

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1470

Introduced by

Representatives Bosch, Porter

Senator Patten

1 A BILL for an Act to amend and reenact sections 20.1-03-12, 20.1-03-36.1, and 20.1-04-12.1 of
2 the North Dakota Century Code, relating to hunting, fishing, and gun dog activity fees.

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

4 **SECTION 1. AMENDMENT.** Section 20.1-03-12 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **20.1-03-12. Schedule of fees for licenses and permits.**

7 The fees collected under this section for licenses and permits must be deposited with the
8 state treasurer and credited to the game and fish fund, except aquatic nuisance species fees
9 must be deposited with the state treasurer and credited to the aquatic nuisance species
10 program fund. Forty-five dollars of each nonresident big game hunting license fee must be used
11 for the private land initiative. The various license and permit fees are as follows:

- 12 1. For a resident, age sixteen and over, small game hunting license, ~~twenty~~ twenty dollars.
- 13 2. For a nonresident small game hunting license, ~~one hundred~~ one hundred fifty dollars.
- 14 3. For a resident big game hunting license, ~~thirty~~ thirty-five dollars, except the fee for a
15 licensee under age sixteen is ten dollars, except as provided in a gubernatorial
16 proclamation issued pursuant to section 20.1-08-04.1.
- 17 4. Except for a nonresident who participates on the same basis as a resident in a lottery
18 for deer licenses remaining after the second lottery for residents under subsection 4 of
19 section 20.1-03-11, for a nonresident big game hunting license, ~~two hundred fifty~~ three
20 hundred fifty dollars, and for a nonresident bow license, ~~two hundred fifty~~ three
21 hundred fifty dollars, and a nonrefundable five dollar application fee must accompany
22 any lottery license fee under this subsection, except as provided in a gubernatorial

- 1 proclamation issued pursuant to section 20.1-08-04.1. For a nonresident who
2 participates on the same basis as a resident in a lottery for deer licenses remaining
3 after the second lottery for residents, fifty dollars.
- 4 5. For a resident fur-bearer license, ~~fifteen~~twenty dollars.
- 5 6. For a resident fishing license, ~~sixteen~~twenty-five dollars, except that for a resident
6 sixty-five years or over, a resident totally or permanently disabled, or a resident
7 disabled veteran who has a fifty percent service-connected disability as determined by
8 the department of veterans' affairs or has an extra-schedular rating to include
9 individual unemployability that brings the veteran's total disability ratio to fifty percent,
10 the license fee is ~~five~~ten dollars.
- 11 7. For a nonresident fishing license, ~~forty-five~~sixty dollars.
- 12 8. For a resident husband and wife fishing license, ~~twenty-two~~forty dollars.
- 13 9. For a nonresident nongame hunting license, ~~fifteen~~twenty-five dollars.
- 14 10. For a resident wild turkey permit, ~~fifteen~~twenty dollars.
- 15 11. For an annual general game license, three dollars.
- 16 12. For a license to a nonresident buyer or shipper of green furs, or that person's agent,
17 the amount that the nonresident buyer or shipper of green furs would pay for a
18 nonresident buyer or shipper of green furs license or comparable license in that
19 person's state of residence, or fifty dollars, whichever is greater.
- 20 13. For a license to a resident buyer or shipper of green furs, eight dollars for each place
21 of business maintained by that person within this state.
- 22 14. For a license to a resident traveling agent, buyer, or shipper of green furs, twenty
23 dollars.
- 24 15. For an annual license to practice taxidermy, ~~twenty-five~~forty dollars.
- 25 16. For a permit to ship, by a person having a resident hunting license, during the
26 respective open seasons, not to exceed in any one season twenty-five game birds, to
27 points within this state other than that person's home or to points outside this state,
28 three dollars.
- 29 17. For a permit to make collections of protected birds and animals for scientific purposes,
30 ten dollars.

