



"VARIETY IN HUNTING AND FISHING"

## NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

Sept. 4, 2013

Mr. John Walstad  
Code Revisor  
Legislative Council  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Mr. Walstad:

The Notice of Intent to Adopt, Amend, and Repeal Administrative Rules and a copy of the proposed rules are enclosed as required by NDCC 28-32-10(1).

Sincerely,

A handwritten signature in blue ink that reads "Kim Kary".

Kim Kary, Chief  
Administrative Services Division

Enclosure

ABBREVIATED NOTICE OF INTENT TO ADOPT, AMEND AND REPEAL  
ADMINISTRATIVE RULES  
relating to Bait Vendors, Fishing Houses and Public Use of Game or Fish Management Areas.

NORTH DAKOTA GAME AND FISH DEPARTMENT  
will hold a public hearing to address proposed changes to the N.D. Admin. Code.

ND Game & Fish Dept.  
100 N. Bismarck Expy.  
Bismarck, ND

Thur., Sept. 5, 2013  
1:15 p.m.

The proposed rules are available on the Department's website at <http://gf.nd.gov/> or a copy may be obtained by calling the Department at 701-328-6305. Also, written comments may be submitted to the above address until Sept. 15, 2013. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above phone number or address at least seven days prior to the public hearing.

Dated this 29<sup>th</sup> day of July, 2013.

Terry Steinwand,  
Director

**NOTICE OF INTENT TO  
ADOPT AND AMEND ADMINISTRATIVE RULES**

TAKE NOTICE that the North Dakota Game and Fish Department will hold a public hearing to address proposed new rules AND amendments to North Dakota Administrative Code Title 30, at 1:15 P.M. on Thur., Sept. 5, 2013 at 100 North Bismarck Expressway, Bismarck, ND. The purpose of the proposed rule changes is to implement statutes. The proposed rules changes are not expected to have an impact on the regulated community in excess of \$50,000.

The purpose and an explanation of the proposed rule changes follow:

**Chapter 30-03-01.1 – Bait Vendors.** Changes dealing with smelting for bait vendors in recreational fisheries (reinstates old language formerly found in old fishing proclamations). Clearly defining what bait is legal to import into North Dakota. Other changes include allowing for permitted private fish ponds to be stocked by bait vendors with fathead minnows, a relaxation of an equipment size restriction for wholesale bait vendors, and eliminating some reporting requirements.

**Chapter 30-03-03 – Construction and Use of Fishhouses For Winter Fishing.** A change to insert the word ‘unoccupied’ structure. This will allow any structure to be on the ice as long as it is occupied. In the end this regulation will further assist in the enforcement of potential ‘litter’ of a structure first on the ice and then more importantly sinking into the water.

**Chapter 30-04-02-01 – Public Access and Use.** A change to increase the penalty amount for certain violations as long as it is written or posted accordingly.

**Chapter 30-04-02-05. Firearms.** An amendment to prohibit the use of tracer rounds and/or exploding targets on all Wildlife Management Areas.

**Chapter 30-04-02-14.1. Tree Stands and Ground Blinds.** An amendment to add

permanent and portable ground blinds. Also, currently all tree stands on Wildlife Management Areas must be identified with a metal or plastic tag displaying their name, address, and telephone number. By adding language, the Department is proposing to clarify that the identification tag needs to be visible for enforcement inspection. In addition, an amendment to allow hunters to use their hunter education number instead of their name, address, and telephone number.

The proposed rules may be reviewed at the Game and Fish Department's office, 100 North Bismarck Expressway, Bismarck, ND 58501-5095 or on the Department's website at <http://gf.nd.gov/>. A copy of the proposed rules may be requested in writing from the above address, or by calling 701-328-6305, or emailing [ndgf@nd.gov](mailto:ndgf@nd.gov). Written or oral comments on the proposed rules sent to the above mailing or email address, or telephone number and received by Sept. 15, 2013 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above address or phone number at least seven (7) days before the public hearing.

Dated this 29<sup>th</sup> day of July, 2013.

Terry Steinwand  
Director