

**2023 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1409**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1409  
2/3/2023

Relating to nonresident youth hunting licenses for small game and waterfowl

**11:06 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:**

- Reciprocity agreements
- Youth hunter and angler opportunity
- Proposed amendments

Rep D Anderson, introduced HB 1409.

Brian Hosek, Business Operations Manager, ND G&F, Testimony 18902, 20588.

Mike Jensen, Outdoor Promotions Manager, Tourism and Marketing Division, ND Dept Commerce, Testimony 19003

**11:13 AM Chairman Porter** closed the hearing.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1409  
2/10/2023

Relating to nonresident youth hunting licenses for small game and waterfowl

**10:37 AM Chairman Porter** opened the meeting.

**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:

- Committee Work
- Reciprocity
- Nonparticipant supervisor
- Amendment (23.0759.01001)

Representative Anderson moved to adopt amendment (23.0759.01001) (#18902),

Seconded by Representative Bosch.

Voice vote: Motion carried.

Representative Hagert moved a Do Pass as Amended

Seconded by Representative Novak.

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 carries: 13-0-1**

House Energy and Natural Resources Committee  
HB 1409  
021023  
Page 2

Bill carrier: Representative Anderson

**10:42 AM Chairman Porter** closed the meeting.

*Kathleen Davis, Committee Clerk*

February 10, 2023

AG  
2-10-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1409

Page 1, line 7, overstrike "resident small" and insert immediately thereafter "general"

Page 1, line 11, overstrike "may"

Page 1, overstrike line 12

Page 1, line 13, overstrike "issued and"

Page 1, line 15, overstrike "who is licensed to hunt small game or waterfowl in this state and is subject to" and insert immediately thereafter ". A nonresident youth may hunt during the entire"

Page 1, line 16, remove "regulations"

Page 1, line 16, overstrike "the same regulations as that youth's adult family member or legal guardian" and insert immediately thereafter "regular small game and waterfowl seasons"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1409: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1409 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "resident small" and insert immediately thereafter "general"

Page 1, line 11, overstrike "may"

Page 1, overstrike line 12

Page 1, line 13, overstrike "issued and"

Page 1, line 15, overstrike "who is licensed to hunt small game or waterfowl in this state and is subject to" and insert immediately thereafter ". A nonresident youth may hunt during the entire"

Page 1, line 16, remove "regulations"

Page 1, line 16, overstrike "the same regulations as that youth's adult family member or legal guardian" and insert immediately thereafter "regular small game and waterfowl seasons"

Renumber accordingly

**2023 SENATE ENERGY AND NATURAL RESOURCES**

**HB 1409**

# 2023 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1409  
3/2/2023

A bill relating to nonresident youth hunting licenses for small game and waterfowl.
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1:59 PM Chairman Patten opened the meeting.

Chairman Patten and Senators Kessel, Kannianen, Beard and Boehm are present. Senator Magrum is absent.

### Discussion Topics:

- Outdoor opportunities
- Reciprocity
- Out of state youth

2:01 PM Brian Hosek, Business Operations Manager, North Dakota Game and Fish Department introduced the bill and provided written testimony #21569.

### Additional written testimony:

Bob Matthews #21661

2:02 PM Chairman Patten closed the public hearing.

2:02 PM Senator Kessel moved to Do Pass the bill.  
Motion seconded by Senator Boehm.

2:03 PM Roll call vote was taken.

Senators	Vote
Senator Dale Patten	Y
Senator Jeffery J. Magrum	AB
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Jordan L. Kannianen	Y
Senator Greg Kessel	Y

Motion passes 5-0-1.

Senator Boehm will carry the bill.

This bill does not affect workforce development.

2:05 PM Chairman Patten closed the meeting.

*Rick Schuchard, Committee Clerk*



**REPORT OF STANDING COMMITTEE**

**HB 1409, as engrossed: Energy and Natural Resources Committee (Sen. Patten, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1409 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**TESTIMONY**

**HB 1409**



House Energy and Natural Resources Committee  
Testimony on HB 1409

North Dakota Game and Fish Department  
Brian Hosek, Business Operations Manager  
February 3, 2023

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Brian Hosek and I'm the Business Operations Manager of the North Dakota Game and Fish Department. I am testifying today in support of HB 1409.

