Prepared by the Legislative Council staff for
Representative DeKrey
March 24, 2011

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2227

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "20.1-02-05" insert ", and a new section to chapter 20.1-02"

Page 1, line 3, after "reenact" insert "subsection 17 of section 20.1-02-05 and"

Page 1, line 4, after "to" insert "the private land habitat and access improvement program,"

Page 1, line 5, after "program" insert a comma

Page 1, line 11, replace the first "or" with an underscored comma

Page 1, line 11, after the first underscored comma insert "or"

Page 1, line 11, remove ", or for any other economic purpose"

Page 1, line 18, after the underscored period insert "A landowner dissatisfied with a decision of the director under this subsection may submit the decision to the agricultural mediation service for mandatory mediation. A decision of an agricultural mediation service negotiator is subject to review by the credit review board. A decision of the credit review board under this subsection is final."

Page 1, line 19, replace "March" with "January"

Page 1, after line 20, insert:

"**SECTION 3. AMENDMENT.** Subsection 17 of section 20.1-02-05 of the North Dakota Century Code is amended and reenacted as follows:

17. Carry out a private land habitat and access improvement program by:

a. Entering cost-sharing, habitat enhancement, and access agreements with landowners or agencies working on private land to help defray all or a portion of their share of local, state, or federally sponsored conservation practices considered beneficial to fish and wildlife.

b. Leasing and developing fish and wildlife habitat or sport fishing areas on private land. ~~Public~~Except for purposes of subdivision i, public access to leased land may not be prohibited.

c. Carrying out practices that will alleviate depredations caused by predatory animals and big game animals.

d. Publishing a brochure on an annual basis describing areas funded from the game and fish department private land habitat and access improvement fund which are open to public access in this state.

e. Receiving advice from the game and fish advisory board concerning expenditures from the game and fish department private land habitat and access improvement fund.

f. Working with livestock producers experiencing chronic deer depredation problems to develop site-specific deer depredation management plans.

g. Giving first consideration to producers impacted by deer foraging on stored winter forage when purchasing winter deer management supplies.

h. Making available the sum of one million dollars from each biennial game and fish department appropriation to be used to provide feeding and other winter management practices to alleviate depredation caused by big game animals. Any unexpended funds under this subdivision, up to two million dollars, are not subject to section 54-44.1-11 and may be carried forward for expenditure in future bienniums.

i. Making available the sum of one hundred thousand dollars from each biennial game and fish appropriation to be used for food plots on private property for the purpose of providing winter feed. These food plots are not subject to public access considerations."

Page 2, line 9, after the second period insert "For winter management program purposes of this section, a person may not willfully hunt, harass, chase, pursue, take, attempt to take, possess, transport, ship, convey by common carrier, sell, barter, or exchange a deer except as provided in this title.

SECTION 5. A new section to chapter 20.1-02 of the North Dakota Century Code is created and enacted as follows:

Deer reduction programs.

The director or the director's designee may authorize an individual to euthanize injured, sick, or emaciated deer under conditions determined by the director. The director may authorize targeted deer reduction programs to alleviate deer depredation."

Page 2, line 13, replace "A" with "Except as otherwise provided in section 20.1-02-28, a"

Page 2, line 13, remove "willfully"

Renumber accordingly