

GAME, FISH AND PREDATORS

CHAPTER 183

H. B. No. 175

(Benno, Grenier, Power, Saumer, Wahl, Welk)

BEAVER PROTECTION

AN ACT

To amend and reenact Section 20-0709 of the North Dakota Revised Code of 1943, relating to the taking, molesting, possession and transportation of beaver.

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

§ 1. AMENDMENT.] That Section 20-0709 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-0709. BEAVER NOT TO BE TAKEN, POSSESSED, TRANSPORTED, OR MOLESTED; EXCEPTION; UNLAWFUL TO SHOOT.] No person, at any time, except as otherwise provided in this chapter, shall:

1. Kill, take, attempt to take, possess, transport, or sell any beaver of any part thereof;
2. Molest or disturb any beavers;
3. Molest or disturb the retreat of any beaver; or
4. Take beaver by means of shooting with any type of gun.

Approved March 7, 1947.

CHAPTER 184

H. B. No. 111

(Dornen, Hanson, Homelvig, Wollitz, Roen, Sticka, Saller)

FUR-BEARING ANIMALS SEASON FOR TAKING

AN ACT

To amend and reenact Section 20-0703 of the North Dakota Revised Code of 1943, relating to the seasons for taking various protected fur-bearing animals.

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

§ 1. AMENDMENT.] That Section 20-0703 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-0703. SEASON FOR TAKING VARIOUS PROTECTED FUR-BEARING ANIMALS.] Any person having a trapping license as provided in this title, or any person authorized under section 20-0302 to trap without a trapping license, may trap or take:

1. Muskrats for fur between the opening and closing date determined by the commissioner;
2. Badgers between the first day of November each year and the following twenty-eighth day of February, both dates inclusive;
3. Minks and weasels between the fifteenth day of November of each year and the following fifteenth day of February, both days inclusive;
4. Raccons between the first day of October of each year and the following fifteenth day of February, both dates inclusive; and
5. Skunks between the first day of October of each year and the following twenty-eight day of February, both dates inclusive.

Approved March 3, 1947.

CHAPTER 185

H. B. No. 110

(Starck, Maher, Wawson, Frank, Bjella, Esterby, Hegge, Siverson,
Benno)SALARY AND EXPENSES GAME AND FISH COMMISSIONERS AND
GAME WARDENS

AN ACT

To amend and reenact the following sections of the North Dakota Revised Code of 1943: Section 20-0203, as amended and reenacted by Section 6 of Chapter 264 of the Session Laws of North Dakota for the year 1945, relating to compensation and expenses of Commissioner, audit and payment; Section 20-0207, as amended and reenacted by Section 7 of Chapter 264 of the Session Laws of North Dakota for the year 1945, relating to compensation and expenses of deputy commissioner, audit and payment; Section 20-0209, as amended and reenacted by Section 8 of Chapter 264 of the Session Laws of North Dakota for the year 1945, relating to compensation and expenses of chief game warden; Section 20-0211, relating to the appointment, removal and bond of district deputy game warden; and Section 20-0212, as amended and reenacted by Section 9 of Chapter 264 of the Session Laws of North Dakota for the year 1945, relating to compensation and expense of district deputy game wardens.

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

§ 1. AMENDMENT.] That Section 20-0203, of the North Dakota Revised Code of 1943, as amended and reenacted by Section 6 of Chapter 264 of the Session Laws of North Dakota for the year 1945, is hereby amended and reenacted to read as follows:

20-0203. COMPENSATION AND EXPENSES OF COMMISSIONER; AUDIT AND PAYMENT.] The salary of the commissioner for all services performed in any capacity whatever shall be, for each biennium, the amount appropriated therefor by the legislative assembly but not exceeding the sum of thirty-six hundred dollars per year, together with the actual and necessary expenses incurred by him in the performance of the duties of his office. His salary and expenses shall be paid out of the game and fish fund and shall be audited and paid in the same manner as the salary and expenses of other state officers.

§ 2. AMENDMENT.] That Section 20-0207 of the North Dakota Revised Code of 1943 as amended and reenacted by Section 7 of Chapter 264 of the Session Laws of North Dakota for the year 1945 is hereby amended and reenacted to read as follows:

20-0207. COMPENSATION AND EXPENSES OF DEPUTY COMMISSIONER; AUDIT AND PAYMENT.] The salary of the deputy commissioner for all services performed in any capacity whatever shall be, for each biennium, the amount appropriated therefor by the legislative assembly but not exceeding the sum of three thousand dollars per year, together with the actual and necessary expenses incurred by him in the performance of the duties of his office. His salary and expenses shall be audited and paid in the same manner as the salary and expense of state officers.

§ 3. AMENDMENT.] That Section 20-0209 of the North Dakota Revised Code of 1943 as amended and reenacted by Section 8 of Chapter 264 of the Session Laws of North Dakota for the year 1945 is hereby amended and reenacted to read as follows:

20-0209. COMPENSATION AND EXPENSES OF CHIEF GAME WARDEN.] The salary of the chief game warden for all services performed in any capacity whatever shall be, for each biennium, the amount appropriated therefor by the legislative assembly but not exceeding the sum of three thousand dollars per year, together with the actual and necessary expenses incurred by him in the performance of the duties of his office.

§ 4. AMENDMENT.] That Section 20-0211 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-0211. DISTRICT DEPUTY GAME WARDENS: APPOINTMENT; REMOVAL; BOND.] The commissioner may appoint, and may remove at pleasure, not to exceed eighteen regular district deputy game wardens. Each regular district deputy game warden, before entering upon the discharge of his duties, shall furnish a bond in the penal sum of one thousand dollars. Such bond shall conform to and shall be filed in accordance with the provisions of law applicable to the bonds of state officers. The commissioner may establish such qualifications as he may deem necessary for the selection of competent deputy game wardens.