The Department frequently promotes opportunity for hunters and anglers and closely monitors participation to better understand that opportunity in the future. States have varying regulations when it comes to offering similar licenses or even defining game. The passage of this bill will make these opportunities consistent for all youth regardless of the offerings in their state.

The Department understands we are blessed with these resources and these experiences for youth plant a seed for their future. These experiences can result in future visits from these individuals or even having some consider making North Dakota their home.

The Department would recommend some amendments to the current version of the bill. In addition to the removal of the reciprocity of youth licenses, we would propose amendments to change the required licenses for nonresident youth from small game to general game; define the age eligibility to the time of purchase; and to clarify the season regulations for the youth and adult family member or legal guardian.

This bill and proposed amendments provide some consistency and clarity of existing law. For these reasons, the Department respectfully requests a DO PASS on HB 1409. This concludes my testimony. I would be happy to answer any questions.

23.0759.01000

**PROPOSED AMENDMENTS TO HOUSE BILL NO. 1409**

Page 1, line 7, replace "resident small game" with "general game"

Page 1, line 11, remove "may"

Page 1, line 12, remove "not have arrived at the age of sixteen before September first of the year  
for which the license is"

Page 1, line 13, remove "issued and"

Page 1, line 15, remove "youth"

Page 1, line 16, remove "regulations and"; " : "

Page 1, line 16, add "during the regular season. In addition, the nonresident youth may  
hunt small game or waterfowl during the youth seasons only under the supervision of an  
adult family member or legal guardian and is subject to the youth regulations during the  
youth seasons."

**PROPOSED AMENDMENTS TO HOUSE BILL NO. 1409**

1 A BILL for an Act to amend and reenact section 20.1-03-07.2 of the North Dakota Century Code,  
2 relating to nonresident youth hunting licenses for small game and waterfowl.

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

4 **SECTION 1. AMENDMENT.** Section 20.1-03-07.2 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **20.1-03-07.2. Nonresident youth hunting licenses.**

7 A nonresident youth who is less than sixteen years of age may purchase a ~~resident small game~~  
8 ~~general game~~ hunting license and may hunt small game and waterfowl except swans and wild  
9 turkeys; ~~provided, that the nonresident youth's state, or province or territory of Canada, of~~  
10 ~~residence provides a reciprocal licensing agreement for North Dakota residents who are less~~  
11 ~~than sixteen years of age.~~ To be eligible to purchase a license under this section, a nonresident  
12 youth ~~may not have arrived at the age of sixteen before September first of the year for which~~  
13 ~~the license is issued and~~ must possess a certificate of completion for a certified hunter  
14 education course. The nonresident youth may ~~only~~ hunt only under the supervision of an adult  
15 family member or legal guardian who is licensed to hunt small game or waterfowl in this state  
16 and is subject to ~~youth regulations and~~ the same regulations as that youth's adult family  
17 member or legal guardian ~~—during the regular season. In addition, the nonresident youth may~~  
18 ~~hunt small game or waterfowl during the youth seasons only under the supervision of an adult~~  
19 ~~family member or legal guardian and is subject to the youth regulations during the youth~~  
20 ~~seasons.~~ This section does not apply to the hunting of big game or to a license issued by lottery.

## TESTIMONY OF

**Mike Jensen, Outdoor Promotions Manager Tourism and Marketing Division  
North Dakota Department of Commerce**

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Mike Jensen. I am the Outdoor Promotions Manager for the Tourism & Marketing Division of the North Dakota Department of Commerce.

I am testifying in support of HB 1409 that removes the requirement that the nonresident youth hunter's state of residence provides reciprocal licensing agreements to allow the purchase a resident license to fish and hunt small game and waterfowl in North Dakota.

When state tourism travel counselors are speaking with potential visitors, it can be difficult and often confusing to answer inquiries whether a youth hunter is allowed to hunt or fish with a resident license. For parents and grandparents wanting to bring their children or grandchildren to experience some of the best parts of North Dakota, the difference in license cost for each child could be as high as \$250-300 dollars if they are wishing to fish and hunt both waterfowl and upland game.

