

**Fifty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2449  
(Senators Mutch, Lyson, Stenehjem)  
(Representatives Carlisle, Carlson, Porter)

AN ACT to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to restrictions on guides and outfitters; and to amend and reenact subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the director of the game and fish department.

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

**SECTION 1. AMENDMENT.** Subsection 17 of section 20.1-02-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

17. Subject to ~~the provisions of~~ chapter 28-32, adopt rules for the licensing of guides or outfitters; and may require records and reports as the director determines necessary. The director may, after due hearing as provided in chapter 28-32, revoke or refuse to renew the license of ~~any~~ a person who violates the rules or fails to provide the records and reports. ~~Any person who acts as a guide or outfitter without a license is guilty of a class B misdemeanor.~~

**SECTION 2.** A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

**Guides and outfitters - Rules - Restrictions.** An individual may not:

1. Act as a guide or outfitter or advertise or otherwise represent to the public that the individual is a guide or outfitter without first securing a license in accordance with this title and the applicable rules of the director;
2. Act as a certified guide or outfitter or advertise or otherwise represent to the public that the individual meets the qualifications of being certified without first complying with section 20.1-03-36;
3. Act as a hunting guide or outfitter on land owned by or private land enrolled by the department for the purpose of hunting;
4. Provide guiding or outfitting services to a person who has not obtained the appropriate license for the species sought by that person; or
5. Willfully and substantially misrepresent that person's facilities, prices, equipment, services, or hunting or fishing opportunities as a guide or outfitter.

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President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2449.

Senate Vote:      Yeas    46          Nays    3          Absent    0

House Vote:      Yeas    88          Nays    3          Absent    7

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2001.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2001.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2001,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State