

# GAME, FISH, AND PREDATORS

## CHAPTER 169

S. B. No. 221  
(Hernett)

### GAME AND FISH RESIDENCY DEFINITIONS

#### AN ACT

To amend and reenact subsections 3 and 4 of section 20-01-01 of the North Dakota Century Code, relating to the definition of resident and nonresident in the game and fish laws.

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

**§ 1. Amendment.)** Subsection 3 of section 20-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. "Resident" shall mean any person who has actually lived within this state or maintained his home therein for at least six months immediately preceding the date that residence is to be determined;

**§ 2. Amendment.)** Subsection 4 of section 20-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. "Nonresident" shall mean any person who has not actually lived in this state or maintained his home therein for at least six months immediately prior to the date when residence is to be determined;

Approved March 15, 1965.

## CHAPTER 170

H. B. No. 725  
(Brown, Knudsen)

## GAME BIRD DEFINED

## AN ACT

To amend and reenact subsection 6 of section 20-01-01 of the North Dakota Century Code, relating to the protection of doves.

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

**§ 1. Amendment.)** Subsection 6 of section 20-01-01 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6. "Game birds" shall include any and all varieties of geese, brant, swans, ducks, plovers, snipes, woodcocks, grouse, sagehens, pheasants, Hungarian partridges, quails, partridges, cranes, rails, coots, and wild turkeys;

Approved March 6, 1965.

## CHAPTER 171

H. B. No. 645  
(Anderson, Bruner, Breum, Fossum, Bier, Rosendahl)

## FEDERAL GAME AND FISH PAYMENTS

## AN ACT

Relating to the disposition of payments from the federal government on account of lands taken for game and fish management purposes.

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

**§ 1. Federal Payments for Game and Fish Lands—Allocation Within County.)** Payments made by the federal government under the provisions of Public Law 523 (88th U.S. Congress) to any county in the state on account of lands taken by the federal government for game and fish management purposes shall be apportioned by the county treasurer of the receiving county in the following manner: twenty percent thereof shall be deposited in the county general fund, the remaining eighty percent shall be apportioned among the

school districts in which the land taken is located in proportion to the number of acres taken in each such school district.

Approved March 3, 1965.

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## CHAPTER 172

S. B. No. 101

(Morgan, Trenbeath, Becker, Mahoney)

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### ADVISORY BOARD COMPENSATION

#### AN ACT

To amend and reenact sections 20-02-30 and 20-02-31 of the North Dakota Century Code, relating to the state game and fish advisory board and the meetings held by its members.

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

**§ 1. Amendment.)** Section 20-02-30 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-02-30. 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 the meetings as provided in section 20-02-31 held in his respective district and the 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.

**§ 2. Amendment.)** Section 20-02-31 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-02-31. Meetings and Duties.)** Each member of the game and fish advisory board shall hold a public meeting at least twice each fiscal year, one meeting to be held in March and one meeting to be held in July, in his respective district to make their presentations and to determine the needs and the opinions of those interested in such activities. 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 6, 1965.

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## CHAPTER 173

H. B. No. 606  
(Winge, Bowman)

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### LAND OWNERS' HUNTING LICENSES

#### AN ACT

To amend and reenact subsection 1 of section 20-03-02, relating to the privilege of hunting without a license.

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

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

1. Any resident of this state, or any member of his family residing customarily with him, may hunt, fish, or trap during the open season without a license upon land owned or leased by such resident. No such person, however, shall hunt, take or kill deer without first having procured a big game hunting license as prescribed in this title, but upon the execution and filing of an affidavit by any person owning or leasing a minimum of a quarter section of land within a district opened for the hunting of deer, such person shall receive a license to hunt deer upon such land described in said affidavit without charge therefor, and such license so issued without charge shall have endorsed on it the description of such land and it may be used to hunt deer only upon such land; and

Approved March 10, 1965.



## CHAPTER 174

H. B. No. 623  
(Breum, Krenz, Dahlen, Shorma)

## FISHING LICENSE FEES

## AN ACT

To amend and reenact subsections 7, 9, and 10 of section 20-03-12 of the 1963 Supplement to the North Dakota Century Code, relating to the fees for resident fishing license, nonresident short term fishing license, and resident family fishing license.

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

**§ 1. Amendment.)** Subsections 7, 9, and 10 of section 20-03-12 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

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

Approved March 15, 1965.

## CHAPTER 175

H. B. No. 626  
(Breum, Schaffer, Winge)

## NONRESIDENT SHORT TERM FISHING LICENSE

## AN ACT

To amend and reenact section 20-03-39 of the North Dakota Century Code, relating to nonresident short term fishing license.

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

**§ 1. Amendment.)** Section 20-03-39 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-03-39. Nonresident Short Term Fishing License.)** In addition to the regular nonresident fishing license provided for in section 20-03-09 there is hereby authorized a nonresident short term fishing license. This license shall be valid for a period not to exceed seven days from date of issue.