It is important that we encourage youth to embrace outdoor recreation and continue our cultural traditions that include hunting and fishing. Experiences in the outdoors like hunting, fishing, camping, hiking, and biking are the ones that will hook youth early and make them fall in love with North Dakota. These outdoor recreation travelers drive the third largest industry in North Dakota and are the easiest targets in efforts to attract new residents.

I can recall conversations I had in Sioux Falls, Billings and Omaha with people at consumer travel shows that were seeking hunting/fishing vacation destinations. I had to explain to our neighbors in South Dakota and Montana as well as some from Iowa that their children and grandchildren under 16 would need to purchase adult licenses.

I would like to see other states give our residents the same hunting access that they are given here in North Dakota. I also understand not all situations are the same and we are not able to give nonresidents reciprocal rights to some things. For example, Montana residents are not given the same opportunity to apply for elk tags in North Dakota, yet our residents can apply for elk tags in their state. Youth hunters should not be put in the middle of these discussions.

I request a do pass vote on HB 1409 from the committee so youth hunter from across the country are welcomed and encouraged to join their families and create lifelong memories in North Dakota.

**Porter, Todd K.**

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**From:** Hosek, Brian M. <bhosek@nd.gov>  
**Sent:** Tuesday, February 7, 2023 12:39 PM  
**To:** Porter, Todd K.; Anderson, Dick D.  
**Subject:** HB 1409 Proposed Amendments

Good afternoon,

We did not have any concerns on the current requirement for the adult family member or legal guardian to be licensed. Below is a version on how it would read removing this requirement. Let me know if there are any further thoughts or questions on this version.

Regards,  
Brian

1 A BILL for an Act to amend and reenact section 20.1-03-07.2 of the North Dakota Century Code,  
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3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**  
4 **SECTION 1. AMENDMENT.** Section 20.1-03-07.2 of the North Dakota Century Code is  
5 amended and reenacted as follows:  
6 **20.1-03-07.2. Nonresident youth hunting licenses.**  
7 A nonresident youth who is less than sixteen years of age may purchase a general game  
8 hunting license and may hunt small game and waterfowl except swans and wild turkeys;  
9 To be eligible to purchase a license under this section, a nonresident youth must possess  
10 a certificate of completion for a certified hunter education course. The nonresident youth  
11 may hunt only under the supervision of an adult family member or legal guardian and  
12 may hunt the youth and entire regular seasons. This section does not apply to the hunting  
13 of big game or to a license issued by lottery.

23.0759.01000

**PROPOSED AMENDMENTS TO HOUSE BILL NO. 1409**

- Page 1, line 7, replace "resident small game" with "general game"
- Page 1, line 11, remove "may"
- Page 1, line 12, remove "not have arrived at the age of sixteen before September first of the year for which the license is"
- Page 1, line 13, remove "issued and"
- Page 1, line 15, remove "who is licenses to hunt small game or waterfowl in this state and is subject to youth"
- Page 1, line 16, remove "regulations"
- Page 1, line 16, add "may hunt the youth and entire regular seasons."
- Page 1, line 16, remove "the same regulations as that youth's adult family member or legal guardian"

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14 education course. The nonresident youth may ~~only~~ hunt only under the supervision of an adult  
15 family member or legal guardian ~~who is licensed to hunt small game or waterfowl in this state~~  
16 ~~and is subject to~~ may hunt the youth regulations and entire regular seasons ~~the same~~  
17 ~~regulations as that youth's adult family member or legal guardian.~~ This section does not apply to  
18 the hunting of big game or to a license issued by lottery.

Brian Hosek  
Business Operations Manager

(701) 328-6369 • [bhosek@nd.gov](mailto:bhosek@nd.gov) • [gf.nd.gov](http://gf.nd.gov)



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Senate Energy and Natural Resources Committee  
Testimony on HB 1409

North Dakota Game and Fish Department  
Brian Hosek, Business Operations Manager  
March 2, 2023

Chairman Patten and members of the Senate Energy and Natural Resources Committee, my name is Brian Hosek and I'm the Business Operations Manager of the North Dakota Game and Fish Department. I am testifying today in support of HB 1409.

