

2025 HOUSE ENERGY AND NATURAL RESOURCES

HB 1598

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1598

2/6/2025

Relating to hunting big game or small game other than waterfowl or cranes with a motor-driven vehicle.

2:30 p.m. Chairman Porter opened the hearing

Members Present: Chairman Porter, Vice Chairman D. Anderson, Vice Chairwoman Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, J. Olson, M. Ruby, Conmy, Foss

Discussion Topics:

- Hunter and Land-owner Relationships
- Disabled

2:31 p.m. Representative Schreiber-Beck introduced the bill and submitted testimony #35179 and #32180.

2:33 p.m. Mike Svaleson, ND Resident, testified in favor and submitted testimony #35347.

2:40 p.m. Scott Winkleman, ND Chief Game Warden, testified neutrally and answered questions for the committee.

Additional written testimony:

Nicholas Dietrich, President, Dietrich Construction LLC., submitted testimony in favor #35526.

Nate Anderson, Landowner, submitted testimony in favor #35543.

Derrik Ellingson, Owner and GM, Ellingson Companies & Fen LLLP., submitted testimony in favor #35882.

2:44 p.m. Chairman Porter closed the meeting.

Janae Pinks, Committee Clerk for Leah Kuball, Committee Clerk

House Bill No. 1598
Energy and Natural Resources Committee
Chair Porter

Hearing 2/6/25 2:30PM

Updated Testimony submitted by Cynthia Schreiber-Beck, District 25 Representative

I was not familiar with *Section 20.1-01-07. Hunting big game or small game other than waterfowl or cranes with motor-driven vehicles prohibitive – Exception – Motor-driven vehicle use in transporting big game restricted*, until I was asked if I could bring forward a bill to clarify the language. The first draft to change the language is HB1598 – it too is not easily understood. Thus, after communication with the agency, the Proposed Amendment 25.1303.01001 is offered to replace HB1598.

Please support the Proposed Amendment to HB1598.

25.1303.01001
Title.

Prepared by the Legislative Council
staff for Representative Schreiber-Beck
January 29, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1598

Introduced by

Representatives Schreiber-Beck, D. Anderson, Hagert, Nelson, Wagner

1 A BILL for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code,
2 relating to hunting big game or small game other than waterfowl or cranes with a motor-driven
3 vehicle.

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

5 **SECTION 1. AMENDMENT.** Section 20.1-01-07 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **20.1-01-07. Hunting big game or small game other than waterfowl or cranes with**
8 **motor-driven vehicles prohibited - Exception - Motor-driven vehicle use in transporting**
9 **big game restricted.**

10 1. Except as provided in subsection 10 of section 20.1-02-05 and as otherwise provided
11 in this section, a ~~person~~an individual, ~~other than the landowner, without the written~~
12 ~~permission of the landowner or a lessee who actively farms or ranches that land,~~ while
13 hunting big game or small game, other than waterfowl or cranes, ~~statewide,~~ may not
14 use a motor-driven vehicle on any land other than an established road or trail without
15 the written permission of the landowner, unless that ~~person~~individual has reduced a
16 big game animal to possession and cannot easily retrieve the big game animal, ~~in~~
17 ~~which case a motor-driven vehicle may be used to retrieve the big game animal,~~ but
18 after retrieval, the motor-driven vehicle must be returned to the established road or
19 trail along the same route it originally departed. ~~A person~~

1 2. ~~An individual, other than the landowner, may not use a motor-driven vehicle on any~~
2 ~~land other than an established road or trail to hunt upland game during the deer gun~~
3 ~~season, unless the individual has written permission from the landowner or a lessee~~
4 ~~who actively farms or ranches that land.~~

5 ~~3.~~ For purposes of safety and allowing normal travel, a motor-driven vehicle may be
6 parked on the roadside or directly adjacent to said road or trail.

