

SENATE BILL NO. 2113

Introduced by

Senators Lyson, Fischer

Representatives Ruby, Onstad

1 A BILL for an Act to create and enact a new section to chapter 20.1-03, a new subsection to
2 section 20.1-03-12, and a new section to chapter 20.1-08 of the North Dakota Century Code,
3 relating to hunting by nonresidents; and to amend and reenact sections 20.1-03-07 and
4 20.1-03-07.1 of the North Dakota Century Code, relating to hunting by nonresidents and
5 nonresident waterfowl hunting licenses.

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

7 **SECTION 1. AMENDMENT.** Section 20.1-03-07 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **20.1-03-07. Licenses to hunt, trap, or fish required of nonresidents.** Nonresidents,
10 except as provided in sections 20.1-02-05, 20.1-03-07.3, ~~and~~ 20.1-03-08, and section 3 of this
11 Act, may not:

- 12 1. Hunt, catch, take, or kill any small game without a nonresident small game license.
13 The nonresident small game license entitles the nonresident to hunt small game for
14 any period of ten consecutive days or any two periods of five consecutive days
15 each. The hunting period for which the license is valid must be designated on the
16 license. A nonresident small game license is not required to hunt waterfowl under
17 section 20.1-03-07.1. A nonresident may purchase more than one nonresident
18 small game license per year.
- 19 2. Trap, catch, attempt to catch, take, or kill any protected fur-bearing animal, except
20 that nonresidents holding a valid nonresident fur-bearer and nongame hunting
21 license may hunt only fox and coyote and except that residents of a state that
22 allows North Dakota residents to trap within that state may purchase a nonresident
23 reciprocal trapping license to trap in this state. However, a nonresident holding a

1 valid nonresident reciprocal trapping license may not trap, catch, attempt to catch,
2 take, or kill bobcats.

3 3. Catch, attempt to catch, take, or kill any fish without having a nonresident fishing
4 license.

5 4. Hunt, catch, take, or kill any unprotected bird or animal without having a
6 nonresident nongame hunting license or nonresident fur-bearer and nongame
7 hunting license.

8 5. Hunt, catch, take, or kill any big game animal without having the respective
9 nonresident big game license.

10 Each violation of this section is a distinct and separate offense.

11 **SECTION 2. AMENDMENT.** Section 20.1-03-07.1 of the North Dakota Century Code
12 is amended and reenacted as follows:

13 **20.1-03-07.1. (Effective through December 31, 2007) Nonresident waterfowl**
14 **hunting license required.** Except as provided in sections 20.1-02-05, 20.1-03-07.2, ~~and~~
15 20.1-03-07.3, and section 3 of this Act, a nonresident may not hunt waterfowl unless that
16 individual first obtains a nonresident waterfowl hunting license. The nonresident waterfowl
17 hunting license entitles the nonresident to hunt waterfowl for any period of fourteen consecutive
18 days or any two periods of seven consecutive days each. A license authorizing the
19 fourteen-day hunting period allows hunting in a specified waterfowl hunting zone. A license
20 authorizing two 7-day hunting periods allows hunting in a specified zone during each period.
21 The governor, in the governor's proclamation, shall specify various waterfowl hunting zones for
22 which nonresident waterfowl hunting licenses will be available, and may specify the number of
23 licenses which may be issued in each zone and the manner in which they are to be issued. A
24 nonresident is entitled to purchase only one nonresident waterfowl hunting license per year.
25 The fourteen-day, seven-day, and two 7-day hunting period restrictions do not apply to
26 nonresidents hunting in Richland and Sargent Counties during the early September Canada
27 goose season.

28 **(Effective after December 31, 2007) Nonresident waterfowl hunting license**
29 **required.** Except as provided in sections 20.1-02-05, 20.1-03-07.2, ~~and~~ 20.1-03-07.3, and
30 section 3 of this Act, a nonresident may not hunt waterfowl unless that individual first obtains a
31 nonresident waterfowl hunting license. The nonresident waterfowl hunting license entitles the

1 nonresident to hunt waterfowl for any period of fourteen consecutive days or any two periods of
2 seven consecutive days each. A license authorizing the fourteen-day hunting period allows
3 hunting in a specified waterfowl hunting zone. A license authorizing two 7-day hunting periods
4 allows hunting in a specified zone during each period. The governor, in the governor's
5 proclamation, shall specify various waterfowl hunting zones for which nonresident waterfowl
6 hunting licenses will be available, and may specify the number of licenses which may be issued
7 in each zone and the manner in which they are to be issued. A nonresident is entitled to
8 purchase only one nonresident waterfowl hunting license per year.

9 **SECTION 3.** A new section to chapter 20.1-03 of the North Dakota Century Code is
10 created and enacted as follows:

11 **Hunting by certain nonresidents.** Upon payment of the fee required by section
12 20.1-03-12, a nonresident who was born in this state and who completed five consecutive years
13 of elementary education in this state and a nonresident, not born in this state, but who
14 graduated from high school and completed at least five consecutive years of elementary and
15 secondary education in this state is eligible to purchase a nonresident lifetime hunting and
16 fishing license. The nonresident must provide the director information the director requires to
17 establish eligibility for a nonresident lifetime hunting and fishing license and must comply with
18 the hunter education requirements of section 20.1-03-01.2. To maintain eligibility for a
19 nonresident lifetime hunting and fishing license, a nonresident must purchase an annual
20 general game license. Failure to purchase the annual general game license results in
21 automatic forfeiture of the nonresident lifetime hunting and fishing license.

22 **SECTION 4.** A new subsection to section 20.1-03-12 of the North Dakota Century Code
23 is created and enacted as follows:

24 For a nonresident lifetime hunting and fishing license, five hundred dollars.

25 **SECTION 5.** A new section to chapter 20.1-08 of the North Dakota Century Code is
26 created and enacted as follows:

27 **Governor's proclamation concerning the hunting of whitetailed deer.** By
28 proclamation, the governor may make available to individuals possessing a nonresident lifetime
29 hunting and fishing license, a license to hunt whitetailed deer in the manner, places, and times
30 as the governor prescribes.