Approved March 10, 1965.

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## CHAPTER 176

H. B. No. 625

(Breum, Schaffer, Dahlen, Larson (Richland) )

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### POSSESSION LIMIT OF GAME BIRDS

#### AN ACT

To amend and reenact section 20-04-04 of the North Dakota Century Code, relating to the possession limit of game birds.

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

**§ 1. Amendment.)** Section 20-04-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-04-04. Possession Limit of Game Birds.)** No person at any time shall possess, control, ship, transport, or store or can or otherwise preserve, more than that authorized by the governor's proclamation of any species of game bird mentioned in this chapter, except that game birds legally taken outside of this state that are properly tagged with evidence that such bird had been legally taken, may be possessed, transported or shipped in this state.

Approved March 10, 1965.

## CHAPTER 177

H. B. No. 642  
(Wagner, Boustead)

## FISH HOUSE LICENSE

## AN ACT

To amend and reenact section 20-06-08 of the North Dakota Century Code, relating to maintaining and licensing fish houses for winter fishing.

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

§ 1. **Amendment.)** Section 20-06-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-06-08. Fish Houses—License—Removal.)** No person except as provided in section 20-06-06 shall erect, have or maintain on the ice in any waters of this state any fish house used or to be used to protect one while engaged in fishing through the ice, without first obtaining a separate license for each such unit placed in use. Licenses shall be issued by the commissioner, for the period between December fifteenth and the end of the winter fishing season as established by the governor's proclamation or by executive order of the commissioner, upon the payment of a license fee of one dollar for each unit, and shall be subject to such rules and regulations as the commissioner may adopt governing the construction, maintenance and use of such units. Each licensed unit shall have inscribed on the exterior thereof, in readily distinguishable characters at least six inches high, the license number and the name of the owner. Each unit shall be removed from the ice within five days after the close of the period for which the license was issued. Failure to so remove such unit, shall be deemed an abandonment and the commissioner is authorized to remove or destroy such abandoned units.

Approved March 3, 1965.

## CHAPTER 178

H. B. No. 624

(Breum, Schaffer, Dahlen, Krenz)

## BAG LIMITS ON GAME BIRDS

## AN ACT

To amend and reenact section 20-08-02 of the 1963 Supplement to the North Dakota Century Code, relating to the limitations of the governor's power to establish bag limits on upland game and migratory waterfowl; and to declare an emergency.

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

**§ 1. Amendment.)** Section 20-08-02 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-08-02. Limitations on Governor's Powers.)** The governor may not establish:

1. A bag limit on upland game birds which exceed fifteen birds in the aggregate; or
2. A bag limit on migratory waterfowl which is less than the federal bag limit thereon.

**§ 2. 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 10, 1965.



## CHAPTER 179

H. B. No. 832  
(Johnson (Barnes) )

## GAME REFUGE LEASES

## AN ACT

To amend and reenact subsection 3 of section 20-11-01 of the North Dakota Century Code, relating to the period of lease for game refuges on private land.

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

**§ 1. Amendment.)** Subsection 3 of section 20-11-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. The time for which the refuge is to be established, and in no case shall such time be for a period of less than five years from the date upon which the application is filed with the commissioner but such lease may be made renewable at the option of both parties for the same period as the original lease;

Approved March 15, 1965.

## CHAPTER 180

H. B. No. 627  
(Breum, Dahlen, Schaffer, Mueller)

## FROG REGULATIONS

## AN ACT

To amend and reenact section 20-12-01 of the North Dakota Century Code, relating to the taking of frogs and to repeal sections 20-12-02, 20-12-03, 20-12-04, 20-12-05, 20-12-06, 20-12-07, 20-12-08, 20-12-09, and 20-12-10 of the North Dakota Century Code.

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

**§ 1. Amendment.)** Section 20-12-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20-12-01. Frogs—Season for Taking—Regulations—License—Penalty.)** No person shall willfully take, catch, or kill any

frog except for angling purposes or biological classroom study within the state of North Dakota between the first day of April and the thirty-first day of May, both dates included. No person, at any time, shall willfully take, catch, or kill, any frog except for angling purposes or biological classroom study within the state of North Dakota, unless he shall first have obtained a commercial frog license from the game and fish commissioner at a fee of fifty dollars. The commissioner shall issue regulations relating to manner of taking, shipping, buying or selling and may require reports from each licensee at such time and of such information as deemed necessary. Any person who shall violate the provisions of this section or of the regulations issued pursuant thereto, shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment, and upon conviction shall forfeit all privileges under title 20 for a period of one year thereafter.

**§ 2. Repeal.)** Sections 20-12-02, 20-12-03, 20-12-04, 20-12-05, 20-12-06, 20-12-07, 20-12-08, 20-12-09, and 20-12-10 of the North Dakota Century Code are hereby repealed.

Approved March 3, 1965.