

HOUSE BILL NO. 1069

Introduced by

Natural Resources Committee

(At the request of the Game and Fish Department)

1 A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota
2 Century Code, relating to restrictions on guides and outfitters; and to amend and reenact
3 subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers
4 of the director of the game and fish department.

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

6 **SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is
7 created and enacted as follows:

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

- 9 1. Act as a guide or outfitter or advertise or otherwise represent to the public that the
10 individual is a guide or outfitter without first securing a license in accordance with
11 this title and the applicable rules of the director;
- 12 2. Act as a certified guide or outfitter or advertise or otherwise represent to the public
13 that the individual meets the qualifications of being certified without first complying
14 with section 20.1-03-36;
- 15 3. Act as a hunting guide or outfitter on land owned by or leased by the department;
- 16 4. Act as a hunting guide or outfitter on land on which the department has obtained
17 an easement or has entered into a lease or other agreement, granting the right of
18 public access to that land for hunting or recreational use;
- 19 5. Have in that person's immediate possession, a firearm or other weapon declared
20 legal by the governor's proclamation while afield with a person employing that
21 individual as a hunting guide or outfitter;
- 22 6. Provide guiding or outfitting services to a person who has not obtained the
23 appropriate license for the species sought by that person;

1 7. Utilize land under control of the United States government before obtaining the
2 proper permits required by the government agency responsible for the area in
3 which that person intends to operate as a hunting guide or outfitter; or

4 8. Willfully and substantially misrepresent that person's facilities, prices, equipment,
5 services, or hunting or fishing opportunities as a guide or outfitter.

6 **SECTION 2. AMENDMENT.** Subsection 17 of section 20.1-02-05 of the 1999
7 Supplement to the North Dakota Century Code is amended and reenacted as follows:

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