

GAME AND FISH

CHAPTER 259

HOUSE BILL NO. 1140
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

GAME AND HARMFUL WILD BIRDS

AN ACT to amend and reenact subsections 6 and 10 of section 20.1-01-02 of the North Dakota Century Code, relating to the definitions of game and harmful wild birds.

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

SECTION 1. AMENDMENT. Subsections 6 and 10 of section 20.1-01-02 of the 1981 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

6. "Game birds" shall include all varieties of geese, brant, swans, ducks, plovers, snipes, woodcocks, grouse, sagehens, pheasants, Hungarian partridges, quails, partridges, cranes, rails, coots, wild turkeys, ~~and~~ mourning doves, and crows.
10. "Harmful wild birds" shall include blackbirds, magpies, ~~erevs,~~ English sparrows, and starlings.

Approved March 3, 1983

CHAPTER 260

SENATE BILL NO. 2322
(Senators Adams, Bakewell)
(Representatives Kent, O'Connell)

POSTING OF LAND

AN ACT to amend and reenact subsection 23 of section 20.1-01-02 and section 20.1-01-17 of the North Dakota Century Code, relating to the definition of established road or trail and hunting on private land.

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

SECTION 1. AMENDMENT. Subsection 23 of section 20.1-01-02 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

23. "Established road or trail" means any public highway or road, improved or otherwise, dedicated for public ingress or egress, or any other road or trail normally used for travel but does not include temporary trails across cultivated land used for agricultural purposes.

SECTION 2. AMENDMENT. Section 20.1-01-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-01-17. Posting of lands by owner or tenant to prohibit hunting - How posted - Signs defaced. Only the owner or tenant of any land may post it by placing signs alongside the public highway or the land giving notice that no hunting is permitted on the land. The name and address of the person posting the land ~~and the posting date~~ shall appear on each sign in legible characters. The signs shall be readable from the outside of the land and shall be placed conspicuously not more than ~~four~~ eight hundred ~~forty~~ eighty yards [~~402.34~~ 804.68 meters] apart. As to land entirely enclosed by a fence or other enclosure, posting of such signs at or on all gates through such fence or enclosure shall be construed to be a posting of all such enclosed land. No person shall in any manner deface, take down, or destroy posting signs.

Approved April 19, 1983

CHAPTER 261

SENATE BILL NO. 2108
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

STATE OWNERSHIP OVER GAME AND FISH

AN ACT to amend and reenact section 20.1-01-03 of the North Dakota Century Code, relating to ownership in the state over game and fish.

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

SECTION 1. AMENDMENT. Section 20.1-01-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-01-03. Ownership and control of game and fish is in the state - Damages - Schedule of monetary values. The ownership of and title to all ~~resident~~ wild birds, fish, and wild animals within this state shall be in the state for the purpose of regulating the enjoyment, use, possession, disposition, and conservation thereof, and for maintaining action for damages as herein provided. Any person catching, killing, taking, trapping, or possessing any wild birds, fish, or wild animals protected by law at any time or in any manner shall be deemed to have consented that the title thereto shall remain in this state for the purpose of regulating the taking, use, possession, and disposition thereof. The state, through the office of attorney general, may institute and maintain any action for damages against any person who unlawfully causes, or has caused within this state, the death, destruction, or injury of wild birds, fish, or wild animals, except as may be authorized by law. The state has a property interest in all protected wild birds, fish, and wild animals. This interest supports a civil action for damages for the unlawful destruction of wildlife by willful or grossly negligent act or omission. The commissioner shall promulgate by rule a schedule of monetary values of various species of fish and wildlife, said values to represent the replacement costs of said fish and wildlife and the value lost to the state due to the destruction or injury of said species, together with other material elements of value. In any action brought under this section, the schedule shall constitute the measure of recovery for the fish and wildlife killed or destroyed. The funds so recovered shall be deposited in the general fund, and devoted to the propagation and protection of desirable species of fish and wildlife.

Approved April 13, 1983

CHAPTER 262

SENATE BILL NO. 2115
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

SUSPENSION OF HUNTING, FISHING, AND TRAPPING PRIVILEGES

AN ACT to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to hunting, trapping, or fishing while privileges are suspended; to amend and reenact section 20.1-01-26 of the North Dakota Century Code, relating to the suspension of hunting and fishing privileges; and to provide a penalty.

