

Fifty-ninth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2290

Introduced by

Senators Heitkamp, Erbele, Tollefson

Representatives Amerman, Carlson, Gulleson

1 A BILL for an Act to create and enact a new subsection to section 20.1-03-07 of the North  
2 Dakota Century Code, relating to licenses to hunt on private shooting preserves; and to amend  
3 and reenact subsection 1 of section 20.1-03-07, subsection 32 of section 20.1-03-12, and  
4 sections 20.1-12-04, 20.1-12-05, and 20.1-12-06 of the North Dakota Century Code, relating to  
5 the operation and regulation of private shooting preserves.

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

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

9 1. Hunt, catch, take, or kill any small game without a nonresident small game license.  
10 The nonresident small game license entitles the nonresident to hunt small game  
11 for any period of ten consecutive days or any two periods of five consecutive days  
12 each. The nonresident small game license also entitles the nonresident to hunt  
13 small game for the entire season on a private shooting preserve. The hunting  
14 period for which the license is valid must be designated on the license. A  
15 nonresident small game license is not required to hunt waterfowl under section  
16 20.1-03-07.1. A nonresident may purchase more than one nonresident small  
17 game license per year.

18 **SECTION 2.** A new subsection to section 20.1-03-07 of the North Dakota Century  
19 Code is created and enacted as follows:

20 Hunt, catch, take, or kill any small game on a shooting preserve without a  
21 nonresident shooting preserve hunting license.

22 **SECTION 3. AMENDMENT.** Subsection 32 of section 20.1-03-12 of the North Dakota  
23 Century Code is amended and reenacted as follows:

24 32. For a shooting preserve operating permit:

- 1           a. ~~One, one hundred dollars, if the shooting preserve consists of an area of six~~  
2            ~~hundred forty acres [259 hectares] or less; or~~
- 3           b. ~~One hundred dollars, if the shooting preserve consists of an area of more~~  
4           ~~than six hundred forty acres [259 hectares]; plus fifty thirty cents per acre~~  
5            ~~[.40 hectare] for each acre [.40 hectare] over six hundred forty acres~~  
6            ~~[259 hectares].~~

7           **SECTION 4. AMENDMENT.** Section 20.1-12-04 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9           **20.1-12-04. Types of game that may be hunted on shooting preserve -**

10 **Identification of game.** Game birds that may be stocked on a shooting preserve and hunted  
11 under this chapter must be artificially propagated pheasants, quail, partridges, turkeys, prairie  
12 chickens, and any other species allowed by the director. The director shall determine the  
13 minimum stock of each species to be hunted and released on the permit area during the  
14 shooting preserve season. All game birds propagated, possessed, or released on a shooting  
15 preserve must be marked prior to release as prescribed by the director by rule. All mallard  
16 ducks released on a shooting preserve must have the right hind toenails clipped before the  
17 birds attain the age of four weeks have one front toe or one hind toe on either foot removed  
18 back to the first joint, including the nail, before becoming six weeks of age. An antipecking  
19 device affixed to the bird before it is six weeks old and worn by the bird until it is at least fifteen  
20 weeks old is acceptable in lieu of toe clipping if the antipecking device leaves a permanent,  
21 easily identifiable mark through the nares.

22           **SECTION 5. AMENDMENT.** Section 20.1-12-05 of the North Dakota Century Code is  
23 amended and reenacted as follows:

24           **20.1-12-05. Operation of shooting preserve - Season - Search of premises**

25 **permitted.** Any guest of a shooting preserve operator may harvest any game bird within the  
26 defined limits of the shooting preserve, subject to this chapter. The shooting preserve operator  
27 may establish that person's own restrictions on the age, sex, and number of each game bird  
28 that may be taken by each guest, and the fee to be paid by each guest. The exterior  
29 boundaries of each shooting preserve must be clearly defined ~~and posted~~ with signs ~~erected~~  
30 around the extremity at intervals of three hundred ~~feet~~ yards [91.44 274.32 meters] or less.  
31 Each shooting preserve operator and that person's guest shall comply with and be subject to

1 chapter 20.1-01. Shooting preserve operators may restrict or set the hours during which game  
2 birds may be hunted, subject to gubernatorial proclamation. The season for shooting preserves  
3 may be all or part of the nine-month period beginning August first and ending April thirtieth of  
4 the following year. All permits must be issued upon the express condition that the permittee  
5 agrees that any law enforcement officer or any representative of the director may enter and  
6 search the premises or any part thereof at any reasonable time to ensure compliance with state  
7 laws and the director's rules.

8 **SECTION 6. AMENDMENT.** Section 20.1-12-06 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **20.1-12-06. Game birds to be tagged.** Each shooting preserve operator shall tag all  
11 game birds harvested by guests before the birds are consumed or removed from the shooting  
12 preserve premises. The director shall provide tags to shooting preserve operators, at nominal  
13 cost to them. Once affixed, tags must remain attached until the game birds are prepared for  
14 consumption. At no time following release may a shooting preserve operator allow the number  
15 of wild and released birds harvested to exceed one hundred percent of the number of birds that  
16 have been released. All birds must be healthy when released. The total percent of harvested  
17 wild birds kept by clients may not exceed twenty-five percent of the birds harvested during the  
18 season.