

FEB 23 2010



"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

February 23, 2010

Mr. John Walstad  
Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2<sup>nd</sup> Floor  
Bismarck, ND 58505

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 N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink that reads "Paul Schadewald". The signature is fluid and cursive.

Paul Schadewald, Chief  
Administrative Services Division  
North Dakota Game and Fish Department

Enclosures

**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 Friday, April 9, 2010, at 100 North Expressway, Bismarck, ND. 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 – Bait Vendors.** Noncriminal penalty clauses are added to sections that do not warrant criminal penalties. Bait definitions are amended. References are made that link these rules to the Governor's fishing proclamation. Some sections are rewritten for clarification purposes. Licensed wholesale bait vendors from other states may apply for a North Dakota bait vendor license but may not act as assistants under a North Dakota wholesaler.

**Chapter 30-03-05 – Fishing Contests.** The requirement for tournament patrol boats is eliminated. Boat tournament committees or sponsors must provide all participants with contacts and phone numbers in case of an emergency. Noncriminal penalty clauses are added to sections that do not warrant criminal penalties.

**Chapter 30-03-06 – Aquatic Nuisance Species.** Requires water to be drained from livewells and baitwells in watercraft when the watercraft is out of the water. In-state transport of legal live bait is allowed in bait buckets no larger than five gallons in volume. This is intended to help limit the spread of aquatic nuisance species.

**Chapter 30-04-06 – Duplicate Licenses.** Current rules require applications for duplicate licenses to be notarized. This amendment allows another method – witnessing of signature by a game and fish employee.

**Chapter 30-05-03 – Lake Restrictions.** For Lightning Lake(McLean County) and Strawberry Lake(Bottineau County) the boat motor restriction is changed from no internal combustion engines to boats operated at “idle speed”.

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 by writing the above address, calling 701-328-6305, or e-mailing [ndgf@nd.gov](mailto:ndgf@nd.gov). Written or oral comments on the proposed rules sent to the above mailing or e-mail address, or telephone number and received by April 22, 2010, 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 days before the public hearing.

Dated this 23<sup>rd</sup> day of February, 2010.

Terry Steinwand  
Director