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

SECTION 1. AMENDMENT. Section 20.1-01-26 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-01-26. Suspension of hunting, trapping, or fishing privileges - Surrender and return of license. In addition to the penalty provided upon conviction under this title, the court may suspend the defendant's hunting, trapping, or fishing privileges for up to two years.

Upon imposition of such suspension, the court shall take any hunting, trapping, or fishing license or permit held by the defendant and forward it, together with a certified copy of the suspension order, to the commissioner. Upon expiration of the suspension, the commissioner shall return the defendant's license or permit if it is still valid. No person shall purchase, or attempt to purchase, a hunting, trapping, or fishing license or permit during a suspension period.

* SECTION 2. A new section to chapter 20.1-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

Hunting, trapping, or fishing prohibited while privileges are suspended - Penalty. No person shall directly or indirectly hunt, trap, or fish or assist in any way in hunting, trapping, or fishing while his privileges have been suspended by a court: Any person violating this section is guilty of a class A misdemeanor.

Approved March 15, 1983

* NOTE: This section has been codified as North Dakota Century Code section 20.1-01-26.1.

CHAPTER 263

SENATE BILL NO. 2104
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

ANIMAL DISPOSITION

AN ACT to amend and reenact section 20.1-01-27 of the North Dakota Century Code, relating to the disposition of animals injured or killed by motor vehicles.

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

SECTION 1. AMENDMENT. Section 20.1-01-27 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-01-27. Disposition of animals injured or killed by motor vehicle --Fee. Whenever any big game or fur-bearing animal is injured or killed by being struck by a motor vehicle on a public highway or roadway, the driver of the motor vehicle may notify the department of the location of the animal any person who desires to possess that animal shall notify as soon as possible any game warden or other authorized person. When notified as provided in this section, the department shall arrange for the disposition of the animal. Provided, however, that upon payment of a two dollar fee to the department, the driver of the motor vehicle may arrange for the disposition or processing of the animal. Any authorized representative of the department shall give a receipt, in the form prescribed by the commissioner, to the driver making payment pursuant to this section. That receipt shall serve as authorization to possess or dispose of the animal. The authorized person shall give a dated and written note of validation which allows legal possession of the animal and authorizes the person whose name appears thereon to possess or dispose of the animal. The note of validation must remain with the carcass while in processing or storage. There is no fee for the inspection and validation.

Approved April 14, 1983

CHAPTER 264

HOUSE BILL NO. 1138
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

GAME AND FISH LANDS EXCHANGE AND LEASE

AN ACT to create and enact two new subsections to section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the game and fish commissioner.

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

SECTION 1. Two new subsections to section 20.1-02-05 of the 1981 Supplement to the North Dakota Century Code are hereby created and enacted to read as follows:

Subject to prior approval of the attorney general, lease or exchange such lands under his jurisdiction or control which are deemed necessary for the improved management of wildlife resources.

Subject to prior approval of the attorney general, impose such conditions or reservations to such leases or exchanges as he may deem necessary.

Approved March 11, 1983

CHAPTER 265

HOUSE BILL NO. 1561
(Representatives Koski, L. Hanson)
(Senator Miller Heinrich)

DUPLICATE GAME AND FISH LICENSE OR PERMIT

AN ACT to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to the power of the commissioner to issue duplicate licenses and permits; and to repeal section 20.1-03-28 of the North Dakota Century Code, relating to the issuance of duplicate licenses and permits.

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

SECTION 1. A new subsection to section 20.1-02-05 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Issue duplicates of lost or destroyed game and fish licenses or permits. The procedure for reissuing the licenses or permits and fees to be charged shall be prescribed by the commissioner by rule.

SECTION 2. REPEAL. Section 20.1-03-28 of the North Dakota Century Code is hereby repealed.

Approved March 8, 1983

CHAPTER 266

HOUSE BILL NO. 1700
(Representatives Aubol, L. Hanson, R. Meiers)
(Senators Stromme, Wright)

FISHING CONTESTS

AN ACT to create and enact a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to the authority of the game and fish commissioner to adopt rules with respect to fishing contests.

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

SECTION 1. A new subsection to section 20.1-02-05 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Adopt rules and issue permits for conducting fishing contests involving public waters of the state. The commissioner by rule shall define the term "fishing contest" and shall set criteria for which a fishing contest permit is required. The commissioner may deny permits. No person may conduct a fishing contest on public waters without first receiving a permit issued by the commissioner.