§ 5. AMENDMENT.] That Section 20-0212 of the North Dakota Revised Code of 1943 as amended and reenacted by Section 9 of Chapter 264 of the Session Laws of North Dakota for the year 1945 is hereby amended and reenacted to read as follows:

20-0212. COMPENSATION AND EXPENSES OF DISTRICT DEPUTY GAME WARDENS.] The salary of each regular district deputy game warden for all services performed in any capacity whatever shall be, for each biennium, the amount

appropriated therefor by the legislative assembly but not exceeding the sum of twenty-four hundred dollars per year, together with the actual traveling expenses incurred by each in the performance of his duties.

Approved February 20, 1947.

CHAPTER 186

S. B. No. 224

(Senator Braun)

WHEN GOING AFIELD WITH SHOTGUN UNLAWFUL

AN ACT

To amend and reenact section 20-0408 of the North Dakota Revised Code of 1943, relating to going afield with shotgun unlawful; when; penalty.

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

§ 1. AMENDMENT.] That Section 20-0408 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-0408. GOING AFIELD WITH SHOTGUN UNLAWFUL; WHEN; PENALTY.] No person in possession of any kind of a shotgun shall travel, in any manner, in any part of this state, off the public highway or outside of the immediate bounds of the inhabited part of any village or city from the first day of July to the opening day of the hunting season on game birds in each year. Provided, however, that a land owner or tenant may carry a shotgun at any time of the year on land owned or leased by him, for the purpose of killing predatory birds or animals. Any person violating the provisions of this section shall be presumed to have violated the laws of this state prohibiting the unlawful hunting, shooting, and taking of game birds. Any person violating the provisions of this section shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment in the county jail for not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Approved March 20, 1947.

CHAPTER 187

S. B. No. 173—(Braun and Frojen)

**HUNTING GAME AND TAKING FUR-BEARING ANIMALS ON POSTED
LAND UNLAWFUL****AN ACT**

To amend and reenact Section 20-0117 and Section 20-0124 of the North Dakota Revised Code of 1943, relative to hunting game on posted land, and taking fur-bearing animals without permission.

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

§ 1. AMENDMENT.] That Section 20-0117 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-0117. HUNTING GAME ON POSTED LAND WITHOUT PERMISSION AND GOING ON PRIVATE LAND TO TAKE FUR-BEARING ANIMALS WITHOUT PERMISSION UNLAWFUL.] No person shall hunt or pursue game, or enter for the purpose of hunting or pursuing game, upon any land belonging to another which has been legally posted without first having obtained the permission of the person legally entitled to grant the same, and no person shall enter upon privately owned land for the purpose of taking, catching, or trapping protected fur-bearing animals, without first gaining the permission of the owner or operator of such land. Any person guilty of violating this act shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than twenty days nor not more than thirty days, or by both such fine and imprisonment.

Approved March 20, 1947.

CHAPTER 188

H. B. No. 5

(Langley and Legislative Research Committee at the request of State Auditor)

PAYMENT ETC. OF PREDATORY ANIMAL CERTIFICATES
BY STATE AUDITOR

AN ACT

To amend and reenact Sections 20-1307 and 20-1308 of the North Dakota Revised Code of 1943 relating to payment of certificates, record of warrants issued, and blanks supplied by state auditor on predatory animals, and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 20-1307 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-1307. PAYMENT OF CERTIFICATES BY STATE AUDITOR; RECORD OF WARRANTS ISSUED.] The state auditor, when a certificate issued by virtue of the provisions of this chapter is presented for payment, shall:

1. Give the person owning such certificate a warrant drawn on the fund appropriated for that purpose by the legislative assembly.

Such warrant shall be in the amount required to compensate, at the bounty price provided for in this chapter, for the number of skins mentioned in the certificate.

The state auditor and state treasurer shall keep an account of all warrants so issued and paid.

§ 2. AMENDMENT.] That Section 20-1308 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

20-1308. BLANKS SUPPLIED TO AUDITORS BY STATE AUDITOR.] The state auditor shall provide each county auditor with the necessary blanks for the purpose of carrying into effect the provisions of this chapter.

§ 3. EMERGENCY.] This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 20, 1947.

CHAPTER 189

S. B. No. 283—(Delayed Bills Committee)

**REPEAL FILING AND RECORDING FEES WILD LIFE
CONSERVATION PROJECT****AN ACT**

Repealing section 61-1505 of the North Dakota Revised Code of 1943, relating to fees charged or collected for the recording or filing of any document required by the United States or the State of North Dakota for any water or wildlife conservation project, and declaring an emergency.

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

§ 1. REPEAL.] That section 61-1505 of the North Dakota Revised Code of 1943 be and the same hereby is repealed.

§ 2. EMERGENCY.] This act is hereby declared to be an emergency and shall be in full force and effect from and after its passage and approval.

Approved March 21, 1947.

GOVERNMENTAL FINANCE

CHAPTER 190

H. B. No. 209—(Fleck, Graham, Johnson of Cass and Saumur)

PURPOSES AND SPECIFIC LIMITATIONS CITY BOND ISSUES**AN ACT**

To amend and reenact subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943 specifying the purposes and specific limitations of bond issues by any city.

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

§ 1. AMENDMENT.] .. That subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows: