

**FIRST ENGROSSMENT
with House Amendments**

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2294

Introduced by

Senators Heitkamp, Erbele, Thane

Representatives Gulleson, Wall, Williams

1 A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North
2 Dakota Century Code, relating to license fees for nonresident wholesale bait vendor licenses;
3 to amend and reenact subsections 25 and 45 of section 20.1-03-12 and section 20.1-06-14 of
4 the North Dakota Century Code, relating to the regulation and licensing of wholesale bait
5 vendors; to provide for transition; and to declare an emergency.

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

7 **SECTION 1. AMENDMENT.** Subsections 25 and 45 of section 20.1-03-12 of the North
8 Dakota Century Code are amended and reenacted as follows:

9 25. For an annual resident license to sell minnows or other live bait at wholesale, ~~thirty~~
10 fifty dollars.

11 45. For an annual class B nonresident license to sell minnows or other live bait at
12 wholesale, two hundred fifty dollars.

13 **SECTION 2.** A new subsection to section 20.1-03-12 of the North Dakota Century
14 Code is created and enacted as follows:

15 For an annual class A nonresident license to sell minnows or other live bait at
16 wholesale, five hundred dollars.

17 **SECTION 3. AMENDMENT.** Section 20.1-06-14 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **20.1-06-14. Minnow bait wholesalers and retailers - License.** The director shall
20 adopt rules to control and supervise the operations of minnow or other live bait wholesalers.
21 The director shall issue a license to each wholesaler when the wholesaler has complied with
22 the director's rules and has paid the appropriate annual license fee. The director ~~shall~~
23 shall issue a minnow or other live bait retailer's license to any person upon payment of the
24 appropriate license fee. ~~No~~ A person may not sell minnows or other live bait at wholesale or

1 retail without first obtaining the appropriate license. The director may require each retailer or
2 wholesaler to submit reports as the director may ~~deem~~ determine necessary. Licenses for
3 wholesalers issued under this section authorize the following:

- 4 1. The annual resident license to sell minnows or other live bait at wholesale entitles
5 the licensee to ten tags to mark bait-trapping equipment. A tag must be affixed to
6 each trap used by the licensee. Upon request, the director shall issue additional
7 tags to a licensee at a cost of five dollars per tag. A licensee may not import or
8 export bait without first obtaining a permit from the director.
- 9 2. The annual class B nonresident license to sell minnows or other live bait at
10 wholesale entitles a nonresident to import or export bait. A nonresident holding an
11 annual class B nonresident license to sell minnows or other live bait at wholesale
12 may not trap bait.
- 13 3. The annual class A nonresident license to sell minnows or other live bait at
14 wholesale entitles the licensee to ten tags to mark bait-trapping equipment. A tag
15 must be affixed to each trap used by the licensee. Upon request, the director shall
16 issue additional tags to a licensee at a cost of five dollars per tag. The annual
17 class A nonresident license to sell minnows or other live bait at wholesale entitles
18 the licensee to trap in state waters with the permission of the director and permits
19 the import and export of approved bait with the permission of the director. A
20 nonresident may hold a class A license under this section if the nonresident's state
21 of residence provides the same privilege for residents of North Dakota.

22 **SECTION 4. TRANSITION.** The department may issue a license under this Act for the
23 remainder of 2005 at a prorated fee.

24 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.