Approved March 4, 1983

CHAPTER 267

HOUSE BILL NO. 1650
(Representative Mertens)
(Senator Stromme)

FEDERAL LAND ACQUISITION AUTHORITY SUSPENSION

AN ACT to amend and reenact section 20.1-02-18.3 of the North Dakota Century Code, relating to the suspension of federal authority to acquire interests in land.

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

SECTION 1. AMENDMENT. Section 20.1-02-18.3 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-02-18.3. Suspension of federal authority to acquire interests in land. Notwithstanding the provisions of section 20.1-02-18, or any other provision of law, the United States shall not acquire by any means any land or interests in land for migratory bird reservations, and the governor shall not approve the acquisition of any land or interests in land with moneys from the migratory bird conservation fund until December 31, ~~1983~~ 1985, or until the date a management plan for such land is approved by both the legislative assembly and the governor, whichever date is first. The management plan shall be jointly prepared by the secretary of the interior and the governor and shall address the extent and general locations of all proposed acquisitions with moneys from the migratory bird conservation fund, the management of all such lands whether already acquired or to be acquired, and the relationship of such acquisitions to mitigation acquisitions for federally financed or permitted projects.

Approved March 14, 1983

CHAPTER 268

HOUSE BILL NO. 1472
(Timm, L. Hanson)

**FIREARM SAFETY AND HUNTER
RESPONSIBILITY COURSES**

AN ACT to amend and reenact section 20.1-03-01.1 of the North Dakota Century Code, relating to firearms and hunting safety instruction courses provided by the state game and fish department.

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

SECTION 1. AMENDMENT. Section 20.1-03-01.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-03-01.1. Commissioner to appoint and train instructors - Prescribe course material and classroom sites - Certify completion. The commissioner shall ~~supervise~~ provide classroom instruction on, and shall select, train, and certify persons or department personnel qualified to provide instruction on, firearms safety and hunter responsibility, and shall prescribe the course material to be used ~~and the~~, classroom locations, and the dates for teaching the course in this state. The commissioner shall authorize the issuance of a certificate of completion to all persons satisfactorily completing the course.

Approved March 3, 1983

CHAPTER 269

HOUSE BILL NO. 1090
(L. Hanson)

**EXEMPTION FROM FISHING LICENSE
REQUIREMENT**

AN ACT to amend and reenact subsection 4 of section 20.1-03-04 of the North Dakota Century Code, relating to exemptions from hunting, fishing, or trapping license requirements.

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

SECTION 1. AMENDMENT. Subsection 4 of section 20.1-03-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Grafton state school patients, state industrial school students, school for the deaf students, school for the blind students, state hospital patients, and community health and retardation service unit patients under direct therapeutic care, and residents of facilities licensed by the state department of health and the state department of human services may fish without a resident fishing license. Patients of these institutions must be identified. ~~Upon application by the institution the~~ The department shall issue ~~identification tags~~ authority to each institution.

Approved March 3, 1983

CHAPTER 270

SENATE BILL NO. 2118
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

TROUT AND SALMON FISHING STAMP

AN ACT to create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a trout and salmon fishing stamp, and the fee for the trout and salmon fishing stamp; and to provide an effective date.

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

SECTION 1. A new section to chapter 20.1-03 of the North Dakota Century Code is hereby created and enacted to read as follows:

Trout and salmon license stamp. Any person required to have a fishing license shall not possess trout or salmon unless that person has at that time on his person a valid trout and salmon license stamp validated by that person's signature written in ink across the face of the stamp, or a receipt or other evidence showing that such trout or salmon was lawfully acquired. This section shall not apply to those residents who are sixty-five years of age or more or who are totally or permanently disabled.

SECTION 2. A new subsection to section 20.1-03-12 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

For a trout and salmon license stamp, four dollars.

SECTION 3. **EFFECTIVE DATE.** This Act becomes effective on May 5, 1984.

Approved March 18, 1983

CHAPTER 271

SENATE BILL NO. 2106
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

HUNTING ON OWN LAND

AN ACT to create and enact a new subsection to section 20.1-03-11 of the North Dakota Century Code, relating to licenses to hunt antelope on one's land; and to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses to hunt deer on one's land.

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

SECTION 1. A new subsection to section 20.1-03-11 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Upon execution and filing of an affidavit describing a minimum of a quarter section [64.75 hectares] of land owned or leased by any person within a district or unit open for hunting of antelope, such person shall receive, without charge, a license to hunt antelope. The license must include a description of the land described in the affidavit and may be used to hunt antelope only upon such land. The number of licenses issued without charge under this section may not exceed the total number of licenses prescribed for each district or unit in the governor's proclamation. If the number of applications for licenses issued without charge under this section exceeds the number of licenses prescribed for the district or unit in the governor's proclamation less any licenses which are otherwise designated to be issued with a charge under this section, the licenses to be issued without charge will be issued by lottery as prescribed in the governor's proclamation. If the number of licenses prescribed for the district or unit in the governor's proclamation exceeds fifty and if the number of applications for these licenses exceeds the number of licenses prescribed for the district or unit in the governor's proclamation, then one-half of the licenses exceeding fifty will be issued by lottery as prescribed in the governor's proclamation and may not be issued to landowners without charge. The

licenses issued by lottery as prescribed in this section are not subject to the provisions of subdivision a of subsection 2 of section 20.1-08-04.

SECTION 2. AMENDMENT. Subsection 3 of section 20.1-03-11 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Upon execution and filing of an affidavit describing a minimum of a quarter section [64.75 hectares] of land owned or leased by any person within a district open for hunting of deer ~~or within a district open for the hunting of antelope~~, such person shall receive, without charge, a license to hunt deer ~~or antelope, respectively~~. The license shall include a description of the land described in the affidavit and may be used to hunt deer ~~or antelope, respectively~~; only upon such land.

Approved April 19, 1983

CHAPTER 272

SENATE BILL NO. 2101
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

NONRESIDENT FISHING LICENSE FEE

AN ACT to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a nonresident husband and wife fishing license; and to amend and reenact subsections 7 and 8 of section 20.1-03-12 of the North Dakota Century Code, relating to the fees for a nonresident fishing license; and declaring an emergency or, in the alternative, to provide an effective date.

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

SECTION 1: AMENDMENT. Subsections 7 and 8 of section 20.1-03-12 of the 1981 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

7. For a nonresident fishing license, ~~fifteen~~ twenty dollars.
8. For a nonresident short-term fishing license, ~~four~~ eight dollars.

SECTION 2. A new subsection to section 20.1-03-12 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

For a nonresident husband and wife fishing license, thirty-five dollars.

SECTION 3. EFFECTIVE DATE. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval. If this Act fails to receive approval by the legislative assembly by a vote of two-thirds of the members present and voting, this Act becomes effective on May 5, 1984.

Approved March 23, 1983

CHAPTER 273

HOUSE BILL NO. 1640
(Representatives Gullickson, W. Meyer)
(Senator Barth)

GAME AND FISH LICENSE ISSUANCE FEE

AN ACT to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the compensation received by county auditors for the issuance of game and fish licenses; and to provide an effective date.

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

* SECTION 1. AMENDMENT. Section 20.1-03-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-03-17. Issuance of licenses - Who to issue - County auditor may appoint agents to receive service fees - Disposition of proceeds. All hunting, fur-bearer, fishing, and taxidermists' licenses shall be issued by county auditors, the commissioner, deputy commissioner, and bonded game wardens. The deputy commissioner and each bonded game warden shall send the commissioner all license fees. For each license ~~he~~ the county auditor issues, the county auditor shall collect the authorized charges and record them in ~~his~~ the county auditor's record of cash received. ~~He~~ The county auditor shall retain, as compensation, ~~ten~~ fifteen cents for the issuance of each resident hunting, fishing, or fur-bearer license; one dollar for the issuance of each nonresident hunting or fur-bearer license; twenty-five cents for the issuance of each nonresident fishing license; and ten cents for the issuance of each nonresident general game license.

The county auditor may appoint agents, to distribute hunting and fishing licenses or stamps, ~~who~~. The agents may charge purchasers a service fee of ~~twenty-five~~ fifty cents for each license. Service fees shall be retained by the agent. The remainder of the license fees shall be returned to the county auditor, for deposit with the county treasurer, at least once each month, and not later than three days after the close of the month. Deposits are to be accompanied by a report showing the amounts received from the sale of each type of license, the amount retained, and the net amounts deposited. The county treasurer shall credit the fees so deposited to a separate account and shall hold the fees,

* NOTE: Section 20.1-03-17 was also amended by section 1 of House Bill No. 1631, chapter 274.

subject to warrant for payment thereof drawn by the county auditor in favor of the commissioner. The commissioner shall deposit all license or stamp fees ~~he receives~~ received with the state treasurer to be credited to the game and fish fund.

SECTION 2. EFFECTIVE DATE. This Act becomes effective on January 1, 1984.

Approved March 21, 1983

CHAPTER 274

HOUSE BILL NO. 1631
(Goetz)

GAME AND FISH LICENSE SERVICE FEE

AN ACT to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the issuance of game and fish licenses.

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

* SECTION 1. AMENDMENT. Section 20.1-03-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-03-17. Issuance of licenses - Who to issue - County auditor may appoint agents to receive service fees - Disposition of proceeds. All hunting, fur-bearer, fishing, and taxidermists' licenses shall be issued by county auditors, the commissioner, deputy commissioner, and bonded game wardens. The deputy commissioner and each bonded game warden shall send the commissioner all license fees. For each license he issues, the county auditor shall collect the authorized charges and record them in his record of cash received. He shall retain, as compensation, ten cents for the issuance of each resident hunting, fishing, or fur-bearer license; one dollar for the issuance of each nonresident hunting or fur-bearer license; twenty-five cents for the issuance of each nonresident fishing license; and ten cents for the issuance of each nonresident general game license.

The county auditor may appoint agents, to distribute hunting and fishing licenses or stamps, who may charge purchasers a service fee of ~~twenty-five~~ fifty cents for each license. Service fees shall be retained by the agent. The remainder of the license fees shall be returned to the county auditor, for deposit with the county treasurer, at least once each month, and not later than three days after the close of the month. Deposits are to be accompanied by a report showing the amounts received from the sale of each type of license, the amount retained, and the net amounts deposited. The county treasurer shall credit the fees so deposited to a separate account and shall hold the fees, subject to warrant for payment thereof drawn by the county auditor in favor of the commissioner. The commissioner shall deposit all license or stamp fees he receives with the state treasurer to be credited to the game and fish fund.

Approved March 8, 1983

* NOTE: Section 20.1-03-17 was also amended by section 1 of House Bill No. 1640, chapter 273.

CHAPTER 275

HOUSE BILL NO. 1141
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

TAKING AND TRANSPORTING OF GAME BIRDS BY NONRESIDENTS

AN ACT to repeal section 20.1-03-26 of the North Dakota Century Code, relating to the taking and transporting of game birds by nonresidents.

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

SECTION 1. REPEAL. Section 20.1-03-26 of the North Dakota Century Code is hereby repealed.

Approved March 3, 1983

CHAPTER 276

HOUSE BILL NO. 1139
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

COLORS DISPLAYED BY HUNTERS OF WILD TURKEYS

AN ACT to repeal section 20.1-04-08 of the North Dakota Century Code, relating to the colors to be displayed by hunters of wild turkeys; and to declare an emergency.

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

SECTION 1. REPEAL. Section 20.1-04-08 of the North Dakota Century Code is hereby repealed.

SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval.

Approved March 3, 1983

CHAPTER 277

SENATE BILL NO. 2100
(Committee on Natural Resources)
(At the request of the Game and Fish Department)

BIRD AND ANIMAL POSSESSION PERMIT

AN ACT to amend and reenact sections 20.1-09-02 and 20.1-09-03 of the North Dakota Century Code, relating to permits to propagate, domesticate, or possess birds or animals and contents of the permit application.

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

SECTION 1. AMENDMENT. Section 20.1-09-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-09-02. Permits to propagate and, domesticate, or possess birds or animals. Permits to propagate and, domesticate, or possess live protected birds or animals may be issued by the commissioner to any North Dakota resident. These permits shall expire on December thirty-first of the year they are issued. One permit may cover several species of birds or animals, but a single permit shall not cover both birds and animals. No person shall possess any live protected animal or bird ~~for propagation purposes~~ without first obtaining a permit from the commissioner.

SECTION 2. AMENDMENT. Section 20.1-09-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-09-03. Contents of application for permit to propagate and, domesticate, or possess live birds or animals. An application for a permit to propagate and, domesticate, or possess live protected birds or animals shall be made upon forms furnished by the commissioner, shall be signed by the applicant, and shall state:

1. The name and address of the applicant.
2. A description of the premises where the applicant will keep the birds or animals.
3. The number and kind of birds or animals in the applicant's possession at the time of application, and whether they are wild or domesticated.
4. Such other information as the commissioner may require.

Approved March 10, 1983