

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1209
(Representatives M. Ruby, Eidson, Grueneich, Johnston, Monson, Simons)
(Senators Bekkedahl, O. Larsen, Meyer)

AN ACT to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of dogs in the recovery of big game.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-05-04 of the North Dakota Century Code is amended and reenacted as follows:

20.1-05-04. Using certain animals and artificial lights in taking big game unlawful.

1. No person, to hunt, pursue, kill, take, or attempt to take, or to aid in the hunting or taking of, any big game animal, may:
 4. a. Use any animal except horses or mules:
 - (1) Horses;
 - (2) Mules; or
 - (3) For the recovery of big game animals, dogs:
 - (a) The dog must be leashed and under the physical control of a handler at all times;
 - (b) The dog must be accompanied at all times by both a handler and the hunter responsible for the taking of the big game animal;
 - (c) Individuals involved in the recovery of the big game animal may not carry a firearm or archery equipment during the recovery;
 - (d) If a big game animal is found alive during the recovery, the dog and handler shall leave the immediate area; and
 - (e) Before the beginning of the recovery, the handler of the dog shall notify the district game warden of the involvement of the dog in the recovery of the big game animal and provide to the district game warden the contact information of all parties involved in the hunt and the location in which the big game animal was tracked.
 2. b. Use any artificial light, including spotlights and automobile and motorcycle headlights, except artificial light may be used in the recovery process of big game animals.
 3. c. Engage in the practice commonly known as shining for deer. An individual who shines any area commonly frequented by big game animals with any artificial light, between the hours of sunset and sunrise, is in violation of this section. However, an individual may use a flashlight with a power source of not over six volts to take raccoon or beaver.
 2. For purposes of this section, "recovery" means the time after a firearm or archery equipment is used in the taking of a big game animal until the expired animal is located.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1209.

House Vote: Yeas 92 Nays 0 Absent 2

Senate Vote: Yeas 33 Nays 13 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State