The Department frequently promotes opportunity for hunters and anglers and closely monitors participation to better understand that opportunity in the future. States have varying regulations when it comes to offering similar licenses or even defining game. The passage of this bill will make these opportunities consistent for all youth regardless of the offerings in their state.

The Department understands we are blessed with great outdoor resources. While participating in the outdoors, experiences for youth plant a seed for their future. These experiences can result in future visits from these individuals or even having some consider making North Dakota their home.

This bill provides some consistency for youth license requirements and clarity of existing law. For these reasons, the Department respectfully requests a DO PASS on HB 1409. This concludes my testimony. I would be happy to answer any questions.



**Attn:** Senate Committee on Energy and Natural Resources  
**Re:** House Bill 1409  
**Date:** March 1, 2023  
**Position:** Support

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Honorable Members of the Senate Committee on Energy and Natural Resources,

I write you today on behalf of the Congressional Sportsmen's Foundation in support of House Bill 1409, which would remove the reciprocity requirement for granting nonresident general youth hunting licenses. This bill would offer increased opportunity for youth hunters to enjoy the state's storied small game and waterfowl populations. I respectfully request that the members of this Committee support the passage of HB 1409.

Founded in 1989, the Congressional Sportsmen's Foundation (CSF) is the informed authority across outdoor issues and serves as the primary conduit for influencing public policy. Working with the Congressional Sportsmen's Caucus (CSC), the Governors Sportsmen's Caucus (GSC), and the National Assembly of Sportsmen's Caucuses (NASC), CSF gives a voice to hunters, anglers, recreational shooters, and trappers on Capitol Hill and throughout state capitols advocating on vital outdoor issues that are the backbone of our nation's conservation legacy.

House Bill 1409 serves to advance the recruitment of future sportsmen and women to the state by allowing more nonresident youth hunters to experience North Dakota's storied landscapes and wildlife populations. Fewer barriers to participate in hunting will result in the continued success of wildlife management in the state, which is funded in part through the unique "user pays – public benefits" approach of the American System of Conservation Funding. This bill would result in more hunters purchasing licenses in the state, which would in turn increase the funding received by the North Dakota Game and Fish Department via the Pittman-Robertson Act, as well as adding to the state's outdoor economy.<sup>1</sup>

I respectfully request that the honorable members of this Committee support the passage of HB 1409. I thank you for the opportunity to provide this testimony and welcome any questions that you may have.

Sincerely,

**Robert Matthews**  
 Senior Coordinator, Great Lakes States  
 Congressional Sportsmen's Foundation  
[rmatthews@congressionalsportsmen.org](mailto:rmatthews@congressionalsportsmen.org) | 517-210-2890

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<sup>1</sup> "American System of Conservation Funding," *Congressional Sportsmen's Foundation*, Accessed February 22, 2023, <https://congressionalsportsmen.org/policies/state/ascf>

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# AMERICAN SYSTEM OF CONSERVATION FUNDING



## NORTH DAKOTA

	Hunting licenses	Fishing licenses	Pittman-Robertson	Dingell-Johnson	TOTAL
2021 Funding	\$10.77 M	\$4.02 M	\$9.60 M	\$4.83 M	\$29.24 M
2021 National Ranking	33rd	46th	38th	38th	39th
Historical Funding Total	\$283.3 M	\$73.48 M	\$192.0 M	\$115.7 M	\$664.5 M
Historical Funding U.S. Rank	39th	47th	38th	39th	43rd

**19%** Fishing

**13%** Hunting

Percent of North Dakota's residents who purchased a hunting or fishing license in 2021

**2021 PAID LICENSE HOLDERS**

**343,530**

**2021 TOTAL LICENSE PERMITS/TAGS**

**715,734**

TO LEARN MORE ABOUT SPORTSMEN AND WOMEN'S ROLE IN CONSERVATION FUNDING VISIT [CONGRESSIONALSPORTSMEN.ORG](http://CONGRESSIONALSPORTSMEN.ORG)