

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1405
(Representatives Svedjan, Carlson, Henegar)
(Senators St. Aubyn, Traynor)

AN ACT to amend and reenact sections 20.1-12-05, 20.1-12-06, and 20.1-12-07 of the North Dakota Century Code, relating to the operation of private shooting preserves; and to repeal section 20.1-12-06.1 of the North Dakota Century Code, relating to harvest of game birds on private shooting preserves.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-12-05 of the North Dakota Century Code is amended and reenacted as follows:

20.1-12-05. Operation of shooting preserve - Season - Search of premises permitted. Any guest of a shooting preserve operator, ~~in possession of a general game license,~~ may harvest any game bird within the defined limits of the shooting preserve, subject to this chapter. The shooting preserve operator may establish that person's own restrictions on the age, sex, and number of each game bird that may be taken by each guest, and the fee to be paid by each guest. The exterior boundaries of each shooting preserve must be clearly defined and posted with signs erected around the extremity at intervals of three hundred feet [91.44 meters] or less. Each shooting preserve operator and that person's guest shall comply with and be subject to chapter 20.1-01. Shooting preserve operators may restrict or set the hours during which game birds may be hunted, subject to gubernatorial proclamation. The season for shooting preserves may be all or part of the ~~seven-month~~ nine-month period beginning ~~September~~ August first and ending ~~March thirty-first~~ April thirtieth of the following year. All permits must be issued upon the express condition that the permittee agrees that any law enforcement officer or any representative of the director may enter and search the premises or any part thereof at any reasonable time to ensure compliance with state laws and the director's rules.

SECTION 2. AMENDMENT. Section 20.1-12-06 of the North Dakota Century Code is amended and reenacted as follows:

20.1-12-06. Game birds to be tagged. Each shooting preserve operator shall tag all game birds harvested by guests before the birds are consumed or removed from the shooting preserve premises. ~~The tags must distinguish between birds released by the shooting preserve operator, and wild birds. Tags must be numbered consecutively, dated by year of issuance, and must be self-sealing.~~ The director shall provide tags to shooting preserve operators, at nominal cost to them. Once affixed, tags must remain attached until the game birds are prepared for consumption.

SECTION 3. AMENDMENT. Section 20.1-12-07 of the North Dakota Century Code is amended and reenacted as follows:

20.1-12-07. Guest register and records to be maintained. Each shooting preserve operator shall maintain a guest register listing the guest's name and address, ~~the number of that person's North Dakota general game license,~~ the date on which the guest hunted, the number of game birds and species taken ~~and their tag numbers,~~ with wild birds and operator released birds listed separately. A record must also be maintained by each shooting preserve operator of the source of game released in the operator's preserve, the date of release, and the number and kind of game bird or species released. The records required by this section must be open for inspection by the director, the director's representative, or any law enforcement officer at any reasonable time.

SECTION 4. REPEAL. Section 20.1-12-06.1 of the North Dakota Century Code is repealed.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1405.

House Vote: Yeas 93 Nays 0 Absent 4

Senate Vote: Yeas 41 Nays 6 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State