



Game and Fish



November 9, 2022

Ms. Jill Grossman
Assistant Code Revisor
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Ms. Grossman:

The Notice of Intent to Adopt and Amend Administrative Rules and a copy of the proposed rules are enclosed as required by NDCC 28-32-10(1).

Sincerely,

Kim Kary, Chief
Administrative Services Division

Enclosure

Governor
Doug Burgum

Director
Jeb Williams

Deputy Director
Scott A. Peterson



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 Fri., Dec. 16, 2022 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 30-04-03. Section 30-04-03-17. Hunting guide and hunting outfitter examination. An amendment to administer written examination electronically.

Chapter 30-05-03. Section 30-05-03-22. Violations are noncriminal. An amendment to change the fee from thirty-five dollars to seventy-five dollars.

Chapter 30-05-01. Section 30-05-01-02. Boat safety equipment. An amendment to update United States coast guard approved fire extinguishers.

Chapter 30-03-01.1 Section 30-03-01.1-04. License limitations. Amendment to remove a retail bait vendor from losing their license if they had been convicted of a state or federal criminal game or fish violation in the past three years.

Chapter 30-03-01.1 Section 30-03-01.1-05. Assistants covered by license. Amendment to update wholesale bait vendor assistants requirements.

Chapter 30-03-01.1 Section 30-03-01.1-08. Interstate transport. Amendment to add bait vendor import of creek chubs.

Chapter 30-03-01.1 Section 30-03-01.1-13. Prohibited waters for taking legal live aquatic bait. Amendment to update language for bait vendor permitting.

Chapter 30-03-01.1 Section 30-03-01.1-15. Inspections and records. Amendment to give 90 days for wholesale bait vendors to provide required records compared to 30 days in the past and proposed change for licensed wholesale bait vendors to submit their records to the Department before a new license can be issued.

Chapter 30-03-06 Section 30-03-06-01. Equipment. Amendment to add equipment entering a body of water must be free of aquatic nuisance species, may be inspected by a Game and Fish employee, and boat docks, lifts and related equipment must be dried for a minimum of three weeks before being placed in another water.

Chapter 30-03-06 Section 30-03-06-05. Water prohibited. Amendment to change state water commission to department of water resources.

Chapter 30-01-01 Section 30-01-01-01. Organization and functions of the game and fish department. Amendment to update organization of department.

Chapter 30-04-09 Section 30-04-09-01. Electronic posting system. Create a new chapter relating to electronic posting system.

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 Dec. 27, 2022 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 9th day of Nov., 2022.



Jeb Williams
Director