

2007 LEGISLATIVE REVIEW

BY GREG FREEMAN

While the 2007 legislative session didn't have nearly the number of hunting and fishing related bills as 2005, North Dakota Game and Fish Department officials were busy just the same.

"We had a handful of bills going right to the end," said Department Director Terry Steinwand, noting the session lasted a record 78 days. "We feel good about the outcome."

In all, lawmakers considered 39 bills regarding hunters, anglers and the state's natural resources. In 2005, 58 such bills were introduced, more than in any other session.

BILLS THAT BECAME LAW

HB 1146 – Effective through July 31, 2009, the right of access to land for hunting may not be severed from the surface estate. Also provides for the legislative council to study issues related to the severance of hunting access from the surface estate, and to report findings and recommendations to the next legislative assembly. Passed House 81-12. Passed Senate 47-0.

HB 1184 – Allows an individual to possess a handgun while hunting with a crossbow or bow and arrow. Passed House 82-9. Passed Senate 39-2.

HB 1195 – Beginning January 1, 2008, only the last four digits of an applicant's Social Security number have to be printed on a paper application. Passed House 89-2. Passed Senate 42-1.

HB 1289 – Allows the Minnesota-Wisconsin Chapter of the Foundation for North American Wild Sheep to hold either a raffle or auction for one bighorn sheep license. Passed House 91-1. Passed Senate 45-1.

HB 1311 – Allows the governor, by proclamation, to establish a pheasant hunting season for youth. Also, directs the Game and Fish Department to study hunter education requirements and hunter safety for all ages, and report findings and recommendations to the legislative council by July 1, 2008. Passed House 93-0. Passed Senate 45-0.

HB 1402 – Makes available annually up to eight deer and four pronghorn licenses to one organization that sponsors hunting trips to terminally ill children. Passed House 91-0. Passed Senate 46-0.

HB 1515 – Establishes a Private Land Open To Sportsmen biomass demonstration project, a biomass incentive and research program, and a fund in the state treasury for biomass incentive and research. Passed House 73-21. Passed Senate 33-14.

SB 2017 – Appropriates \$57,861,111 for the Game and Fish Department for the biennium beginning July 1, 2007, and ending June 30, 2009. Includes \$100,000 to be used on activities to encourage youth hunting. Also, has the Department studying recruitment and retention of hunters in North Dakota and reporting findings to the legislative council before December 31, 2008. Passed Senate 44-0. Passed House 89-2.

SB 2058 – Allows the Game and Fish Department to transfer land to adjacent landowners around Golden Lake. Passed Senate 47-0. Passed House 91-0.

SB 2059 – Eliminates the \$5 Game and Fish permit to propagate, domesticate, or possess protected wildlife. (A permit is still required through the North Dakota Board of Animal Health.) Passed Senate 47-0. Passed House 91-0.

SB 2147 – Allows nonresidents to continue to hunt during the early September Canada goose season in Sargent and Richland counties without counting against the 14-day waterfowl license. Passed Senate 43-0. Passed House 90-0.

SB 2201 – Gives the hunter educators association one pronghorn license per year for a raffle. Passed Senate 45-0. Passed House 85-7.

SB 2250 – Allows first-time spring wild turkey applicants ages 15 and younger to receive a spring license. Passed Senate 46-0. Passed House 93-0.

SB 2251 – Makes available to the National Wild Turkey Federation one spring wild turkey license per year for raffle or auction. Passed Senate 45-1. Passed House 90-1.

SB 2293 – Would allow a resident, who is on leave and on active duty with the United States military, to hunt small game, fish or trap during the season without a license. Passed House 51-42. Passed Senate 46-0.

HCR 3044 – A concurrent resolution directing the legislative council to study how the state might pursue additional uses of Lake Sakakawea and Missouri River water for such beneficial purposes as domestic and industrial uses, recreation, fish and wildlife, and irrigation; and how the state, to enhance its use of the lake and river, might promote congressional review of the 1944 Flood Control Act and a reexamination by the U.S. Army Corps of Engineers of the way it manages the Missouri River System. House and Senate adopted.

SCR 4016 – A concurrent resolution urging Congress to direct the U.S. Army Corps of Engineers to address and rectify the problems caused by the accumulation of sediment in the Missouri River mainstem reservoirs. House and Senate adopted.