7 4.3. No ~~person~~individual, while hunting big game or small game, statewide, may drive or
8 attempt to drive, run or attempt to run, molest or attempt to molest, flush or attempt to
9 flush, or harass or attempt to harass any such game with the use or aid of any
10 motor-driven vehicle. A person

11 ~~5.~~ ~~An individual, other than the landowner, without the written permission of the~~
12 ~~landowner or a lessee who actively farms or ranches that land, while hunting big game~~
13 ~~or small game, other than waterfowl or cranes, statewide, may not drive through any~~
14 ~~retired cropland, brush area, slough area, timber area, open prairie, or unharvested or~~
15 ~~harvested cropland, except upon an established road or trail. The provisions of this~~
16 ~~section relating to hunting big game or small game while using a motor-driven vehicle~~
17 ~~on any land other than an established road or trail without the written permission of the~~
18 ~~landowner or a lessee who actually farms or ranches that land~~

19 ~~6.~~ ~~Subsections 1, 2, and 5 do not apply to the hunting of big game during an open and~~
20 ~~lawful season for small game.~~

House Bill No 1598

Items I will speak on in person

- Clarify that we are looking to make these changes for literally both sides of the coin, A to bring on the ability to legally travel on private land, and B to allow clear boundaries for prosecution when someone is breaking the law.
- Bringing clarity to the intent of the law, it was very muddy and misinterpreted.
- Supporting private property rights of use.
- We are hoping it limits the number of calls that state radio gets for people driving around on private land.
- Cleaning up the established road or trail issue.

TITLE 20.1 GAME, FISH, PREDATORS, AND BOATING CHAPTER 20.1-01 GENERAL PROVISIONS

20.1-01-02. Definitions.

17. "Established Road or trail" means any public highway or road, improved or otherwise, dedicated for public ingress or egress, or any other road or trail normally used for travel but does not include temporary trails across cultivated land used for agricultural purposes.

- Allowing more defined rights within the law, allowing the law enforcement agencies clarity to prosecute those breaking the law.
 - I have heard from law enforcement that this law can be tricky to prosecute as someone may be in possession of a fur bearer license and a deer tag and be driving out on private property and when contacted they simply say they are coyote hunting. We want to make this cut and dry. Do you have written permission to hunt/ drive on this land? Yes- Good to go! No-Ticket incoming.
- Clarity will enhance hunter and landowner relationships as well as relationships with both parties and law enforcement.
- New online posting that is going to put the "potential hunter" and the one posting the land in touch with each other that can easily be taken to the next step in allowing access on the land, and a written form of driving access.
- This new language cuts out the ability of the lessor to give written permission. This is great as it clears up any issues that could arise on state owned land that has a lease on it. In this scenario the STATE would be the only one that would be able to grant access to drive on the land.
- This language still allows people that are hunting on NON posted land the ability after properly taking and tagging a deer the ability to drive out to it and return on the same path.
- This proposed language still allows hunters to park in roadside ditches for safety of the traveling public.
- This proposal is very clear and concise on not allowing people to drive a motor vehicle through cover to push deer.

- I personally have struggled for years on understanding the exact language and intent of this law and I feel this proposed version will be easily interpreted by everyone.
- I appreciate your time and allowing me to speak on this matter.

Testimony in support of - House Bill No. 1598

"Relating to hunting big game or small game other than waterfowl or cranes with a motor-driven vehicle."

To whom this may concern,

I appreciate those who've taken the initiative to provide clarity on this issue. I support the language in this bill, as it provides clarity for enforcement, and should provide confidence for sportsmen and women to ensure they're conducting themselves in an ethical and legal fashion while enjoying time in the field.

I'm an owner of hunting land. While it's true we spend time hunting there, we spend disproportionately more time working the land, so to speak. We're planting food plots and tree rows. We're installing fence and hunting blinds. We're creating trails, thermal cover, and water sources for wildlife. We're cleaning up old debris left decades ago by others. We do all of this, not only because it makes for enjoyable hunting for our families, but because we love the land and we're doing everything we can to create something that's typically much better than we found it.

Due to the old language, enjoying this important work could easily be spoiled by a visit from game wardens simply doing their jobs. There's no need to put our game wardens in a position where they feel obligated to write citations for folks ethically enjoying their land, or land they have permission to be on. It'll be a piece of comfort knowing that my family and I can ride our ranger down private trails we've created on land we own, or have permission to be on, without worrying we're breaking the law.

I love the land. I love being an outdoorsman/land conservationist. I'll support anything that promotes the ethical enjoyment of both.

Respectfully-

Nick Dietrich



ndietrich@dietrichfargo.com

(701) 866-9289

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It'll be a piece of comfort knowing that my family and I can ride our ranger down private trails we have permission to be on, without worrying we're breaking the law.

I love the land.

