

Proposed Administrative Rule Change

NOTICE OF INTENT TO ADOPT, AMEND AND REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota Game and Fish Department will hold a public hearing to address proposed new rules AND amendments to Title 30 of the North Dakota Administrative Code, at 1:15 P.M. on Thur., June 18, 2020 at 100 North Bismarck Expressway, Bismarck, ND. The purpose of the proposed rule changes is to implement statutes. The proposed rules changes are not expected to have an impact on the regulated community in excess of \$50,000.

The purpose and an explanation of the proposed rule changes follow:

Chapter 30-02-02. Section 30-02-02-02. License requirements. An amendment to add requirement to have required hunting license(s) in possession and follow associated season regulations.

Chapter 30-02-10. Section 30-02-10-03. Accounting Statement. An amendment to update the due date of the standardized form and statement due to the director.

Chapter 30-02-10. Section 30-02-10-04. Performance Report. An amendment to update the applicable sections of law, the due date, and the minimum information required in the performance report to the director.

Chapter 30-03-01.1. Section 30-03-01.1-04. License limitations. An amendment to clarify that violations of state or federal game or fish laws may result in license denial, suspension or revocation.

Chapter 30-03-01.1. Section 30-03-01.1-05. Assistants covered by license. An amendment to clarify who is not qualified to assist a licensed bait vendor.

Chapter 30-03-01.1. Section 30-03-01.1-14. Wholesale bait pond. An amendment to this section to state that each wholesale bait pond must be listed on the wholesaler's pond application form and all ponds must be approved by the director prior to trapping.

Chapter 30-03-03. Section 30-03-03-05. Open when in use. An amendment to clarify that fishhouses shall always be open for inspection when in use.

Chapter 30-03-05. Section 30-03-05-01. Fishing contest defined. An amendment to

this section to define what is considered a fishing contest.

Chapter 30-03-05. Section 30-03-05-03. Use of proceeds. An amendment to update gross proceeds and conservation fees.

Chapter 30-03-06. Section 30-03-06-01. Equipment. An amendment to clarify equipment that shall be free of prohibited or regulated aquatic nuisance species upon leaving any water body or while in transit.

Chapter 30-04-02. Section 30-04-02-10. Animals prohibited – Exceptions. An amendment to add clarification on horseback riding on a wildlife management area.

Chapter 30-04-02. Section 30-04-02-14.2. Dogs. An amendment to update and clarify the training of gun and bird dogs on wildlife management areas and to update the fee for violation.

Chapter 30-04-03. Section 30-04-03-19. Hunt or fish records. Amendments to this section including submitting a copy to the director no later than thirty days following expiration of the license and what type of fish species was taken to include the name of the waterbody and the county.

Chapter 30-04-05. Section 30-04-05-01. Fishing, hunting and fur-bearer certificate. An amendment to this section to clarify that licenses will be included on a certificate and what information is included on a certificate.

Chapter 30-04-05. Section 30-04-05-02. License design. [Repealed]

Chapter 30-04-05. Section 30-04-05-03. Combined licenses. An amendment to this section to clarify combined licenses.

Chapter 30-04-05. Section 30-04-05-04. Moose, elk, and bighorn sheep licenses. [Repealed]

Chapter 30-04-05. Section 30-04-05-05. Issuance of stamps. An amendment to this section to state that physical stamps are no longer issued by the department.

Chapter 30-04-05. Section 30-04-05-06. Computer-generated licenses. An amendment to this section to clarify that all licenses are electronically generated by the department's online licensing system and that licenses do not require a signature.

Chapter 30-04-06. Duplicate Licenses. Amending section 30-04-06-01 regarding reissuing replacements for lost or destroyed game and fish licenses and amending section 30-04-06-02 to update the fee for each license that is to be replaced.

Chapter 30-04-07. Section 30-04-07-01. WILDLIFE REPLACEMENT VALUES. An amendment to add Elk, Moose and Bighorn sheep, remove snapping turtles, update mussels

and add fish and other aquatic species restitution values.

Chapter 30-04-07. Section 30-04-07-02. Adjustments to base values for deer. An amendment to this section to state that adjustments are calculated using the green, gross score determined by the Boone and Crockett scoring method for deer.

Chapter 30-05-01. Section 30-05-01-02. Boat safety equipment. An amendment to update personal flotation devices.

Chapter 30-05-01. Section 30-05-01-07. Placement of regulatory signs, markers, buoys, and other warning or marking devices. An amendment to increase the fee for violating the restrictions on a sign, marker, buoy, or other warning or marking device.

The proposed rules may be reviewed at the Game and Fish Department's office, 100 North Bismarck Expressway, Bismarck, ND 58501-5095 or on the Department's website at <https://gf.nd.gov/>. A copy of the proposed rules may be requested in writing from the above address, or by calling 701-328-6305, or emailing ndgf@nd.gov. Written or oral comments on the proposed rules sent to the above mailing or email address, or telephone number and received by June 28, 2020 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above address or phone number at least seven (7) days before the public hearing.

Dated this 13th day of May, 2020.

/s/ Terry Steinwand
Terry Steinwand
Director