

June 8, 2005

## **FEDERAL COURT RULES IN FAVOR OF NORTH DAKOTA - Minnesota's Hunting Lawsuit Dismissed**

BISMARCK – A U.S. District Court has dismissed Minnesota's challenge to a handful of North Dakota's non-resident waterfowl hunting regulations. In an order released this morning, District Judge Daniel Hovland ruled that North Dakota laws treating non-resident hunters differently than North Dakota hunters do not violate the United States Constitution. Minnesota asserted that the regulations violate the Constitution's commerce clause by interfering with interstate commerce.

"We are of course very pleased with the decision upholding North Dakota law," stated Attorney General Wayne Stenehjem. "The court agreed with our argument that the hunting in question is recreation, not some kind of economic activity the commerce clause of the US Constitution was ever designed to protect."

The lawsuit was filed brought by Minnesota Attorney General Mike Hatch, Congressman Collin Peterson, and two Minnesota private citizens against North Dakota Gov. John Hoeven and Game and Fish Director Dean Hildebrand in March of 2004. Minnesota could appeal the decision to the Eighth Circuit Court of Appeals.