

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1069

Introduced by

Natural Resources Committee

(At the request of the Game and Fish Department)

1 A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota
2 Century Code, relating to restrictions on guides and outfitters; and to amend and reenact
3 subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers
4 of the director of the game and fish department.

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

6 **SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is
7 created and enacted as follows:

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

- 9 1. Act as a guide or outfitter or advertise or otherwise represent to the public that the
10 individual is a guide or outfitter without first securing a license in accordance with
11 this title and the applicable rules of the director;
- 12 2. Act as a certified guide or outfitter or advertise or otherwise represent to the public
13 that the individual meets the qualifications of being certified without first complying
14 with section 20.1-03-36;
- 15 3. Act as a hunting guide or outfitter on land owned by or leased by the department;
- 16 4. Act as a hunting guide or outfitter on land on which the department has obtained
17 an easement or has entered into a lease or other agreement, granting the right of
18 public access to that land for hunting or recreational use;
- 19 5. Provide guiding or outfitting services to a person who has not obtained the
20 appropriate license for the species sought by that person;
- 21 6. Utilize land under control of the United States government before obtaining the
22 proper permits required by the government agency responsible for the area in
23 which that person intends to operate as a hunting guide or outfitter; or

1 7. Willfully and substantially misrepresent that person's facilities, prices, equipment,
2 services, or hunting or fishing opportunities as a guide or outfitter.

3 **SECTION 2. AMENDMENT.** Subsection 17 of section 20.1-02-05 of the 1999

4 Supplement to the North Dakota Century Code is amended and reenacted as follows:

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