Nate Anderson

House Bill No. 1598**2/6/2025****2:30pm****Energy & Natural Resources Committee****Chairman Porter**

Testimony submitted by Derrik Ellingson

As an avid hunter & landowner I'm writing today to testify on house bill 1598 pertaining to section 20.1-01-07. I grew up in MN and have now lived in ND since 2010. I've enjoyed the hunting this great state has to offer and happy to call ND home. I reside in Reiles Acres ND with my wife and 2 daughters. It had been a blessing to coach and mentor my 12-year-old and help her enjoy the outdoors and introduce her to hunting. What a proud dad moment to watch her harvest her first doe during this year's youth season. I was unfamiliar with ND atv/utv laws until this fall when it was brought to my attention that I can't use it to access my private property during the big game season other than to retrieve a harvested animal. Coming from MN and hunting most of the surrounding states I thought how this could be. I read the section pertaining to motor driven vehicle use and what an unclear gray rule it was. I have read and reviewed the Amendment to HB 1598 and feel this a great step in the right direction for landowners and hunters hunting private land to use a motor driven vehicle while hunting. I ask the committee to support HB 1598.

Thanks

Derrik Ellingson



2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1598

2/6/2025

Relating to hunting big game or small game other than waterfowl or cranes with a motor-driven vehicle.

3:47 p.m. Chairman Porter opened the meeting.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak,
Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby,
Conmy, Foss

Discussion Topics:

- Committee actions

3:47 p.m. Representative Dockter moved to adopt amendment LC#25.1303.01001, testimony 35180 submitted during previous hearing.

3:47 p.m. Representative M. Ruby seconded the motion.

3:48 p.m. Voice vote - motion passed.

3:48 p.m. Representative Dockter moved a Do Pass as Amended.

3:48 p.m. Representative M. Ruby seconded the motion.

| Representatives | Vote |
|---------------------------------|------|
| Chairman Todd Porter | Y |
| Vice Chairman Dick Anderson | Y |
| Vice Chairwoman Anna Novak | Y |
| Representative Liz Conmy | Y |
| Representative Jason Dockter | Y |
| Representative Austin Foss | Y |
| Representative Jared Hagert | Y |
| Representative Craig Headland | Y |
| Representative Pat Heinert | Y |
| Representative Jorin Johnson | Y |
| Representative Andrew Marschall | Y |
| Representative Jeremy Olson | Y |
| Representative Matthew Ruby | Y |

3:49 p.m. Motion passed 13-0-0.

3:49 p.m. Representative M. Ruby will carry the bill.

House Energy and Natural Resources Committee

HB 1598

02-06-25

Page 2

3:49 p.m. Chairman Porter closed the meeting.

Janae Pinks, Committee Clerk for Leah Kuball, Committee Clerk

RS 2/6/25
1st 2

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1598

Introduced by

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**REPORT OF STANDING COMMITTEE
HB 1598**

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS** ([25.1303.01001](#)) and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1598 was placed on the Sixth order on the calendar.

2025 SENATE ENERGY AND NATURAL RESOURCES

HB 1598

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1598
3/7/2025
10:30 a.m.

A BILL for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to hunting big game or small game other than waterfowl or cranes with a motor-driven vehicle.

10:30 a.m. Vice-Chairman Kessel opened the hearing.

Members present: Vice Chairman Kessel, Senators Beard, Enget, Gerhardt, and Van Oosting.

Members Absent: Chairman Patten, Senator Boehm.

Discussion Topics:

- Landowner Permission Requirements
- Language Clarification on legal travel on private land
- Established Trail Definition
- Acceptable Permission Forms

10:30 a.m. Representative Schreiber-Beck testified in favor and submitted testimony #39508.

10:32 a.m. Mike Svaleson, President of Svaleson Holdings, testified in favor and submitted testimony #39058.

10:37 a.m. Levi Otis, ND Landowner, testified in favor.

10:39 a.m. Scott Winkelman, Chief Game Warden, ND Game and Fish Dept., testified as neutral.

Additional Written Testimony:

Nick Dietrich, ND Landowner, submitted testimony in favor #39057.

Craig Wendt, ND Landowner, submitted testimony in favor #39277.

10:49 a.m. Vice-Chairman Kessel closed the hearing.

Elizabeth Reiten for Kendra McCann, Committee Clerk

Testimony in support of - House Bill No. 1598

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House Bill No 1598

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TITLE 20.1 GAME, FISH, PREDATORS, AND BOATING CHAPTER 20.1-01 GENERAL PROVISIONS

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- This new language cuts out the ability of the lessor to give written permission. This is great as it clears up any issues that could arise on state owned land that has a lease on it. In this scenario the STATE would be the only one that would be able to grant access to drive on the land.
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- This proposal is very clear and concise on not allowing people to drive a motor vehicle through cover to push deer.

