

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2048

Introduced by

Legislative Council

(Judiciary B Committee)

1 A BILL for an Act to amend and reenact sections 20.1-03-07.1 and 20.1-08-04 of the North
2 Dakota Century Code, relating to a limitation on the number of nonresident waterfowl hunters
3 and time limits on duck hunting.

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

5 **SECTION 1. AMENDMENT.** Section 20.1-03-07.1 of the North Dakota Century Code
6 is amended and reenacted as follows:

7 **20.1-03-07.1. Nonresident waterfowl hunting license required.** Except as provided
8 in sections 20.1-03-07.2 and 20.1-03-07.3, a nonresident may not hunt waterfowl unless that
9 person first obtains a nonresident waterfowl hunting license, in addition to a nonresident small
10 game hunting license. The nonresident waterfowl hunting license entitles the nonresident to
11 hunt waterfowl for any period of fourteen consecutive days, any period of seven consecutive
12 days, or any two periods of seven consecutive days each. A license authorizing the
13 fourteen-day hunting period allows hunting in a specified waterfowl hunting zone. A license
14 authorizing one 7-day hunting period allows hunting statewide. A license authorizing two 7-day
15 hunting periods allows hunting in a specified zone during each period. The governor, in the
16 governor's proclamation, shall specify various waterfowl hunting zones for which nonresident
17 waterfowl hunting licenses will be available, and may specify the number of licenses which may
18 be issued in each zone and the manner in which they are to be issued. The number of
19 nonresident waterfowl hunting licenses issued is based on total hunting pressure. The
20 governor shall determine total hunting pressure by categorizing each year of the preceding
21 twenty-five years under dry, moderate, or wet wetland conditions and determining the average
22 number of resident and nonresident hunters for those years under each category. The
23 maximum number of nonresident waterfowl hunting licenses that may be issued is determined
24 by applying the appropriate category average to the expected current season's condition, then

1 subtracting from that average the previous season's number of resident hunters, and then
2 dividing that result by one and thirty-six hundredths. The governor may adjust the result by up
3 to twenty-five percent in the governor's proclamation. A nonresident is entitled to purchase only
4 one nonresident waterfowl hunting license per year.

5 **SECTION 2. AMENDMENT.** Section 20.1-08-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **20.1-08-04. Contents of governor's order or proclamation relating to the taking of**
8 **big game, small game, fish, and fur-bearers - Special permits.**

- 9 1. A gubernatorial order or proclamation under this chapter must prescribe, as to
10 each species of wildlife named ~~therein~~ in the order or proclamation, the following:
- 11 a. In what manner ~~they~~ the species may be taken.
12 b. In what numbers ~~they~~ the species may be taken and possessed and may limit
13 the numbers by sex.
14 c. In what places ~~they~~ the species may be taken.
15 d. At what times ~~they~~ the species may be taken and possessed.
- 16 2. The governor shall prescribe that ducks may be hunted for a time period no longer
17 than from one-half hour before sunrise to one p.m. central daylight time for the first
18 fourteen days of the fall duck season.
- 19 3. The governor in the governor's proclamation or order may determine the number of
20 resident and nonresident big game licenses to be issued for the taking of each
21 species, age, or sex. When a limited number of big game licenses or special
22 permits are to be issued, the governor shall by order or proclamation declare the
23 manner of issuance of the licenses and permits. The governor may by
24 proclamation or order determine the time period for which a recipient of a big game
25 license or special permit obtained by lottery is ineligible to apply for the same type
26 of license or special permit.
- 27 ~~3.~~ 4. In addition to the regular big game hunting licenses, the governor, by order or
28 proclamation, may authorize the issuance of special permits to hunt big game in
29 certain restricted areas. Special permits issued under this subsection must be
30 issued in strict compliance with the governor's order or proclamation. When acting
31 pursuant to this subsection, the governor shall designate in the proclamation:

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- 1 a. The species of big game which can be hunted.
- 2 b. The boundaries of the restricted area.
- 3 c. The number of special permits to be issued.
- 4 d. The procedure to determine which applicants ~~should~~ receive the special
- 5 permits.
- 6 e. The manner and times in which the big game may be taken.
- 7 ~~Special permits issued under this subsection shall be issued in strict compliance~~
- 8 ~~with the governor's proclamation.~~