

# GAME, FISH, AND PREDATORS

## CHAPTER 191

H. B. No. 678

(Breum, Shablow, Schaffer, Vendsel)

### GAME AND FISH ADVISORY BOARD

#### AN ACT

To provide for a state game and fish advisory board, prescribing its duties, powers, and compensation.

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

#### **§ 1. Advisory Board—Appointment—Qualifications—Term.)**

There is hereby created a state game and fish advisory board which shall consist of six members, one from each judicial district of this state, appointed by the governor. Not less than three members shall be bona fide farmers or ranchers. Appointments to the first advisory board shall be made by the governor for terms expiring in one, two, three, four, five, and six years respectively, from July 1, 1963, or until a successor has been appointed and qualified. Thereafter appointments shall be for a term of six years from the first day of July of the year of expiration of the basic term, and until a successor has been appointed and qualified. Vacancies occurring other than by the expiration of an appointive term shall be filled by appointment for the remainder of the term only. The members of the advisory board shall be subject to removal by the governor for cause only. The advisory board shall select from their members a chairman, vice chairman, and secretary who shall serve in such positions until June thirtieth of the year next following their selection.

**§ 2. Compensation.)** Each member of the advisory board shall be paid a per diem of ten dollars for each day of service in going to, attending, and returning from meetings of the advisory board. Each member shall be reimbursed for necessary and actual expenses at the rates and in the manner provided by law for other state officers. Such compensation and expenses shall be paid out of the game and fish department appropriations.

**§ 3. Meetings and Duties.)** The state game and fish advisory board shall meet at least twice each fiscal year, one meeting to be held in August and one meeting in April. Each meeting shall be held at the state capitol and four members

shall constitute a quorum. The advisory board shall have the authority to advise the state game and fish commissioner regarding any policy of hunting, fishing, and trapping regulations and may make general recommendations in regard to the operation of the state game and fish department and the programs thereof, which the commissioner may carry out. The provisions of this section may not be construed as limiting or restricting the powers, duties, and authority of the governor in the issuance of orders and proclamations as provided in chapter 20-08.

Approved March 16, 1963.

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## CHAPTER 192

H. B. No. 816  
(Breum, Solberg, Johnston)

### GAME AND FISH LICENSES

#### AN ACT

To amend and reenact subsection 2 of section 20-03-02 and sections 20-03-12 and 20-03-13 of the North Dakota Century Code Supplement, relating to exemptions from fishing licenses and the schedule of fees for hunting, trapping or fishing licenses, and providing for the use of funds for the propagation of upland game.

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

**§ 1. Amendment.)** Subsection 2 of section 20-03-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. Any resident of this state under the age of sixteen years may fish without first having obtained a resident fishing license as prescribed in this chapter.

**§ 2. Amendment.)** Section 20-03-12 of the North Dakota Century Code Supplement 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 two dollars;
2. For a nonresident hunting license, the sum of twenty-five dollars;
3. For a resident big game hunting license, the sum of six 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; 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 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.

§ 3. **Amendment.)** Section 20-03-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-03-13. Hunting License Fees, Use Restricted.)** No moneys accruing to this state from the license fees paid by hunters shall be used for any purpose other than the administration of the state game and fish department, except as otherwise provided by law. The game and fish department shall allocate not less than fifty thousand dollars during each biennium from moneys collected under the provisions of 20-03-12 to the stocking and propagation of upland game.

Approved March 21, 1963.

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## CHAPTER 193

H. B. No. 713  
(Aamoth)

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### MISREPRESENTATION IN LICENSE APPLICATION

#### AN ACT

To amend and reenact section 20-03-35 of the North Dakota Century Code, relating to the making of a misrepresentation in applying for a game or fish license or permit.

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

§ 1. **Amendment.)** Section 20-03-35 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-03-35. Making Misrepresentation in Application for, or Alteration in License or Permit Unlawful—Penalty.)** Any

person who makes any willful misrepresentation in his application for a license or permit, or who makes any alteration in a license or permit already issued, is 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 more than thirty days, or by both such fine and imprisonment.

Approved March 15, 1963.

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## CHAPTER 194

H. B. No. 726

(Johnston, Loder, Neukircher, Vendsel)

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### REVOCATION OF LICENSES

#### AN ACT

To amend and reenact section 20-03-37 of the North Dakota Century Code, relating to the revocation of game and fish licenses or permits.

