

March 19, 2009

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2165

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to provisional hunting licenses; and to amend and reenact section 20.1-03-01.1 and subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to hunting licenses and requirements.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-03-01.1 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-01.1. Director to appoint and train instructors - Prescribe course material and classroom sites - Certify completion. The director shall provide classroom instruction on, and shall select, train, and certify persons or department personnel qualified to provide instruction on, firearms and bow safety and hunter responsibility, and shall prescribe the course material to be used, classroom locations, and the dates for teaching the course in this state. The director also shall provide an online internet hunter safety education program for individuals age sixteen and over to complete the hunter safety education requirement. The director shall authorize the issuance of a certificate of completion to all persons satisfactorily completing the course.

SECTION 2. AMENDMENT. Subsection 1 of section 20.1-03-11 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~No person shall~~ An individual may not hunt, kill, take, or attempt to take any big game without having the appropriate big game hunting license and a locking seal bearing a number corresponding to the number of the big game hunting license or stamp. The locking seal ~~shall~~ must be issued as an integral part of the big game hunting license. ~~No person~~ Except as otherwise provided in this subsection, an individual may not apply for or be issued a big game hunting license if that ~~person's~~ individual's fourteenth birthday does not occur on or before the opening date of the respective big game hunting season. This age limitation does not apply to applicants for big game licenses for hunting by bow and arrow. Each violation of this section ~~shall be~~ is a distinct and separate offense. The following provisions govern youth deer hunting:
 - a. An individual whose twelfth birthday occurs on or before the opening date of the youth deer hunting season but is younger than sixteen years of age may participate in a youth season once in a lifetime;
 - b. An individual whose twelfth birthday occurs on or before the opening date of the youth deer hunting season but is younger than fourteen years of age may participate only in the youth deer hunting season; and
 - c. An individual whose fourteenth birthday occurs on or before the opening date of the youth deer hunting season but is younger than sixteen years of age must participate in the regular deer gun lottery and, subject to subdivision a, may use that license for either the youth deer hunting season or the regular deer gun season.

SECTION 3. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Provisional license for residents over eighteen years of age. The director shall establish a provisional license for residents over eighteen years of age who have not completed the hunter safety education program under sections 20.1-03-01.1 and 20.1-03-01.2. A provisional license issued under this section entitles an individual to hunt small game and deer during any one season. An individual hunting with a provisional license issued under this section may hunt only under the direct supervision of an individual over eighteen years of age who has completed the hunter safety education program under sections 20.1-03-01.1 and 20.1-03-01.2 or has purchased a license to hunt within the previous year. The director may not charge a fee for a provisional license issued under this section."

Renumber accordingly