

GAME AND FISH

CHAPTER 241

HOUSE BILL NO. 1151
(Weber)

HUNTING OR HARASSING GAME FROM AIRCRAFT

AN ACT to amend and reenact section 20-01-07 of the North Dakota Century Code, relating to prohibiting the operators of aircraft or motor vehicles from killing, chasing or harassing any wild game, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 20-01-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-01-07. HUNTING AND HARASSING GAME FROM AIRCRAFT AND MOTOR VEHICLES PROHIBITED.) Except as otherwise provided pursuant to section 20-07-02, or when necessary for the protection of life or property, no person operating or controlling the operation of any aircraft or any motor vehicle in this state shall intentionally kill, chase, or harass any wild animal or wild bird, protected or unprotected. Any person found guilty of violating this section shall be punished by a fine of not to exceed one hundred dollars, or by imprisonment for not to exceed thirty days, or by both such fine and imprisonment.

Approved February 20, 1971

CHAPTER 242

HOUSE BILL NO. 1359
(Glaspey, Dick, Moore)

ISSUANCE OF LOCKING SEAL

AN ACT to amend and reenact subsection 6 of section 20-03-11 of the North Dakota Century Code, to provide for the issuance of a locking seal as part of a big game hunting license.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 6 of section 20-03-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6. Have issued as an integral part thereof a locking seal, bearing a number corresponding to the number of the big game hunting license or stamp as the case may be; and

Approved March 8, 1971

CHAPTER 243

HOUSE BILL NO. 1518
(Walsh, Brekke)

HUNTING AND TRAPPING
LICENSE FEES

AN ACT to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for hunting, fishing and trapping licenses, and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 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 small game hunting license, the sum of three dollars;
2. For a nonresident small game hunting license, the sum of thirty-five dollars;
3. For a resident big game hunting license, the sum of seven 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 three dollars;
6. For a nonresident trapping license, the sum of one hundred dollars;

SECTION 2. EFFECTIVE DATE.) This Act shall become effective on January 1, 1972.

Approved March 27, 1971

CHAPTER 244

HOUSE BILL NO. 1508
(Miedema)

FISHING LICENSE FEES

AN ACT to amend and reenact subsections 7, 8, 9, and 10 of section 20-03-12 of the North Dakota Century Code, relating to the schedule of fees for fishing licenses; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsections 7, 8, 9, and 10 of section 20-03-12 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

7. For a resident fishing license, the sum of four dollars; except that for a resident sixty-five years of age or over, the license fee shall be one dollar;
8. For a nonresident fishing license, the sum of six dollars;
9. For a nonresident short term fishing license, the sum of two dollars;
10. For a resident family fishing license, the sum of five dollars;

SECTION 2. EFFECTIVE DATE.) This Act shall become effective on January 1, 1972.

Approved March 18, 1971

CHAPTER 245

HOUSE BILL NO. 1376
(Mushik, Walsh)

SUSPENDING HUNTING
OR FISHING LICENSES

AN ACT to amend and reenact section 20-03-37 of the North Dakota Century Code, relating to suspension of hunting and fishing licenses, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 20-03-37 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-03-37. SUSPENSION OF HUNTING OR FISHING PRIVILEGES - SURRENDER AND RETURN OF LICENSE - PENALTY FOR PURCHASE OF LICENSE OR VIOLATION OF SUSPENSION.) Upon conviction of a violation of any of the provisions of this title, in addition to the fine and imprisonment provided, the court may order the suspension of the defendant's hunting or fishing privileges for a period of not to exceed two years.

Upon imposition of such suspension, the court shall require the defendant to surrender any hunting or fishing license or permit then held by him and shall forward the same together with a certified copy of the order of suspension to the game and fish commissioner. Upon expiration of the period of suspension, the game and fish commissioner shall return the defendant's license or permit if it is still valid.