SCR 4037 – A concurrent resolution urging the U.S. Army Corps of Engineers to coordinate annually with the Game and Fish Department to ensure that adequate shoreline fishing areas along Lake Sakakawea and Lake Oahe are available to satisfy the recreational needs of North Dakotans. House and Senate adopted.

New laws take effect

August 1, 2007, unless otherwise noted. More information on the bills is available on the Game and Fish website at gf.nd.gov.

BILLS THAT FAILED

HB 1039 – Would have had the Game and Fish director adopt rules regarding baiting of big game. Failed House 42-49.

HB 1042 – Would have required covering big game transported on state or federal highways. Sponsor withdrew from consideration.

HB 1149 – Would have lowered the minimum age to hunt deer from 14 to 12. Passed House 80-9. Failed Senate 16-31.

HB 1151 – Would have established a deadline for submitting gratis deer hunting license applications identical to the deadline for the regular deer gun lottery. Failed House 26-63.

HB 1200 – Would have established a PLOTS program for youth under age 18, a grant program to encourage youth hunting, and a youth coordinator position within the Game and Fish Department. Passed House 90-3. Failed Senate 1-45.

HB 1240 – Would have required nonresident duck hunters to receive harvest tags and residents to pay \$5 for a waterfowl hunting license. Sponsor withdrew from consideration.

HB 1325 – Would have changed the structure of the nonresident 14-day small game hunting license to periods of at least three consecutive days each. Failed House 31-60.

HB 1356 – Would have prohibited an individual from hunting within 1,000 feet of a school building. Failed House 2-89.

HB 1364 – Would have instituted a \$10 non-refundable application fee on residents applying for buck licenses. Failed House 40-52.

HB 1406 – Would have allowed gratis deer license holders, who have filled their license during the bow or deer gun seasons, to receive another gratis license for the muzzle-loader season. Failed House 10-81.

HB 1469 – Would have prohibited a person from parking a vehicle that would block traffic on an established road or trail. Failed House 47-40 due to lack of constitutional majority. (Existing law states a vehicle may be parked on the roadside or adjacent to the road.)

HB 1498 – Would have allowed a nonresident to purchase a second waterfowl license for \$300 valid statewide for the last week of the waterfowl season. Failed House 11-79.

SB 2198 – Would have had the Social Security number of an applicant recorded on the original application, but would not appear on the copy of the license given to the applicant. Failed Senate 1-44.

SB 2229 – Would have required big game and small game hunters, including waterfowl and sandhill crane hunters, to obtain written permission from the landowner or lessee to drive off-trail. Failed Senate 8-37.

SB 2254 – Would have prohibited shooting big game species for a fee on a licensed big game or farmed elk facility; would have increased fencing for farmed elk to eight feet in height; would have required escaped farmed elk be recaptured or destroyed within four days of the escape; and would have required an ear tag to be visible within 100 yards in low-light conditions. Failed Senate 3-44.

SB 2281 – Would have made land entirely enclosed by a fence or other enclosure capable of holding livestock, deemed posted for no hunting or trespassing. Failed Senate 7-39.

SB 2289 – Would have required hunters for the youth pheasant season to be 16 and younger and have completed a hunter education course. Passed Senate 41-0. Failed House 30-63.

SB 2290 – Would have prohibited a big game hunter from shooting on, over or across a paved, gravel, dirt or loose surface highway, paved or gravel county road, or gravel or raised township road. Failed Senate 0-46.

SB 2332 – Would have had nonresident anglers pay the larger amount between the current nonresident fishing fee, or the amount a resident of North Dakota would be charged by the home state of the visiting nonresident. Failed Senate 4-42.

SB 2376 – Would have appropriated \$1.2 million from the general fund in the state treasury, and \$5.5 million from special funds derived from federal funds or other private sources, to the North Dakota Parks and Recreation Department for constructing a marina at Fort Stevenson State Park. Failed Senate 0-46.

HCR 3017 – A concurrent resolution urging the governor to recognize the negative influence, and to declare a state disaster as a result of the low water levels of Lake Sakakawea and the Missouri River System. House withdrew from consideration.

GREG FREEMAN is the Game and Fish Department's news editor. He tracked legislation daily during the 2007 session.