

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1050

That the Senate recede from its amendments as printed on pages 1099 and 1100 of the House Journal and pages 974 and 975 of the Senate Journal and that Engrossed House Bill No. 1050 be amended as follows:

Page 1, line 3, after the second comma insert "20.1-03-07.1,"

Page 1, line 5, after "outfitters" insert "and nonresident waterfowl hunters"

Page 4, line 12, replace "a person" with "an individual"

Page 4, line 13, replace "that person" with "the individual's business operation"

Page 4, line 18, after the underscored period insert "The term does not include a person holding title or an equitable interest in business operations if the primary purpose of the business operation is to provide food or lodging to the general public, chamber of commerce activities, travel agencies, or others that offer free information to attract outdoor and recreational use of their communities."

Page 4, line 23, remove "The term does not"

Page 4, remove lines 24 through 27

Page 12, after line 19, insert:

"SECTION 3. AMENDMENT. Section 20.1-03-07.1 of the North Dakota Century Code is amended and reenacted as follows:

20.1-03-07.1. Nonresident waterfowl hunting license required. Except as provided in sections 20.1-03-07.2 and 20.1-03-07.3, a nonresident may not hunt waterfowl unless that ~~person~~ individual first obtains a nonresident waterfowl hunting license, in addition to a nonresident small game hunting license. The nonresident waterfowl hunting license entitles the nonresident to hunt waterfowl for any period of fourteen consecutive days, ~~any period of seven consecutive days,~~ or any two periods of seven consecutive days each. A license authorizing the fourteen-day hunting period allows hunting in a specified waterfowl hunting zone. ~~A license authorizing one 7-day hunting period allows hunting statewide.~~ A license authorizing two 7-day hunting periods allows hunting in a specified zone during each period. The governor, in the governor's proclamation, shall specify various waterfowl hunting zones for which nonresident waterfowl hunting licenses will be available, and may specify the number of licenses which may be issued in each zone and the manner in which they are to be issued. A nonresident is entitled to purchase only one nonresident waterfowl hunting license per year."

Page 17, line 8, replace "A person" with "An individual"

Page 17, line 14, after "dollars" insert "for a resident and four hundred dollars for a nonresident"

Page 17, line 15, after "dollars" insert "for a resident and four hundred dollars for a nonresident"

Page 17, line 16, after "dollars" insert "for a resident and two hundred dollars for a nonresident" and replace "a person" with "the individual"

Page 17, line 18, after "fee" insert "for a resident"

Page 17, line 19, replace "the first five" with "under ten", replace "2023.43" with "4046.86", replace "one" with "five", and remove "every"

Page 17, line 20, replace "additional five" with "ten", replace "2023.43" with "4046.86", after the closing bracket insert "and over", replace "guides" with "provides services", and after the underscored period insert "The annual fee for a nonresident to receive a hunting outfitter license is two thousand dollars."

Page 17, remove line 21

Page 17, line 22, remove "this section." and replace "and legally defined" with "by the county with a list of lessors by county"

Page 17, line 23, remove "For the purposes of this section, "legally defined""

Page 17, remove line 24

Page 17, line 25, remove "outline." and after the second underscored period insert "The acreage day leased by county for the preceding year must be provided to receive a day leasing permit."

Page 17, line 28, after the underscored period insert "The director shall determine the number of acres by county exempted from licensure by this subsection and shall publish the results. The director shall provide written information to the public on the possible liability exposure for outfitting under this subsection and on the benefits of liability insurance and proper training."

Page 18, replace lines 4 and 5 with:

3. Guide and outfitter licenses expire on December thirty-first of each year unless revoked at earlier date.

4.

Page 18, line 6, remove "department a renewal fee of the same amount of the license fee."

Page 18, line 26, remove "a resident"

Page 18, line 27, remove "and"

Page 19, line 2, replace "person is" with "individual and the individual's business operation are"

Page 19, line 6, replace "A person" with "An individual"

Page 19, line 8, replace "a person" with "an individual" and replace "had any" with "been convicted of a"

Page 19, line 10, after the underscored period insert "As used in this chapter, "conviction" means a finding of guilt, a guilty plea, a plea of no contest, a plea of nolo contendere, a

judgment of conviction even though the court suspended execution of a sentence in accordance with subsection 3 of section 12.1-32-02, or a deferred imposition of sentence in accordance with subsection 4 of section 12.1-32-02 or an equivalent statute. The term does not include a finding of guilt which is reversed on appeal."

Page 19, after line 13, insert:

"7. An applicant for a hunting guide license must have legally hunted for part of each of any three years in a manner directly contributing to the individual's experience and competency as a guide."

Page 19, line 17, replace the first "shall" with "may" and replace the second "shall" with "may"

Page 19, line 18, after the underscored period insert "If the director requests a trade secret or proprietary information, the director shall request the information on a separate form, and that information is confidential and is not a public record subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota. The director may release this information, however, if it is aggregated so as not to identify any guide, outfitter, or client."

Page 19, line 20, replace "persons" with "individuals"

Page 19, line 31, after the underscored period insert "The director shall administer examinations at least twice a year; however, an examination may not be given within ninety days after the previous examination."

Page 20, remove lines 1 and 2

Page 21, line 7, replace "Another" with "Notwithstanding chapters 45-11 and 47-25, another" and after the first underscored comma insert "business name, fictitious name, trade name, internet address, world wide web uniform resource identifier,"

Page 21, line 8, replace "committed" with "been convicted of"

Page 21, line 9, replace "violation" with "conviction"

Page 21, line 13, replace "person" with "individual"

Page 21, line 18, replace the second "person" with "individual"

Page 21, line 25, replace "a person" with "an individual"

Page 21, remove lines 28 and 29

Renumber accordingly