Any person purchasing or attempting to purchase a hunting or fishing license or permit during any period of suspension and any person in any way violating any terms of suspension of his hunting or fishing privileges may be punished by imprisonment in the county jail for not more than thirty days, or by a fine of not more than two hundred dollars, or by both such fine and imprisonment.

Approved February 26, 1971

CHAPTER 246

HOUSE BILL NO. 1258
(Walsh, Dick, Shablow, Henry)

HUNTING WITH HORSES OR MULES

AN ACT to amend and reenact section 20-05-03 of the North Dakota Century Code, allowing horses and mules to be used in hunting big game.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 20-05-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-05-03. USING DOGS, HORSES, ARTIFICIAL PLATFORMS, BLINDS, AND ARTIFICIAL LIGHTS IN TAKING BIG GAME UNLAWFUL - EXCEPTION.) No person, for the purpose of hunting, pursuing, killing, taking, or attempting to take, or as an aid in the hunting or taking of, any big game animal, at any time, shall:

1. Use, in any manner, any dog, horse, mule, or other animal, except as provided in this section;
2. Shoot from any artificial platform, scaffold, blind, or other artificial device;
3. Use, in any manner, any artificial light, including spotlights and automobile and motorcycle headlights; or
4. Engage in the practice commonly known as shining for deer, and any person or persons, who shall shine any area, plot, or territory commonly frequented by big game animals with, or by reason of, any artificial light, between the hours of sunset and sunrise, shall be deemed to have violated the provisions of this section, except that any person using a flashlight of not over two cells in the aggregate of three volts as an aid in the taking of raccoon shall not be deemed to have violated this section.

Horses and mules may be used in hunting big game if the horses and mules are not used to flush or drive any big game from any cover or place of rest as an aid to other persons hunting.

Approved March 15, 1971

CHAPTER 247

HOUSE BILL NO. 1527
(K. Johnson, Murphy)

CLOSING SEASON
DUE TO FIRE HAZARD

AN ACT to create and enact subsection 4 of section 20-08-01 of the North Dakota Century Code, relating to emergency closing of hunting seasons; and to amend and reenact section 20-08-04 of the North Dakota Century Code, relating to an exception in the publication of governor's orders.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1.) Subsection 4 of section 20-08-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

4. That due to climatic conditions a hunting season may create a fire hazard, he, by order, may close or postpone, and re-open, any hunting season in areas where such conditions exist, upon reasonable notice through news media. The emergency closing or postponement and re-opening can be accomplished without complying with section 20-08-04.

SECTION 2. AMENDMENT.) Section 20-08-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-08-04. PROCLAMATION TO BE PUBLISHED - EXCEPTION - PERIOD PROCLAMATION IS IN EFFECT.) Except as provided in subsection 4 of section 20-08-01, each order or proclamation issued by the governor pursuant to the provisions of this chapter shall be published once in the official newspaper of each county affected thereby. No such order or proclamation shall take effect until after such publication nor shall the same be valid after the closing of the regular session of the legislative assembly next succeeding the date of its issuance.

Approved March 15, 1971

CHAPTER 248

HOUSE BILL NO. 1195
(Hensrud)

RELEASING GAME BIRDS
ON SHOOTING PRESERVES

AN ACT to amend and reenact section 20-17-04 of the North Dakota Century Code, relating to the number of game birds that a shooting preserve may release.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 20-17-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-17-04. TYPES OF GAME THAT MAY BE HUNTED ON SHOOTING PRESERVE - IDENTIFICATION OF GAME.) Game birds that may be stocked on a shooting preserve and hunted under this chapter shall be artificially propagated pheasants, quail, partridges, turkeys, prairie chickens, and such other game birds or species thereof as may be allowed by the commissioner. The commissioner shall determine the minimum stock of each species to be hunted and released on the permit area during the shooting preserve season.

All game birds released on a shooting preserve shall be marked prior to release as prescribed by the commissioner by rule or regulation. All mallard ducks released on a shooting preserve shall have the right hind toenails clipped before the birds attain the age of four weeks.

Approved February 26, 1971