



**APPLICATION/PERMIT TO USE LIVE PROTECTED
GAME BIRDS FOR DOG TRAINING OR FIELD TRIALS**
North Dakota Game and Fish Department

MAIL APPLICATION TO:
Dog Training Permit
NDGFD
100 N. Bismarck Expressway
Bismarck, North Dakota 58501-5095
Phone: (701) 328-6335

Applicant's Name:	Dog Training Permit #:
Name of Event and Date:	
Training or Field Trial Location: County: _____ Section: _____ Range: _____ Township: _____ Legal Land Description: _____	Is any of this land a North Dakota Game and Fish Department Wildlife Management Area? <input type="checkbox"/> Yes <input type="checkbox"/> No
Training or Field Trial Dates:	
Type of Game Bird to be used?	
How will your birds be marked?	
Approved/Disapproved: _____ North Dakota Game and Fish Department _____ Date:	
Explanation/Special Conditions:	

GUIDELINES FOR ISSUING PERMITS TO USE LIVE PROTECTED BIRDS FOR DOG TRAINING AND FIELD TRIALS

Introduction

Dog trainers and hunting dog clubs periodically use live protected game birds for training and competition. These guidelines explain state law and permitting procedures for this type of activity.

Use of Unprotected Species or Species Not Present in the Wild

Unprotected species such as pigeons, can be used for dog training and field trials without a permit pertaining to the use of the birds. Note however, that if the training occurs on public land a permit may be required by the appropriate land management agency.

Use of Protected Game Birds

Game birds are defined by state law as, "all varieties of geese, brant, swans, ducks, plovers, snipes, woodcocks, grouse, sage hens, pheasants, Hungarian partridges, quails, partridges, cranes, rails, coots, wild turkeys, mourning doves, and crows." No person may possess these live protected birds without first obtaining a propagation permit from the Office of the ND State Veterinarian, except that:

1. Anyone who holds protected game birds in ND for 90 days or less, has proof of origin, a Disposal Permit for Birds (in-leux of a propagation permit), from a licensed ND propagator, may possess protected game birds.

Unprotected and Upland Game birds must be clearly marked to differentiate them from wild birds when released for Dog Training purposes. If protected game birds are used in an area where a wild population of the same species exists it is strongly recommend that the use of colored streamers or some other type of visible marking easily seen on flushed birds be attached. At a minimum, all birds used must be either toe clipped or banded, with toe clipping being the preferred method of marking.

Shooting wild game birds during the closed season is a violation of state law. Protect your sport by having a well run, efficient operation.

Permit to Train with Privately Owned Game Birds

The following table describes the conditions and permits required for individuals or groups to conduct dog training with live protected game birds. Permits can be obtained through the District Game Warden for the area where the training or field trial site is located. Permits to utilize Game and Fish Department Wildlife Management Areas for training or field trials can be requested from the Department's Wildlife Resource Management Biologists for the area. These staff members are located at Game and Fish offices at Devils Lake, Jamestown, Bismarck, Riverdale and Williston.

AMATEUR DOG TRAINING WITH PROTECTED GAME BIRDS			
Type of Amateur Trainer	Land Ownership	Non-Traditional Livestock License Required?*	Permit to Train with Game Birds Required?
Individual (<=4)	Private	Yes*	N/A
Group (>4)	Private	Yes*	Yes
Field Trial	Private	Yes*	Yes
Individual (<=4)	Public (G&F)	Yes*	Yes
Group (>4)	Public (G&F)	Yes*	Yes
Field Trial	Public (G&F)	Yes*	Yes
Individual (<=4)	Public (Non G&F)	Yes*	Yes
Group (>4)	Public (Non G&F)	Yes*	Yes
Field Trial	Public (Non G&F)	Yes*	Yes

***If birds are held 90 days or less, proof of origin (i.e. sales receipt) is available, and birds are marked by propagator (id. Banded, toe clipped, etc.) dog trainers do not need a Non-Traditional Livestock License.**

NOTE: Game birds cannot be brought in from out-of-state without Non-Traditional Livestock License and disease free certification for any imported birds, as per requirements of the Board of Animal Health.

Other Laws and Rules Related to Dog Training

North Dakota Century Code (NDCC) 20.1-04-12 limits when dogs are permitted to run loose. It states, "***When gun dogs not to be trained or permitted to run loose - Exceptions - Penalty.*** No person classified as a professional trainer, be-

tween April first and July fourteenth of each year, both dates inclusive, shall train or run any gun dog or allow any such dog to run loose. For purposes of this section, a professional trainer is any person who trains any breed of gun dog for remuneration which is the basis for his livelihood. This section does not prohibit the running of gun dog field trials, nor does this section prohibit the training of an individual's personal gun dog during that period provided that (1) landowner permission is secured by the trainer, (2) the trainer is present, (3) no native game birds are killed or captured, and (4) the training is not on a designated game management area or designated waterfowl production area. Any person who violates this section is guilty of a class 2 noncriminal offense."

North Dakota Administrative Code (NDAC) 30-04-02-14.2 restricts the conditions under which field trials may be run and when and by whom dogs may be trained on Wildlife Management Areas (WMAs). It states, "Field trials for dogs are prohibited without a permit issued by the department. Training of bird and gun dogs is prohibited April first through August fifteenth on all state wildlife management areas. Training of dogs on any state wildlife management areas by a professional trainer is prohibited at all times. Any person who violates this section is guilty of a noncriminal offense and shall pay a one hundred dollar fee."

The 1991 Legislature established the following law:

20.1-04-12.1. Gun dog activities - Permit required - Fee.

1. The director shall issue a permit for the following gun dog activities:
 - a. The training exercises of a **resident or nonresident professional dog trainer**;
 - b. The training exercises of a **nonresident amateur trainer** who brings more than four gun dogs into the state; and
 - c. Hosting field trials that use live wild birds. (Note: no fee required).
2. The application for the permit must be in a form prescribed by the director and must be accompanied by the appropriate fee.
3. Upon receipt of the completed application and fee the director shall issue a permit for a specified period of time and shall require the permit holder to submit an annual report.
4. The fees for the permits are:
 - a. For a resident professional gun dog trainer for training exercises or hosting field trials, ten dollars.
 - b. For a nonresident professional gun dog trainer for training exercises or hosting field trials, one hundred dollars.
 - c. For a permit to a nonresident amateur who brings more than four gun dogs into this state, twenty-five dollars.
5. For purposes of this section a professional trainer is a person who trains any breed of gun dog for remuneration that is the basis for that person's livelihood.

The 2009 Legislature established the following law:

20.1-04-12.2. Gun dog training area - Permit.

Notwithstanding section 20.1-04-12, a professional trainer may apply to and obtain from the department a permit designating a specific training area, not to exceed forty acres [16.19 hectares], as an exempt training area.

1. In the exempt training area, a professional trainer may train or run any gun dog or allow the gun dog to run loose at any time.
2. The fee for the permit may not exceed ten dollars per year.