

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

HOUSE BILL NO. 1327
(Representatives Hanson, Kroeber, Stefonowicz)
(Senators B. Stenehjem, Thompson, Traynor)

AN ACT to amend and reenact sections 20.1-06-07 and 20.1-06-08 of the North Dakota Century Code, relating to fishhouses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-06-07 of the North Dakota Century Code is amended and reenacted as follows:

20.1-06-07. Fishhouses - License - Removal - Penalty.

1. ~~No~~ A person, ~~except as provided in section 20.1-06-05,~~ may erect, have, or maintain on the ice in any waters of this state, a fishhouse used or to be used while ice fishing, or a dark house used or to be used for spearfishing, ~~without first obtaining a separate license for each unit used. Licenses must be issued by the director, for the period of five winter fishing seasons, including the season commencing in the year of purchase. Fishhouse licenses are not transferable and fishhouses that are transferred must be relicensed for a five-year period by the new owner of the fishhouse.~~ Licenses Fishhouse and dark house owners are subject to the rules the director may adopt governing the construction, maintenance, and use of these units. The outside of each ~~licensed~~ unoccupied unit must have inscribed on it, in readily distinguishable characters at least ~~six~~ three inches [~~15.24~~ 7.62 centimeters] high, the ~~license number and the~~ owner's name and address or phone number. An unoccupied fishhouse or dark house left on the ice without an owner's name and address or phone number may be removed or destroyed by the department. Any person who violates this subsection is guilty of a class 2 noncriminal offense.
2. Each unit must be removed from the ice by that date established by the governor's proclamation. Failure to remove a unit is deemed an abandonment and the director may remove or destroy abandoned units.

SECTION 2. AMENDMENT. Section 20.1-06-08 of the North Dakota Century Code is amended and reenacted as follows:

20.1-06-08. Spearfishing from dark houses. Fish may be taken by spearing through the ice from dark houses. Spearfishing seasons, and the species which may be taken, must be provided for by the governor's order or proclamation. The fishing license provided for in chapter 20.1-03 includes the privilege of such spearfishing. ~~All dark houses must be licensed pursuant to section 20.1-06-07.~~

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1327.

House Vote: Yeas 95 Nays 2 Absent 1

Senate Vote: Yeas 44 Nays 2 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,
at _____ o'clock _____ M.

Secretary of State