

2021 HOUSE ENERGY AND NATURAL RESOURCES

HB 1218

2021 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1218
1/21/2021

relating to pheasant hunting by nonresidents who own land in North Dakota.

10:20 AM

Chairman Porter opened the hearing on HB 1218.

Present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, M Ruby, Zubke, Guggisberg, and Ista.

Discussion Topics:

- First 7 days of the pheasant hunting season
- Non-residents under the PLOTS program
- Landowners incentive – PLOTS program
- Partnership Trusts

Jeb Williams, ND Wildlife Chief, NDG&F #1926, #1927

John Bradley, executive director, ND Wildlife Federation #2090

Rep M Ruby moved to adopt the amendment 21.0700.01001, seconded by Rep Roers Jones. Voice vote. Motion carried.

Rep Roers Jones moved a Do Pass as Amended, seconded by Rep. Devlin.

| Representatives | Vote |
|------------------------------------|------|
| Representative Todd Porter | Y |
| Representative Chuck Damschen | Y |
| Representative Dick Anderson | Y |
| Representative Glenn Bosch | Y |
| Representative Bill Devlin | Y |
| Representative Ron Guggisberg | Y |
| Representative Pat D. Heinert | Y |
| Representative Zachary Ista | Y |
| Representative George Keiser | Y |
| Representative Mike Lefor | Y |
| Representative Andrew Marschall | Y |
| Representative Shannon Roers Jones | Y |
| Representative Matthew Ruby | Y |
| Representative Denton Zubke | Y |

Motion carried. 14-0-0. Rep Lefor is carrier.

Closed the hearing at 10:28 AM

Kathleen Davis, Committee Clerk

DE 1/21/21
JSP

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1218

Page 1, line 2, remove "pheasant"

Page 1, line 12, remove "small game"

Page 1, line 12, remove "pheasant"

Page 1, line 14, replace "an individual who owns" with "a participating landowner whose"

Page 1, line 14, after "property" insert "is"

Page 1, line 15, after the underscored semicolon insert "and"

Page 1, line 16, remove "The nonresident is named as a party to the cooperative agreement
with the"

Page 1, remove lines 17 and 18

Page 1, line 19, remove "c."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1218: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1218 was placed
on the Sixth order on the calendar.

Page 1, line 2, remove "pheasant"

Page 1, line 12, remove "small game"

Page 1, line 12, remove "pheasant"

Page 1, line 14, replace "an individual who owns" with "a participating landowner whose"

Page 1, line 14, after "property" insert "is"

Page 1, line 15, after the underscored semicolon insert "and"

Page 1, line 16, remove "The nonresident is named as a party to the cooperative agreement
with the"

Page 1, remove lines 17 and 18

Page 1, line 19, remove "c."

Renumber accordingly



House Energy and Natural Resources Committee
Testimony in support of HB 1218

North Dakota Game and Fish Department
Jeb Williams, Wildlife Division Chief
January 21, 2021

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Jeb Williams and I am the Wildlife Division Chief with the North Dakota Game and Fish Department.

Conceptually, the Department supports HB 1218 but would like to request the attached amendments, which is included in your packet, to help clarify this good piece of legislation.

21.0700.01000

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1218

Introduced by

Representatives Porter, D. Anderson, Damschen, Lefor, M. Ruby

Senators Patten, Bell

1 A BILL for an Act to amend and reenact section 20.1-08-04.9 of the North Dakota Century
2 Code, relating to pheasant-hunting by nonresidents who own land in North Dakota.

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

4 **SECTION 1. AMENDMENT.** Section 20.1-08-04.9 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 20.1-08-04.9. Small game proclamation - Pheasants.

7 The

8 1. Except as provided in subsection 2, the governor, in the governor's proclamation, shall
9 prohibit a nonresident from hunting for the first seven days of the pheasant season on
10 land owned or private land enrolled by the department for the purposes of hunting or
11 on land for which the department pays in lieu of tax payments.