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- 1 18. For a motorboat certificate of number and license: Each motorboat under sixteen feet
2 [4.88 meters] in length, and all canoes, regardless of length, powered by a motor,
3 ~~eighteen~~thirty dollars. Each motorboat sixteen feet [4.88 meters] in length and over but
4 shorter than twenty feet [6.1 meters] in length, excluding canoes, ~~thirty-six~~forty-five
5 dollars. Each motorboat twenty feet [6.1 meters] in length or over excluding canoes,
6 ~~forty-five~~sixty dollars.
- 7 19. For the taking of undesirable fish from the waters of this state pursuant to section
8 20.1-06-05, ~~fifteen~~thirty dollars for each hoop-net or trap, and ~~fifteen dollars for each~~or
9 seine of fifty feet [15.24 meters] or any fraction thereof.
- 10 20. For a resident paddlefish tag annual license, ~~ten~~fifteen dollars per tag.
- 11 21. For a nonresident paddlefish tag annual license, ~~twenty-five dollars and fifty-~~
12 ~~cents~~thirty-five dollars per tag.
- 13 22. For an annual resident license to sell minnows or other live bait at wholesale,
14 ~~fifty~~seventy dollars.
- 15 23. For an annual license to sell minnows or other live bait at retail, ~~fifteen~~twenty dollars,
16 except the fee is ~~seventy-five~~one hundred dollars if white suckers are sold.
- 17 24. For an annual license to operate a private fish hatchery, ~~seventy-five~~one hundred
18 dollars.
- 19 25. For a resident commercial frog license, ~~fifty~~ dollars.
- 20 26. For a nonresident commercial frog license, ~~two hundred~~ dollars.
- 21 27. For a resident frog license, ~~three~~ dollars.
- 22 28. For a resident husband and wife frog license, ~~five~~ dollars.
- 23 29. For a shooting preserve operating permit, one hundred dollars, plus thirty cents per
24 acre [.40 hectare] for each acre [.40 hectare].
- 25 30. For a nonresident waterfowl hunting license, ~~one hundred~~ dollars.
- 26 ~~31-26.~~ For a nonresident husband and wife fishing license, ~~sixty~~one hundred dollars.
- 27 ~~32-27.~~ For a nonresident short-term three-day fishing license, ~~twenty-five~~forty dollars.
- 28 ~~33-28.~~ For a nonresident fur-bearer and nongame hunting license, ~~forty~~fifty dollars.
- 29 ~~34-29.~~ For a combination license, ~~fifty~~sixty dollars.
- 30 ~~35-30.~~ For a white-tailed deer license sold to certified guides or outfitters and provided by
31 them to nonresidents, two hundred fifty dollars.

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- 1 ~~36.31.~~ For a resident swan license, ten dollars.
- 2 ~~37.32.~~ For a nonresident swan license, ~~thirty~~fifty dollars.
- 3 ~~38.33.~~ For a resident sandhill crane license, ten dollars.
- 4 ~~39.34.~~ For a nonresident sandhill crane license, thirty dollars.
- 5 ~~40.~~ For a resident commercial clam license, ~~one hundred~~ dollars.
- 6 ~~41.~~ For a nonresident commercial clam license, ~~one thousand~~ dollars.
- 7 ~~42.~~ For a commercial clam dealer's permit, ~~two thousand~~ dollars. In addition, the applicant
- 8 shall submit to the director a surety bond in the sum of ~~two thousand~~ dollars.
- 9 ~~43.35.~~ For an annual class B nonresident license to sell minnows or other live bait at
- 10 wholesale, ~~two hundred~~four hundred dollars.
- 11 ~~44.36.~~ For a bighorn sheep license issued to a nonresident, five hundred dollars.
- 12 ~~45.37.~~ For a nonresident reciprocal trapping license, three hundred fifty dollars.
- 13 ~~46.38.~~ For a nonresident spring white goose license, fifty dollars.
- 14 ~~47.39.~~ For a resident certificate fee, ~~one dollar~~two dollars, and for a nonresident certificate
- 15 fee, ~~two~~five dollars. An agent may not charge a service fee for issuing a resident or
- 16 nonresident certificate fee.
- 17 ~~48.40.~~ For a nonresident short-term ten-day fishing license, ~~thirty-five~~fifty dollars.
- 18 ~~49.41.~~ For a nonresident wild turkey permit, ~~eighty~~one hundred dollars.
- 19 ~~50.42.~~ For a ~~statewide~~ nonresident waterfowl hunting license, one hundred fifty dollars.
- 20 ~~51.43.~~ For an annual class A nonresident license to sell minnows or other live bait at
- 21 wholesale, ~~five hundred~~seven hundred fifty dollars.
- 22 ~~52.44.~~ For a resident early Canada goose season license, ~~five~~ten dollars.
- 23 ~~53.45.~~ For a nonresident early Canada goose season license, fifty dollars.
- 24 ~~54.46.~~ For a resident disabled veteran combined general game, habitat stamp, small game,
- 25 and fur-bearer license, ~~three~~ten dollars.
- 26 ~~55.47.~~ For each motorboat licensed in this state, an aquatic nuisance species fee of fifteen
- 27 dollars valid concurrent with motorboat licensure.
- 28 ~~56.48.~~ For each motorboat operated on waters of this state and not licensed in this state, an
- 29 aquatic nuisance species fee of fifteen dollars for the calendar year in which it is paid.

