

June 2007

TITLE 20.1

Game, Fish, Predators, and Boating

Summary of Bills Enacted by 2007 Legislative Assembly

This memorandum summarizes 2007 legislation primarily affecting North Dakota Century Code (NDCC) Title 20.1. Bills primarily affecting other titles may also affect this title, and relevant provisions of those bills are summarized in this memorandum.

The legislation relating to game, fish, predators, and boating may be classified in these subject areas: licenses and permits; Game and Fish Department; birds; Governor's proclamations; and miscellaneous.

LICENSES AND PERMITS

House Bill No. 1195 provides that beginning on January 1, 2008, any application that is printed in paper form for a resident or nonresident fishing, hunting, or fur-bearer certificate must be printed in a manner so that only the last four digits of the applicant's Social Security number are recorded on the application, and the first five digits of the applicant's Social Security number are recorded on the application. The bill directs the Department of Human Services to seek a federal exemption authorizing the state to require the recording of the last four digits of the applicant's Social Security number on applications in paper form for a resident or nonresident fishing, hunting, or fur-bearer certificate. The bill becomes effective on the date the department certifies that the United States Department of Health and Human Services has granted the exemption.

Senate Bill No. 2293 provides that upon presentation of valid leave papers and a valid North Dakota operator's license, a resident who is on leave and is on active duty as a member of the United States Armed Forces or the United States Merchant Marine may hunt small game, fish, or trap during the open season without a license.

Senate Bill No. 2147 makes permanent the provision that the 14-day and two 7-day hunting period restrictions applicable to nonresident waterfowl hunters do not apply to nonresidents hunting in Richland and Sargent Counties during the early September Canada goose season.

Senate Bill No. 2059 eliminates the \$5 fee or a permit to propagate, domesticate, or possess protected wildlife. However, the permit is still required by the State Board of Animal Health.

GAME AND FISH DEPARTMENT

Senate Bill No. 2017 appropriates \$57,861,111 to the Game and Fish Department. The bill provides that it is the intent of the Legislative Assembly that \$100,000 contained in the grants line item be used to carry out a grant program to encourage hunting by youth by providing grants to local communities to fund shooting ranges and other related activities to encourage hunting by youth. The bill also requires the Game and Fish Department to study the recruitment and retention of hunters in North Dakota and identify programs to recruit and retain hunters in this state and report to the Budget Section by December 31, 2008.

House Bill No. 1515 authorizes the Game and Fish Department to develop and make available, as part of the broader support for establishment cost-share provided through the Industrial Commission, a special demonstration component of the private land open to sportsmen program to support perennial grass stand establishment of participating acres in return for public access to hunting and adherence to conservation best practices, including postseason harvest, minimum stubble height, and nonannual harvest. The bill provides that the demonstration project may include an evaluation component to assess the effects and compatibility of perennial biomass harvest with the habitat and public access objective of the private land open to sportsmen program.

Senate Bill No. 2096 authorizes the director, deputy director, chief game wardens, or district game wardens to enforce state laws and rules on sovereign lands.

Senate Bill No. 2214 provides that the exercise of eminent domain power by the director of the Game and Fish Department must be done in accordance with NDCC Chapter 32-15.

BIRDS

House Bill No. 1311 deletes the age and date requirement for the youth pheasant hunting season and requires the Game and Fish Department to study hunter safety education requirements and hunter safety for all ages of hunters and report its findings and recommendations to the Legislative Council by July 1, 2008.

Senate Bill No. 2250 authorizes the Governor to allow individuals who are first-time youth spring wild turkey hunters to receive one spring turkey license valid for the regular spring wild turkey season by proclamation. The bill provides that to be eligible to receive a spring wild turkey license, an individual must be 15 years of age or younger on the opening day of the spring wild turkey season and have never received a wild turkey license.

Senate Bill No. 2251 authorizes the Governor to make available one spring wild turkey license to the National Wild Turkey Federation for a raffle or auction with the net proceeds of the raffle or auction used for wild turkey management and related projects in North Dakota.

GOVERNOR'S PROCLAMATIONS

House Bill No. 1289 authorizes the Governor to make available one bighorn sheep hunting license to the Minnesota-Wisconsin Chapter for the Foundation for North American Wild Sheep to raffle or auction with proceeds remitted to the department.

Senate Bill No. 2201 authorizes the Governor to make one antelope license available to the North Dakota Hunter Educators Association for a raffle. The bill provides that proceeds of the raffle must be used for sponsoring mentored hunts for youth who may otherwise not have the means to go afield to hunt; establish a statewide network of shooting locations for youth to become familiar with archery equipment and firearms under the supervision of a certified volunteer hunter education instructor; and to purchase advertising and news media during hunting season concerning firearms safety and hunting ethics and the promotion of safe and responsible hunting.

House Bill No. 1402 authorizes the Governor to make available annually to an organization with the principal purpose of granting hunting and fishing adventures for children who have been diagnosed with a terminal illness up to eight deer licenses and four antelope licenses.

MISCELLANEOUS

House Bill No. 1184 provides that notwithstanding any other provision of law, an individual may have a handgun in that individual's possession while hunting during any lawful archery hunting season.

House Bill No. 1396 replaces the term "alveolar air" with the term "end expiratory breath" for purposes of hunting or boating under the influence.

Senate Bill No. 2058 authorizes the Game and Fish Department to convey land to adjacent landowners around Golden Lake.