12 2. A nonresident with a valid small game-hunting license may hunt pheasant during the
13 first seven days of the pheasant season if:

14 a. The nonresident is an individual participating landowner whose owns property is
1415 enrolled in this state's private land open to sportsmen program;

15 b. The nonresident is named as a party to the cooperative agreement with the
16 department enrolling the nonresident's property in the private land open to
17 sportsmen program; and

1816 eb. The nonresident hunts on the nonresident's property enrolled in the private land
1917 open to sportsmen program.



NORTH DAKOTA WILDLIFE FEDERATION

Testimony of John Bradley North Dakota Wildlife Federation House Bill 1218 House Energy & Natural Resources Committee January 21, 2021

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

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation (NDWF). I am here today representing our 1,500 members and 15 affiliated wildlife and sportsmen's club across North Dakota. NDWF supports HB 1218. We believe that this bill will encourage more non-resident landowners to enroll their acres in PLOTS. Knowing that they can come back and hunt during the first week of pheasant season, removes one more barrier for a non-resident to enroll in the program.

We understand that Game & Fish has some friendly amendments to the bill. NDWF supports those changes.

Thank you for the opportunity to testify. Please do not hesitate to contact me with any questions that the committee might have.

2021 SENATE ENERGY AND NATURAL RESOURCES

HB 1218

2021 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1218
3/11/2021

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|---|
| A BILL for an Act to amend and reenact section 20.1-08-04.9 of the North Dakota Century Code, relating to hunting by nonresidents who own land in North Dakota. |
|---|

Hearing called to order, all Senators Present: **Schaible, Bell, Roers, Piepkorn, Patten, and Kreun** [9:00]

Discussion Topics:

Rights of the landowner

Hunting rights of out-of-state stakeholders

Rep Todd Porter provided Oral testimony in Favor [9:00]

Jeb Williams, Chief Wildlife Division, ND Game & Fish provided testimony in favor #7412 [9:08]

John Bradley, Executive Director, ND Wildlife Federation, provided testimony in favor #8597 [9:09]

Senator Piepkorn Moved a DO PASS [10:03]

Senator Roers Seconded the Motion

Vote Passed 6-0-0

Senator Piepkorn Carried the Bill

| Senators | Vote |
|----------------------------|------|
| Senator Curt Kreun | Y |
| Senator Jim P. Roers | Y |
| Senator Dale Patten | Y |
| Senator Merrill Piepkorn | Y |
| Senator Donald Schaible | Y |
| Senator Jessica Unruh Bell | Y |

Hearing Closed [10:15]

Sheila Froehlich, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1218: Energy and Natural Resources Committee (Sen. Kreun, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB
1218 was placed on the Fourteenth order on the calendar.



Senate Energy and Natural Resources Committee
Testimony in support of HB 1218

North Dakota Game and Fish Department
Jeb Williams, Wildlife Division Chief
March 4th, 2021

Chairman Kreun and members of the Senate Energy and Natural Resources Committee, my name is Jeb Williams and I am the Wildlife Division Chief with the North Dakota Game and Fish Department. I am here today in support of HB 1218 and respectfully ask the committee for a DO PASS recommendation. I would be happy to answer any questions that you have.



NORTH DAKOTA WILDLIFE FEDERATION

Testimony of John Bradley North Dakota Wildlife Federation House Bill 1218 Senate Energy & Natural Resources Committee January 21, 2021

Chairman Kreun, members of the Senate Energy and Natural Resources Committee,

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation (NDWF). I am here today representing our 1,500 members and 15 affiliated wildlife and sportsmen's club across North Dakota.

NDWF supports HB 1218. We believe that this bill will encourage more non-resident landowners to enroll their acres in PLOTS. Knowing that they can come back and hunt their own land during the first week of pheasant season, removes one more barrier for a non-resident to enroll in the program.

Overall, this bill should increase access for North Dakota Hunters. We urge a do pass.

Thank you for the opportunity to testify. Please do not hesitate to contact me with any questions that the committee might have.