

HOUSE BILL NO. 1454

Introduced by

Representatives Damschen, Weisz

1 A BILL for an Act to provide for a coyote bounty; to amend and reenact sections 20.1-01-08,
2 20.1-01-09, and subsection 3 of section 20.1-05-04 of the North Dakota Century Code, relating
3 to the taking of beaver; to provide an appropriation; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 20.1-01-08 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **20.1-01-08. Hunting with artificial light prohibited - Exception.**

8 It is unlawful for an individual to pursue, shoot, kill, take or attempt to take any wildlife
9 between sunset of one day and sunrise of the next, with the aid of a spotlight or any other
10 artificial light. This section does not make it unlawful for an individual to use a lantern, spotlight,
11 or other artificial light to assist the person in pursuing and shooting on the person's premises
12 any coyote, fox, skunk, mink, raccoon, beaver, weasel, owl, rabbit, or other predatory animal or
13 bird, attacking and attempting to destroy the person's poultry, livestock, or other property. It is
14 permissible to use an artificial light with a power source of not more than six volts while hunting
15 afoot for raccoon or beaver during the open season on the animal. A red or amber filter must be
16 placed on any artificial light used in the hunting of raccoon or beaver, except when taking a
17 raccoon treed or at bay.

18 **SECTION 2. AMENDMENT.** Section 20.1-01-09 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **20.1-01-09. Types of guns lawfully usable in taking raccoon and beaver with flashlight**
21 **- Penalty.**

22 In the killing, shooting, pursuing, taking or in attempting to take raccoon or beaver with the
23 use of a flashlight with a power source of not over six volts, it is illegal to use a rifle or handgun
24 capable of firing a shell larger than a twenty-two caliber [5.59 millimeter] long rifle shell, or a

1 shotgun larger than four-ten gauge [10.41 millimeters]. An individual who violates this section is
2 guilty of a class 1 noncriminal offense.

3 **SECTION 3. AMENDMENT.** Subsection 3 of section 20.1-05-04 of the North Dakota
4 Century Code is amended and reenacted as follows:

5 3. Engage in the practice commonly known as shining for deer. An individual who shines
6 any area commonly frequented by big game animals with any artificial light, between
7 the hours of sunset and sunrise, is in violation of this section. However, an individual
8 may use a flashlight with a power source of not over six volts to take raccoon or
9 beaver.

10 **SECTION 4. COYOTE BOUNTY - GUIDELINES.** The director shall pay a bounty of one
11 hundred dollars for each coyote taken after the effective date of this Act until two thousand
12 coyotes are taken. The director may establish guidelines for the determination and payment of
13 bounties under this section.

14 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the game and
15 fish fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of
16 the sum as may be necessary, to the game and fish department for the purpose of paying
17 coyote bounties as provided in section 4 of this Act, for the biennium beginning July 1, 2011,
18 and ending June 30, 2013.

19 **SECTION 6. CONTINGENT EFFECTIVE DATE.** This Act becomes effective on the date the
20 agriculture commissioner and the director of the game and fish department certify to the
21 governor and the legislative council that there is a shortfall in wildlife services funding as
22 determined by the agriculture commissioner and director of the game and fish department.