

GAME, FISH, AND PREDATORS

CHAPTER 186

S. B. No. 111

(Becker, Brooks, Kamrath, Mutch, Baker, Morgan)

ARTIFICIAL BLINDS

AN ACT

To create and enact subsection 18 of section 20-01-01, and to amend and reenact sections 20-01-04 and 20-04-07 of the North Dakota Century Code, relating to use of artificial blinds in the taking of game birds.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1.) Subsection 18 of section 20-01-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

18. "Sinkbox" or "sunken device" shall mean a raft or any type of low floating device having a depression which affords a hunter a means of concealing himself below the surface of the water.

§ 2. **Amendment.)** Section 20-01-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-01-04. Unauthorized Methods of Taking Game Birds and Game Animals.) Except as otherwise provided in this title, no person, for the purpose of catching, taking, killing, or raising any game birds or game animals shall:

1. Set, lay, or prepare any trap, snare, artificial light, net, birdlime, swivel gun, or any other device;
2. Drag, in any manner, any wire, rope, or other contrivance;
3. Use or cause to be used, except for transportation, any floating device or apparatus operated by electricity, steam, or gasoline, or any other floating vessel;
4. Use a firearm with any kind or type of silencer on it; or
5. Discharge any firearm while in or on a motor vehicle.

§ 3. **Amendment.)** Section 20-04-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-04-07. When Blinds, Boats, and Decoys Lawfully Usable in Taking Ducks and Geese.) Wild ducks and geese may be taken:

1. In the open or from a stationary natural or artificial blind or other place of concealment on land or water, except a sinkbox;
2. From a floating craft, excluding a sinkbox but including a sailboat or other craft having a motor attached when such sailboat, boat, or other craft with motor attached is beached, or fastened within or tied immediately alongside of any type of fixed hunting blind; or from such craft resting at anchor if authorized by governor's proclamation;
3. With the aid of a motorboat, sailboat, or other craft when used solely as a means of picking up dead or injured birds;
4. With the aid of artificial decoys. The use, directly or indirectly, of live duck or goose decoys shall not be permitted.

Approved March 15, 1961.

CHAPTER 187

H. B. No. 610

(Anderson of McHenry, Karabensh,
(Vinje, Berg, Einarson, Christopher)

BOUNTIES AND LICENSE FEES

AN ACT

To amend and reenact section 20-03-12 of the North Dakota Century Code, relating to hunting license fees, and to repeal chapter 20-13 of the North Dakota Century Code, relating to the predatory animal bounty.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 20-03-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-03-12. Schedule of Fees for All Hunting, Trapping, or Fishing Licenses.) The various hunting, trapping, or fishing license fees shall be as follows:

1. For a resident hunting license, the sum of one dollar and fifty cents;
2. For a nonresident hunting license, the sum of twenty-five dollars;

3. For a resident big game hunting license, the sum of five dollars;
4. For a nonresident big game hunting license, the sum of fifty dollars and for a nonresident bow license, the sum of twenty-five dollars;
5. For a resident trapping license, the sum of one dollar;
6. For a nonresident trapping license, the sum of one hundred dollars;
7. For a resident fishing license, the sum of two dollars;
8. For a nonresident fishing license, the sum of five dollars;
9. For a nonresident short term fishing license, the sum of one dollar; and
10. For a resident family fishing license, the sum of three dollars.

§ 2. **Repeal.**) Chapter 20-13 of the North Dakota Century Code is hereby repealed.

Approved March 16, 1961.

CHAPTER 188

H. B. No. 638
(Goebel, Wheeler, Haugen)

LICENSES

AN ACT

To amend and reenact section 20-03-21 of the North Dakota Century Code, relating to issuance of hunting, trapping, fishing, and taxidermists' licenses.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.**) Section 20-03-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-03-21. Issuance of Licenses — Who to Issue — County Auditor May Appoint Agents Who Shall Receive Compensation—Disposition of Proceeds.) All hunting, trapping, fishing, and taxidermists' licenses shall be issued by the several county auditors, the commissioner, the deputy commissioner, and the bonded game wardens. The deputy commissioner and each bonded game warden shall transmit to the commissioner all moneys collected from the issuance of licenses. For each license issued by him, the county auditor shall collect the charges authorized under this title and shall record the same in his record of cash received. He shall retain as his compensation for the issuance of each resident hunting, fishing, or

