



Attn: Senate Judiciary Committee
Re: House Bill 1364 – Dogs as a Public Nuisance
Date: February 17, 2023
Position: Oppose

Honorable Members of the Senate Judiciary Committee,

I write you today on behalf of the Congressional Sportsmen’s Foundation in opposition of House Bill 1364, which allows for any dog that enters onto property not owned by the dog’s owner to be considered a public nuisance. In North Dakota, hunters may enter onto private land to retrieve wounded game, so long as that game was wounded on land that the hunter was authorized to hunt on. Additionally, the language of this bill does not define what constitutes harassment by a dog. Given the existing right of hunters to enter private land to retrieve game and the ambiguity of what constitutes harassment, I respectfully request that the members of this committee oppose the passage of H 1364.

Founded in 1989, the Congressional Sportsmen's Foundation (CSF) is the informed authority across outdoor issues and serves as the primary conduit for influencing public policy. Working with the Congressional Sportsmen's Caucus (CSC), the Governors Sportsmen's Caucus (GSC), and the National Assembly of Sportsmen's Caucuses (NASC), CSF gives a voice to hunters, anglers, recreational shooters, and trappers on Capitol Hill and throughout state capitols advocating on vital outdoor issues that are the backbone of our nation's conservation legacy.

According to Section 20.1-01-19 of the North Dakota Century Code (N.D.C.C.), “[a]ny person may enter upon legally posted land to recover game shot or killed on land where the person had a lawful right to hunt.”¹ Additionally, according to Section 20.1-05-04 of the N.D.C.C., dogs may be used for the recovery of big game animals.² Under the proposed language of this bill, dogs belonging to hunters that may lawfully enter land to recover game without the landowner’s permission could be considered a public nuisance. Without a definition for what constitutes harassment, this bill creates significant problems for hunters lawfully recovering game and could subject them to unjustified complaints of “harassment” by their dog.

¹ N.D.C.C., Sec. 20.1-01-19. <https://www.ndlegis.gov/cencode/t20-1c01.pdf#nameddest=20p1-01-17>

² N.D.C.C., Sec. 20.1-05-04. <https://www.ndlegis.gov/cencode/t20-1c05.pdf>

Your Inside Connection to Outdoor Legislation

For these reasons, I respectfully request that the members of this Committee reject the passage of House Bill 1364. I thank you for the opportunity to submit this testimony and welcome any questions.

Sincerely,

A handwritten signature in black ink that reads "Robert A. Matthews". The signature is written in a cursive style with a clear, legible font.

Robert Matthews

Senior Coordinator, Upper Midwestern States

Congressional Sportsmen's Foundation

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