30 **SECTION 2. AMENDMENT.** Section 20.1-03-36.1 of the North Dakota Century Code is

31 amended and reenacted as follows:

1 **20.1-03-36.1. Fee for guide or outfitter license.**

2 1. The annual fee to receive a hunting guide license is one hundred dollars for a resident
3 and four hundred dollars for a nonresident.

4 2. The annual fee to receive a fishing outfitter license is ~~one hundred~~two hundred fifty
5 dollars for a resident and ~~four hundred~~five hundred dollars for a nonresident. The
6 annual fee to receive a fishing outfitter license is ~~forty~~one hundred twenty-five dollars
7 for a resident and ~~two hundred~~two hundred fifty dollars for a nonresident if the
8 individual applying for the license has paid for a hunting guide or outfitter license for
9 the same year.

10 3. The annual fee for a resident to receive a hunting outfitter license is two hundred fifty
11 dollars for under ten thousand acres [4046.86 hectares] and five hundred dollars for
12 ten thousand acres [4046.86 hectares] and over on which the outfitter provides
13 services. The annual fee for a nonresident to receive a hunting outfitter license is two
14 thousand dollars. The acreage must be presented by the county with a list of lessors
15 by county in every application for outfitter licensure. The annual permit fee for day
16 leasing is two hundred dollars. The acreage day leased by county for the preceding
17 year must be provided to receive a day leasing permit.

18 4. Except as otherwise provided in this subsection, a license is not required for a person
19 to provide services on real property that person owns or leases for the primary pursuit
20 of bona fide agricultural interests, for a nonprofit organization registered with the
21 secretary of state, or for a person that acts as a booking agent for a person that legally
22 conducts business as an outfitter. However, a person who has been convicted of a
23 state or federal criminal game or fish violation within the last three years or whose
24 license to hunt or fish is under suspension or revocation is not exempt from licensure
25 and is subject to subsection 5 of section 20.1-03-37. A booking agent that refers an
26 individual to an outfitter under this subsection may receive a fee or commission for the
27 referral. The director shall determine the number of acres by county exempted from
28 licensure by this subsection and shall publish the results. The director shall provide
29 written information to the public on the possible liability exposure for outfitting under
30 this subsection and on the benefits of liability insurance and proper training. For

1 purposes of this subsection, a booking agent means a person that receives only a fee
2 for referring or marketing the services of a legal outfitter in this state.

3 **SECTION 3. AMENDMENT.** Section 20.1-04-12.1 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **20.1-04-12.1. Gun dog activities - Permit required - Fee.**

6 1. The director shall issue a permit for the following gun dog activities:

7 a. The training exercises of a resident or nonresident professional trainer;

8 b. The training exercises of a nonresident amateur trainer who brings more than
9 four gun dogs into the state; and

10 c. Hosting field trials that use live wild birds.

11 2. The application for the permit must be in a form prescribed by the director and must be
12 accompanied by the appropriate fee.

13 3. Upon the receipt of the completed application and fee the director shall issue a permit
14 for a specified period of time and shall require the permitholder to submit an annual
15 report.

16 4. The fees for the permits are:

17 a. For a resident professional gun dog trainer for training exercises or hosting field
18 trials, ~~ten~~twenty dollars.

19 b. For a nonresident professional or amateur gun dog trainer who brings more than
20 four gun dogs into the state for training exercises or hosting field trials, one
21 hundred dollars.

22 c. ~~For a permit to a nonresident amateur who brings more than four gun dogs into~~
23 ~~this state, twenty-five dollars.~~

24 5. For purposes of this section, a professional trainer is a person who trains any breed of
25 gun dog for remuneration that is the basis for that person's livelihood.