- I personally have struggled for years on understanding the exact language and intent of this law and I feel this proposed version will be easily interpreted by everyone.
- I appreciate your time and allowing me to speak on this matter.

March 6, 2025

Craig Wendt
13730 38th St SE
Buffalo, ND 58011
701-238-5039
craigawendt@hotmail.com

To Whom It May Concern:

RE: Game and Fish Department's Regulations on Feeding Wildlife During Hunting Season

I am a landowner in Western Cass County. My ranch consists of approximately 2,000 acres along the Maple River.

I have spent countless time and money making the land better for both agriculture practices and deer management.

I have been installing food plots and supplemental feeding deer for the past twenty (20) years. The deer will naturally herd up on my property in the wintertime, even prior to my ownership, due to the cover that is along the river.

On an average year, I will have approximately 150 – 250 deer congregate and herd up on my property.

I feel the deer will do what deer naturally do; they will herd up in the wintertime and stay in close contact with others and even feed in the same area without supplemental feed.

The reason the deer herd up on my property is for the habitat, as well as, food and survival against predators. There is safety in numbers.

If a deer comes down with CWD, there is nothing we can do to prevent deer to be in contact with each other. This is what will naturally happen with mother nature.

My questions are... if baiting is legal during the entire year, except when hunting over the feed, what are you really accomplishing? What underlining goals are you trying to accomplish?

Is this an ethical thing that you are trying to achieve? If this is the case, we have rifles that can shoot out to 1,000 yards. How ethical is that?

The winter of 2022 – 2023 was extremely devastating for the deer population. I estimated I have lost 50% of the herd that winter on my property. If it wasn't for supplemental feed, the devastation could have been worse.

I feel the ND Game and Fish Department is lacking in good leadership. We should be working with the landowners for better habitat and more access for the average hunter.

By telling us we cannot hunt deer on our own land over supplemental feed during the hunting season, I feel is unacceptable. You are furthering the stress on the landowner and the sportsmen.

In closing, regarding SB2137, I hope you take the information I have provided into consideration.

Thank you so much for your time

A concerned Conservationist and Sportsman,

Craig A. Wendt
701-238-5039

House Bill No. 1598

Energy and Natural Resources Committee

Hearing 3/7/25

10:30am

Chair: Senator Patten

V-Chair: Senator Kessel

Committee Members: Senators Beard, Boehm, Enget, Gerhardt, and Van Oosting

Testimony submitted by Cynthia Schreiber-Beck, District 25 Representative

Since I do not hunt, I was not familiar with *Section 20.1-01-07* until I was asked if I could bring forward a bill to clarify the language. After reading the section entitled, *Hunting big game or small game other than waterfowl or cranes with motor-driven vehicles prohibited – Exception – Motor-driven vehicle use in transporting big game restricted*, it was clear to me that the language was confusing and agreed to bring a bill forward.

Thus, Engrossed House Bill 1598 is the result of working with the Game and Fish Department staff to clarify Section 20.1-01-07. Since I do not claim to be an expert on this section of code, I will relinquish my time to others supporting the rewrite and a representative from the Game and Fish Department who can respond to questions.

Please support Engrossed House Bill 1598.

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1598
3/7/2025
11:12 a.m.

A BILL for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to hunting big game or small game other than waterfowl or cranes with a motor-driven vehicle.

11:12 a.m. Chairman Patten opened the hearing.

Members present: Chairman Patten, Vice Chairman Kessel, Senators Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Committee Action

11:13 a.m. Senator Gerhardt moved a Do Pass.

11:13 a.m. Senator Boehm seconded the motion.

| Senators | Vote |
|-----------------------------|------|
| Senator Dale Patten | Y |
| Senator Greg Kessel | Y |
| Senator Todd Beard | Y |
| Senator Keith Boehm | Y |
| Senator Mark Enget | Y |
| Senator Justin Gerhardt | Y |
| Senator Desiree Van Oosting | Y |

Motion Passed 7-0-0.

Senator Gerhardt will carry the bill.

11:14 a.m. Chairman Patten adjourned the meeting.

Elizabeth Reiten for Kendra McCann, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1598 ([25.1303.02000](#))**

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1598 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.