

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

HOUSE CONCURRENT RESOLUTION NO. 3002
(Representatives Porter, Nelson)
(Senators Lyson, Tollefson)

A concurrent resolution urging Congress and the United States Fish and Wildlife Service to repeal the regulations restricting the hunting of migratory waterfowl on agricultural crops that have not been harvested and subsequently manipulated.

WHEREAS, hunting migratory waterfowl is one of the primary recreational pursuits of the citizens of North Dakota; and

WHEREAS, access to prime migratory waterfowl hunting areas in North Dakota is becoming increasingly difficult; and

WHEREAS, regulations adopted by the United States Fish and Wildlife Service provide that if an agricultural crop or a portion of an agricultural crop has not been harvested due to equipment failure, weather, insect infestation, or disease and the crop or the remaining portion of the crop has been manipulated, the area is considered to be a baited area and cannot be legally hunted for waterfowl; and

WHEREAS, when agricultural crops are not harvested due to adverse weather conditions and the crop is subsequently manipulated, that area should not be considered to be a baited area and the hunting of migratory waterfowl should be allowed on that area;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-ninth Legislative Assembly urges the Congress of the United States and the United States Fish and Wildlife Service to repeal the regulations restricting the hunting of migratory waterfowl on agricultural crops that have not been harvested and subsequently manipulated; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Interior, the director of the United States Fish and Wildlife Service, the director of the United States Fish and Wildlife Services Mountain-Prairie Region Office by certified mail with return receipt requested, and to each member of the North Dakota Congressional Delegation by first-class mail.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2005,
at _____ o'clock _____ M.

Secretary of State