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

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

**20-03-37. Violators May Have Licenses or Permits Revoked—Revoked Licenses or Permits Not To Be Replaced—Reinstating License or Permit.)** Any person convicted of violating any of the provisions of this title, in addition to the fine and imprisonment provided, may have any license or permit held by him revoked for the privileges he has violated, and no license or permit shall be issued to such person, except as hereinafter provided, for the remainder of the year in which such violation occurred. However, in the case of a revocation of a fishing license for a first violation, such license or permit shall be reinstated thirty days from the date of such revocation.

Approved March 9, 1963.

## CHAPTER 195

S. B. No. 261  
(Sorlie, Robinson)

## FIREARMS AFIELD PROHIBITED, REPEAL

## AN ACT

To repeal section 20-04-08 of the North Dakota Century Code, relating to the prohibiting of any person from going afield with a shotgun from July 1st to the opening of hunting season.

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

**§ 1. Repeal.)** Section 20-04-08 of the North Dakota Century Code is hereby repealed.

Approved March 8, 1963.

## CHAPTER 196

S. B. No. 216  
(Reichert, Ringsak, Robinson, Kautzmann)

## GOLDEN EAGLES PROTECTED

## AN ACT

To protect the golden eagle, providing penalties, and declaring an emergency.

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

**§ 1.)** No person shall take, kill, hunt, possess, sell, purchase, pursue, shoot at, disturb, capture, or destroy any golden eagle, or any nest or egg thereof, at any time, within the state of North Dakota.

**§ 2. Penalty.)** Any person violating any provision of this Act shall be punished by a fine of not less than twenty-five dollars or more than two hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

**§ 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 March 9, 1963.

## CHAPTER 197

S. B. No. 148  
(Brooks)

## BIG GAME SEASON OPENING

## AN ACT

To amend and reenact section 20-05-02 of the North Dakota Century Code, relating to the season for taking big game, and to repeal section 20-05-02.1 of the North Dakota Century Code, relating to the hour for the opening of the deer and antelope hunting season, and to the transportation, shipment or possession of big game.

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

§ 1. **Amendment.)** Section 20-05-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-05-02. Season for Taking and Transporting Big Game—Bag Limit.)** Any person having a deer hunting license or antelope permit as prescribed in this title may take, kill, and transport one deer or one antelope, as the case may be, in this state, during the open or lawful season therefor which shall open at twelve o'clock noon Central Standard Time on any Friday in November or at such earlier date as may be established by proclamation of the governor in accordance with the provisions of this title, except that any earlier opening date proclaimed by the governor shall be at twelve o'clock noon Central Standard Time on a Friday. Nothing contained in this section shall be construed as prohibiting the transportation, shipment, or possession within this state of big game lawfully taken in other states when properly tagged with evidence that it has been lawfully taken.

§ 2. **Repeal.)** Section 20-05-02.1 of the North Dakota Century Code is hereby repealed.

Approved March 9, 1963.

## CHAPTER 198

H. B. No. 670  
(Johnston)

## HUNTERS' CLOTHING

## AN ACT

To amend and reenact section 20-05-05 of the North Dakota Century Code, relating to required clothing for hunters.

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

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

**20-05-05. Red, Yellow, or Orange Color To Be Displayed by Hunters of Wild Turkeys and Big Game—Exception.)** All persons shall wear red, yellow, or orange caps while hunting big game animals or wild turkeys. In addition every person, while hunting big game animals or wild turkeys shall have one hundred and forty-four square inches of red, yellow, or orange color conspicuously displayed on his back and one hundred and forty-four square inches of red, yellow, or orange conspicuously displayed on his chest. The provisions of this section shall not apply to any person hunting big game animals or wild turkeys with bow and arrows during special seasons established for bow and arrow hunting.

Approved March 9, 1963.

## CHAPTER 199

S. B. No. 328

(Sorlie, Roen, Erickson, Kamrath)

## GAME AND FISH PROCLAMATIONS

## AN ACT

To amend and reenact section 20-08-03 of the North Dakota Century Code, relating to the contents of the governor's proclamation relating to the taking of game birds, fish, and game animals, and to remove therefrom provision relating to eligibility of applicants who have been unsuccessful in four successive lotteries.

*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 five 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. The effective date of this bill shall be July 1, 1964.

Approved March 18, 1963.