trapping license the sum of ten cents; for the issuance of each nonresident hunting or trapping license the sum of one dollar; and for the issuance of each nonresident fishing license the sum of twenty-five cents. The county auditor may appoint agents to distribute hunting and fishing licenses and may compensate such agents from the fees retained by him as prescribed in this section. The remainder of the license fees shall be deposited with the county treasurer at least once each month, and not later than three days after the close of the month, accompanied by a report showing the amounts received from the sale of each type of license, the amount retained, and the net amounts deposited. The county treasurer shall credit the fees so deposited to a separate account and shall hold such fees, subject to warrant for payment thereof drawn by the county auditor in favor of the state game and fish commissioner. The commissioner shall deposit all receipts from the issuance of licenses transmitted to or received by him with the state treasurer to be credited to the game and fish fund.

Approved March 15, 1961.

CHAPTER 189

H. B. No. 767
(Saugstad)

BIG GAME CARCASS SEALS

AN ACT

To amend and reenact section 20-05-07 of the North Dakota Century Code, relating to the attaching of seals to the carcasses of big game animals.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 20-05-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-05-07. When Seals To Be Attached to Carcasses of Big Game Animals—Commissioner to Furnish Seals.) Each person having a big game hunting license, immediately after killing a big game animal, shall affix to the carcass of such animal, before it is transported in any manner, or offered for transportation, a metal locking seal bearing his big game hunting license number. Such seal shall be attached and sealed between the leg bone and tendon in such a manner as not to be lost or removed. Failure to attach such seal in the manner

provided by this section shall be a misdemeanor and be punishable as provided by section 20-05-08 of this title. The metal locking seal shall be furnished by the commissioner with each big game hunting license issued.

Approved March 11, 1961.

CHAPTER 190

H. B. No. 645
(Solberg, Dick, Sorlie,)
(Breum)

BAG AND POSSESSION LIMITS AND SEASONS ON GAME BIRDS

AN ACT

To amend and reenact section 20-08-02 of the North Dakota Century Code, relating to the limitations on the governor's power to establish bag and possession limits and seasons on game birds.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 20-08-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

§ 20-08-02. **Limitations on Governor's Powers.)** The governor may not establish:

1. A bag limit on upland game birds which exceeds fifteen birds in the aggregate;
2. A bag limit on migratory waterfowl which is less than the federal bag limit thereon;
3. An open season on any game bird that begins before the fifteenth day of September or that ends not later than the first day of March of the following year.

Approved March 11, 1961.

CHAPTER 191

H. B. No. 703

(Aamoth)

GOVERNOR'S PROCLAMATION

AN ACT

To amend and reenact section 20-08-03 of the North Dakota Century Code, relating to contents of the governor's proclamation relating to the taking of game birds, fish, and game animals.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 20-08-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-08-03. Contents of Governor's Order or Proclamation Relating to the Taking of Game Birds, Fish, and Game Animals.) An order or proclamation issued by the governor pursuant to the provisions of this chapter shall prescribe, as to each species of game birds, fish, or game animals named therein, the following:

1. In what manner the same may be taken;
2. In what number the same may be taken and possessed and may limit such numbers by sex;
3. In what places the same may be taken; and
4. At what times the same may be taken and possessed.

The governor, in his order or proclamation, may provide for the number of big game permits or licenses to be issued for the taking of each species and the manner in which such permits or licenses shall be issued for the big game only. When a limited number of big game licenses are issued by lottery and the number of applicants is greater than the number of licenses to be issued, any applicant who is successful in obtaining such a license shall not be eligible to apply for a license to hunt the same species of big game for the four ensuing lottery years, except that owner operators or operators, living within the boundaries of the legal open area shall be entitled to purchase one such license for each farmstead unit in each consecutive season. By 1963 any person who has been an applicant for license in four successive lottery seasons and who shall not have been successful in any such lottery, shall be eligible to receive a license upon application therefor without having such application included in the lottery.

Approved March 3, 1961.

CHAPTER 192

H. B. No. 675
(Saugstad, Schuler)

RELINQUISHING CERTAIN GAME REFUGES

AN ACT

To repeal section 20-11-05 of the North Dakota Century Code, relating to the islands in the waters of Devils Lake and the Missouri River being set aside as state game refuges.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Repeal.) Section 20-11-05 of the North Dakota Century Code is hereby repealed.

Approved March 7, 1961.