

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2449
(Senators Mutch, Lyson, Stenehjem)
(Representatives Carlisle, Carlson, Porter)

AN ACT to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to restrictions on guides and outfitters; and to amend and reenact subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the director of the game and fish department.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 17 of section 20.1-02-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

17. Subject to ~~the provisions of~~ chapter 28-32, adopt rules for the licensing of guides or outfitters; and may require records and reports as the director determines necessary. The director may, after due hearing as provided in chapter 28-32, revoke or refuse to renew the license of ~~any~~ a person who violates the rules or fails to provide the records and reports. ~~Any person who acts as a guide or outfitter without a license is guilty of a class-B misdemeanor.~~

SECTION 2. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Guides and outfitters - Rules - Restrictions. An individual may not:

1. Act as a guide or outfitter or advertise or otherwise represent to the public that the individual is a guide or outfitter without first securing a license in accordance with this title and the applicable rules of the director;
2. Act as a certified guide or outfitter or advertise or otherwise represent to the public that the individual meets the qualifications of being certified without first complying with section 20.1-03-36;
3. Act as a hunting guide or outfitter on land owned by or private land enrolled by the department for the purpose of hunting;
4. Provide guiding or outfitting services to a person who has not obtained the appropriate license for the species sought by that person; or
5. Willfully and substantially misrepresent that person's facilities, prices, equipment, services, or hunting or fishing opportunities as a guide or outfitter.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2449.

Senate Vote: Yeas 46 Nays 3 Absent 0

House Vote: Yeas 88 Nays 3 Absent 7

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State