son that lives in MN doesn't get home very often, though he might make it home for Christmas once in a while. We have relatives with some farmland just 50 miles from Bismarck and I asked for the bill draft you see in front of you.

However, my friends at Game & Fish let me know they had problems with it--and they made several good points. I'd like to present a hoghouse amendment that will hopefully accommodate Game & Fish AND my constituent. As a bonus, I brought along the Christmas tree version for your inspection.

Mr. Chairman and committee members, that concludes my testimony and I'll stand for questions.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1414

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to a nonresident short-term small game license.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Nonresident short-term small game license.

The department shall offer a nonresident short-term small game license to nonresidents to hunt upland game as authorized by the department. The fee for a nonresident short-term small game license must be thirty dollars and the license must allow nonresidents to hunt upland game for four consecutive days between November fifteenth and the end of the upland game season."

Renumber accordingly

Introduced by

Representatives Karls, D. Anderson, Dobervich, Satrom

Senator Larsen

1 A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota
2 Century Code, relating to a resident family member small game license; for an Act to create and
3 enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to a
4 nonresident short-term small game license.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 ~~SECTION 1. A new section to chapter 20.1-03 of the North Dakota Century Code is created~~
7 ~~and enacted as follows:~~

8 ~~Resident family member small game license.~~

9 ~~1. A nonresident who previously has purchased a resident hunting or fishing license with~~
10 ~~the department and has a resident family member in the state may purchase a~~
11 ~~resident family member small game license and hunt upland game as authorized by~~
12 ~~the department. To be eligible to purchase a license under this section, the license~~
13 ~~application must be sponsored by a resident family member. The nonresident only~~
14 ~~may hunt if accompanied by a resident family member sponsor. To qualify as a~~
15 ~~sponsor the family member must be:~~

16 ~~a. At least eighteen years of age and possess a resident small game hunting~~
17 ~~license; and~~

18 ~~b. Related to the nonresident within the first degree of kinship by blood or marriage.~~

19 ~~2. The nonresident may hunt upland game for four days which may be consecutive or~~
20 ~~nonconsecutive from November fifteenth to the end of the upland game season.~~

21 SECTION 1. A new section to chapter 20.1-03 of the North Dakota Century Code is created
22 and enacted as follows: