

30-02-02-02. License requirements.

1. A valid North Dakota falconry license is required before any resident may take, possess, sell, barter, or transport a raptor for falconry purposes or practice falconry in North Dakota.
2. A nonresident must have a valid falconry license issued by the state or country in which the licensee resides in order to possess or transfer a raptor for falconry purposes or practice falconry in North Dakota. Nonresidents must comply with subsections 6 and 7 of section 30-02-02-04, subsection 5 of section 30-02-02-07, and sections 30-02-02-10 and 30-02-02-15.
3. Any nonresident licensee who wishes to practice falconry in North Dakota must first register on the North Dakota game and fish department website (gf.nd.gov), or through any department office, prior to participating.
4. Nonresident falconers relocating to North Dakota and in possession of a raptor must obtain a state license within one hundred twenty days.
5. If a licensee moves to a new state, tribe, or territory, within thirty days the licensee must inform both the former and the new licensing authority for the new place of residence of the address change.
6. When pursuing, taking or attempting to take game birds or game animals, the licensee must also have in possession the required hunting license(s) and follow associated season regulations.

Any person who violates subsection 3, 4, or 5 is guilty of a noncriminal offense and shall pay a two hundred dollar fee.

History: Amended effective April 1, 1986; January 1, 2000; January 1, 2013-; October 1, 2020.

General Authority: NDCC 20.1-14-03

Law Implemented: NDCC 20.1-14-03

30-02-10-03. Accounting statement.

Any organization that receives a license in accordance with North Dakota Century Code sections 20.1-04-07.1, 20.1-05.1-01, and 20.1-05.1-02 shall provide the director a detailed accounting statement ~~within thirty days after the completion of the raffle drawing or auction,~~ completed on a standardized form provided by the department, by December 31 of the license season. At a minimum, this statement must include information regarding raffle or auction expenses, gross and net raffle or auction income, number of raffle tickets sold and unsold, as well as ~~documented proof~~ a statement certifying that no more than ten percent of the gross raffle or auction proceeds were used to promote the raffle or auction.

History: Effective October 1, 2017. Amended effective October 1, 2020.

General Authority: NDCC 20.1-04-07.1, 20.1-05.1-01, 20.1-05.1-02

Law Implemented: NDCC 20.1-04-07.1, 20.1-05.1-01, 20.1-05.1-02

30-02-10-04. Performance report.

~~Any organization that receives any license in accordance with North Dakota Century Code sections 20.1-04-07.1, 20.1-05.1-01, and 20.1-05.1-02 shall provide the director by the end of each calendar year an annual performance report that identifies all projects funded with raffle or auction proceeds and which states the balance of unspent funds.~~

Any organization that receives a license in accordance with North Dakota Century Code section 20.1-05.1-02 shall provide the director a performance report, completed on a standardized form provided by the department, by December 31 of the license season. At a minimum, the report must include information regarding:

- a. the conservation-related projects funded, in this state, with at least 10% of the net proceeds of the raffle or auction. Supporting documentation may be requested by the department.
- b. any unspent amount of the 10% net proceeds must be submitted to the department with the report. An exception may be granted by the director to carryover unspent funds for one year.

History: Effective October 1, 2017. Amended effective October 1, 2020.

General Authority: NDCC 20.1-04-07.1, 20.1-05.1-01, 20.1-05.1-02

Law Implemented: NDCC 20.1-04-07.1, 20.1-05.1-01, 20.1-05.1-02

30-03-01.1-04. License limitations.

Retail or wholesale bait vendor licenses are issued for a calendar year to one person only. An individual may be issued only one wholesale license per calendar year. The holder of a retail bait vendor license may sell legal live aquatic bait at retail only, at one specified selling location per license. A wholesale bait vendor may only sell legal live aquatic bait to licensed bait vendors or for permitted private fish pond stocking. A person licensed as a wholesaler in any state may not act as an assistant under a North Dakota wholesaler license. Any bait vendor who violates this section is guilty of a noncriminal offense and shall pay a two hundred fifty dollar fee. ~~Violations of this chapter~~ state or federal game or fish laws may result in license denial, suspension, or revocation. An individual who has been convicted of a state or federal criminal game or fish violation in the last three years or whose license to hunt or fish is under suspension or revocation may not receive a wholesale or retail bait vendor license. As used in this rule, "conviction" means a finding of guilt, a guilty plea, a plea of no contest, a plea of no lo contendere, a judgment of conviction even though the court suspended execution of a sentence in accordance with subsection 3 of North Dakota Century Code section 12.1-32-02, or a deferred imposition of sentence in accordance with subsection 4 of North Dakota Century Code section 12.1-32-02 or an equivalent statute. The term does not include a finding of guilt which is reversed on appeal.

History: Effective April 1, 2008; amended effective April 1, 2009; October 1, 2010; January 1, 2014; January 1, 2018; October 1, 2020.

General Authority: NDCC 20.1-06-14

Law Implemented: NDCC 20.1-06-14

30-03-01.1-05. Assistants covered by license.

A licensed wholesale bait vendor may employ the assistance of up to six other persons to capture or sell and transport legal live aquatic bait in the manner approved by the director. All assistants must have in their possession department-issued documentation. The licensee is responsible for the actions of employees, including all agents or assistants acting under the licensee's license. ~~No one who has had a department-issued license revoked or suspended within three years may act as an agent or assistant.~~ An individual who has been convicted of a state or federal criminal game or fish violation in the last three years or whose license to hunt or fish is under suspension or revocation may not act as an assistant. Anyone who violates this section is guilty of a noncriminal offense and shall pay a one hundred dollar fee.

History: Effective April 1, 2008; amended effective October 1, 2010; January 1, 2018; October 1, 2020.

General Authority: NDCC 20.1-06-14

Law Implemented: NDCC 20.1-06-14

30-03-01.1-14. Wholesale bait pond.

The term "wholesale bait pond" means any pond used to take legal live aquatic bait for wholesale. A legal description, to the quarter section, of each wholesale bait pond must be listed on the wholesaler's pond application form and all ponds must be approved by the director ~~before a license is issued~~ prior to trapping. The maximum number of approved legal descriptions for ponds from which a wholesale bait vendor may trap annually is fifty. Any bait vendor who violates this section is guilty of a noncriminal offense and shall pay a two hundred fifty dollar fee.

History: Effective April 1, 2008; amended effective April 1, 2009; October 1, 2010; January 1, 2018; October 1, 2020.

General Authority: NDCC 20.1-06-14

Law Implemented: NDCC 20.1-06-14

30-03-03-05. Open when in use.

~~Fishhouses~~Houses, when in use, shall be open for inspection at all times and hooks on doors shall be illegal. shall be open for inspection.

History: Amended October 1, 2020.

General Authority: NDCC 20.1-06-07

Law Implemented: NDCC 20.1-06-07

30-03-05-01. Fishing contest defined.

A fishing contest is any event where prizes or cash are given for catching fish from waters open to public use. These events include high value tag contests, fishing tournaments, fishing leagues, biggest fish contests, and contests giving prizes for the largest number or weight of fish. Also included are fishing leagues and tournaments that involve multiple fishing events and have a cumulative fee equal to or exceeding ~~five~~ fifteen dollars. Individual entry fees, if assessed, represent the number of contest participants. Entry fees must be collected and listed separately from other activities such as raffles. Fishing contests do not include the following:

1. Any fishing event charging an entry or participation fee less than fifteen dollars, and with fewer than fifty participants, and with fewer than fifteen boats.
- 4-2. Individual big fish promotions sponsored by resident, local businesses not charging any entry or participation fee. ~~If any local, resident business desires to sponsor a high value (prizes exceeding one thousand dollars cash or merchandise) individual fishing contest, the game and fish director shall designate the species of game fish to be included and the contest may be limited to only those species in select waters.~~
2. ~~Any local fishing tournament charging an entry or participation fee of less than five dollars per angler, unless there are more than forty-nine participating individuals or fourteen participating boats.~~
3. Organized youth fishing events when participants are under the age of sixteen and no fishing entry fee is charged.

History: Effective March 1, 1984; amended effective May 1, 1994; April 1, 2009.; October 1, 2020.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-05-03. Use of proceeds.

A minimum of seventy-five percent of any entry or participation fee paid by the contestants for fishing activities must be returned to the contestants as cash or merchandise (must be cash equivalent and cannot include donated merchandise when an entry fee is required). Payback procedures must be stated in the tournament rules and regulations. A minimum of ten percent of the gross proceeds from entry or participation fees, ~~to a maximum of five thousand dollars,~~ is required to be paid as a conservation fee. Contests with no entry fee, but still subject to regulations as defined in subsection 2 of section 30-03-05-01, are required to submit a ~~five~~ ten thousand dollar conservation fee unless there is no cash payout associated with the contest, i.e., all prizes are donated merchandise. The conservation fees must be expended on fishery conservation projects or for providing public access to fishing areas and the intended project must be identified on the permit application form. Moneys for fishery conservation or public access projects must be allocated within ninety days after the completion of the tournament. The fishery conservation projects and public access projects must be approved by the game and fish director.

~~In the absence of an outside sponsor,~~ The tournament committee applicant may retain a maximum of fifteen percent of the gross proceeds from entry or participation fees for expenses incurred in putting on the contest.

History: Effective March 1, 1984; amended effective May 1, 1994; January 1, 2000.; October 1, 2020.

General Authority: NDCC 20.1-02-05(20)

Law Implemented: NDCC 20.1-02-05(20)

30-03-06-01. Equipment.

Upon leaving any water body or while in transit, all watercraft, watercraft motors, watercraft trailers, docks, boatlifts, and recreational and commercial equipment used in fishing, hunting, and watercrafting or construction equipment shall be free of prohibited or regulated aquatic nuisance species, as defined in the state's aquatic nuisance species list. All equipment is subject to inspection by a duly appointed agent of the director.

History: Effective April 1, 2008; amended effective October 1, 2020.

General Authority: NDCC 20.1-17-01

Law Implemented: NDCC 20.1-17-04

30-04-02-10. Animals prohibited - Exceptions.

The director has determined that animals, other than free-ranging wildlife that may be found on wildlife management areas, are detrimental to the protection and propagation of wildlife and other natural resources. Except as otherwise provided in this section and section 30-04-02-14.2, no individual may possess or cause the entry of any animal on any wildlife management area.

1. **Livestock.** Livestock shall not be permitted to graze or roam on any wildlife management area except as provided for by a grazing permit or lease issued by the director or the director's designee. As used in this section, "livestock" means domestic animals and nontraditional livestock as defined by North Dakota Century Code section 36-01-00.1.
2. **Pets.** Pets may not be permitted to run unattended on wildlife management areas. Any individual who violates this subsection is guilty of a noncriminal offense and shall pay a fifty dollar fee.
3. **Horseback riding.** A person may engage in casual horseback riding or trail riding on wildlife management areas, unless signed otherwise. Groups of twenty-five or more individual riders or twenty-five or more horses or other equine animals must first obtain a permit from the director or the director's designee. No person may engage in, conduct, or organize any competitive or noncompetitive activity involving the use of horses or other equines to conduct racing, barrel racing, roping, jumping, or other activities that cause unnecessary disturbance to the wildlife and wildlife habitat. Any person who violates this subsection is guilty of a noncriminal offense and shall pay a one hundred dollar fee.

History: Amended effective April 1, 1986; April 1, 2006-; October 1, 2020.

General Authority: NDCC 20.1-11-05

Law Implemented: NDCC 20.1-11-05

30-04-02-14.2. Dogs.

No person may conduct, permit, or carry out field trials for dogs on any wildlife management area without first obtaining a permit from the director or the director's designee. Training of ~~bird and gun~~ dogs is prohibited April first through August ~~fifteenth~~ thirty-first on all wildlife management areas. Training of dogs is allowed only on foot with no more than two dogs per amateur trainer on any wildlife management areas. Training of dogs by a professional trainer is prohibited at all times. Any person ~~other than a professional trainer~~ who violates this section is guilty of a noncriminal offense and shall pay a ~~one hundred~~ two hundred and fifty dollar fee.

History: Effective April 1, 1986; amended effective April 1, 2006-; October 1, 2020.

General Authority: NDCC 20.1-11-05

Law Implemented: NDCC 20.1-11-05

30-04-03-19. Hunt or fish records.

The licensed outfitter shall keep a complete and current record of all transactions as a guide or outfitter, including a hunt or fish record for each hunting or fishing client. The records shall be kept by the outfitter for at least three years and shall be subject to inspection at any time on demand of the director, the director's authorized personnel, or any law enforcement officer. A copy of these records shall be submitted to the director no later than thirty days following expiration of the license. The department shall provide the hunt or fish record form to all licensed outfitters. The records shall be kept and maintained in North Dakota. ~~If the outfitter wishes to use the outfitter's own form, it must contain the following information:~~ The information on the department form will include, at a minimum:

1. The client's name, address, and hunting or fishing license number.
2. The contracting outfitter's name and original signature attesting to the accuracy of the information supplied on the hunt or fish record form.
3. The names of all hunting guides, hunting outfitters, or fishing outfitters who will accompany the client in the field.
4. For each guided client, at the conclusion of the hunting or fishing trip, the licensed outfitter shall complete the applicable remaining portions of the hunt or fish record, including:
 - a. The dates the client was in the field.
 - b. The species of game hunted or fish pursued.
 - c. For each animal, bird, or fish species taken, the:
 - (1) Date taken.
 - (2) Number of each species taken.
 - d. For each fish species taken, the:
 - (1) Name of the waterbody where the fish were taken.
 - (2) County where the fish were taken.
5. ~~The hunting guide, hunting outfitter, or fishing outfitter may refer to a client by group name if the individual members of the group are identified elsewhere in the guide's records and their individual information is recorded as to name, address, and license number.~~

History: Effective April 1, 2006. Amended effective October 1, 2020.

General Authority: NDCC 20.1-02-04(2), 20.1-03-38(1)

Law Implemented: NDCC 20.1-03-38

30-04-05-01. Fishing, hunting, and fur-bearer certificate.

For licensing purposes, ~~fishing, hunting, and fur-bearer stamps licenses~~ shall be attached ~~included on to~~ a certificate provided by the North Dakota game and fish department. ~~The~~ At a minimum, the certificate shall include the name and address, as well as other identifying information. Additional registration and certification information shall be included when available. ~~be provided for listing information required by state law for licensing of fishermen, hunters, and trappers. The following additional information is required on the certificate: the applicant's county of residence, telephone number, birth date, age, and signature. The applicant's drivers license number is also required if available. Persons born after December 31, 1961, must list their hunter education certificate number and issuing state if they are purchasing hunting licenses for which this training is required.~~

History: Effective March 1, 1983. Amended effective October 1, 2020.

General Authority: NDCC 20.1-02-04

Law Implemented: NDCC 20.1-02-04

30-04-05-02. License design.

~~The following hunting, fishing, and fur-bearer stamps will be issued and are to be attached to the appropriate nonresident or resident fishing, hunting, and fur-bearer certificate: resident small game, nonresident small game, resident big game (deer and antelope), nonresident big game (deer and antelope), resident fur-bearer, resident fishing, fishing license for residents sixty-five years or over, fishing license for a resident totally or permanently disabled, nonresident fishing, nonresident short-term fishing, resident husband and wife fishing, nonresident nongame hunting, resident and nonresident permits to hunt deer in certain restricted areas, resident and nonresident general game, and nonresident waterfowl hunting. A license for these categories shall consist of the appropriate signed stamp, the completed fishing, hunting, and fur-bearer certificate, and tags if required. For a license to be valid, required stamps for licenses must be attached in the designated positions on the certificate and the licensee's signature must be made in ink across the face of each stamp.~~ Repealed effective October 1, 2020.

History: Effective March 1, 1983; amended effective May 1, 1994.

General Authority: NDCC 20.1-02-04

Law Implemented: NDCC 20.1-03-02, 20.1-03-03, 20.1-03-07.1, 20.1-03-11, 20.1-03-12

30-04-05-03. Combined licenses.

~~The following licenses or permits are combined into one stamp each: resident general game and habitat restoration stamp; and nonresident general game and habitat restoration stamp. The resident general game license and the resident habitat restoration license are combined into the resident general game and habitat license. The nonresident general game license and nonresident habitat restoration license are combined into the nonresident general game and habitat license.~~

History: Effective March 1, 1983; amended effective September 1, 1989; May 1, 1994; October 1, 2020.

General Authority: NDCC 20.1-02-04

Law Implemented: NDCC 20.1-03-12, 20.1-03-12.1

30-04-05-04. Moose, elk, and bighorn sheep licenses.

~~In addition to a locking seal, the license for moose, elk, and bighorn sheep shall consist of a certificate that contains the hunter's identification information. This information shall be the same as that required on the fishing, hunting, and fur-bearer certificate as described in section 30-04-05-01. Repealed effective October 1, 2020.~~

History: Effective March 1, 1983.

General Authority: NDCC 20.1-02-04

Law Implemented: NDCC 20.1-03-03

30-04-05-05. Issuance of stamps.

~~Persons issuing hunting, fishing, and fur-bearer stamps shall record the purchaser's fishing, hunting, and fur-bearer certificate number on the pages provided in the stamp book. North Dakota Century Code refers to a habitat restoration stamp. Physical stamps are no longer issued by the department and have been replaced by a license.~~

History: Effective March 1, 1983. Amended effective October 1, 2020.

General Authority: NDCC 20.1-02-04

Law Implemented: NDCC 20.1-02-04, 20.1-03-19

30-04-05-06. Computer-generated licenses.

~~In addition to the license system described in sections 30-04-05-01 to 30-04-05-05, licenses may be generated by computer. These licenses will consist of a computer-generated certificate, required information, and a listing of the licenses that have been purchased. For these licenses to be valid, the licenseholder must sign the computer-generated certificate. All licenses are electronically generated by the department's online licensing system. Licenses may be printed on standard paper or displayed on an electronic device. Licenses do not require signature.~~

History: Effective May 1, 1995. Amended effective October 1, 2020.

General Authority: NDCC 20.1-02-04

Law Implemented: NDCC 20.1-02-04

**CHAPTER 30-04-06
DUPLICATE LICENSES**

Section

30-04-06-01 Petition Required

30-04-06-02 Fees

30-04-06-03 Approval Required

30-04-06-01. Petition required.

Upon the filing of a petition by the license purchaser, the game and fish department may reissue replacements for lost or destroyed game and fish licenses. ~~The petition shall state the name and address of the license vendor where the original license was purchased.~~ It shall also include personal information as required by law for the original license and a listing of the licenses that are to be replaced. ~~The petition shall be signed by the person requesting license replacement and properly notarized or otherwise witnessed by a game and fish department employee.~~

History: Effective September 1, 1983; amended effective October 1, 2010; October 1, 2020.

General Authority: NDCC 20.1-02-05(21)

Law Implemented: NDCC 20.1-02-05(21)

30-04-06-02. Fees.

Each petition shall be accompanied by ~~a two dollar application fee.~~ In addition to the application fee, ~~the following fees are required for each license that is to be replaced:~~

Type of License	Fee
Resident fishing licenses	\$1.00
Husband-wife resident fishing license	1.00
Resident senior citizen fishing license	1.00
Resident totally or permanently disabled fishing license	1.00
Nonresident fishing license	4.00
Nonresident husband-wife fishing license	8.00
Trout and salmon license	1.00
Resident small game license	1.00
Nonresident small game – including general game, habitat, and certificate	20.00
Nonresident small game/waterfowl – including general game, habitat, and certificate	20.00
Resident big game license	8.0015.00
Youth resident big game license	4.005.00
Nonresident big game license	20.0050.00
Resident fur-bearer license	1.00

Resident general game and habitat license	1.00
Nonresident general game and habitat license	1.00
Nonresident nongame license	2.00
<u>Resident wild turkey license</u>	<u>2.00</u> 10.00
<u>Nonresident wild turkey license</u>	<u>20.00</u>
Guide license	2.00
Combination license	4.00
Resident swan license	1.005.00
Nonresident swan license	3.0015.00

History: Effective September 1, 1983; amended effective June 1, 1984; April 1, 1986; June 1, 1992; September 1, 1993; October 1, 2020.

General Authority: NDCC 20.1-02-05

Law Implemented: NDCC 20.1-02-05

30-04-06-03. Approval required.

Each petition shall be reviewed and approved by the game and fish commissioner or the commissioner's designated representatives. A petition may be rejected if it is not complete, if the proper fee is not enclosed, or if there is reason to believe that statements made on the petition are not true.

History: Effective September 1, 1983. Amended effective October 1, 2020.

General Authority: NDCC 20.1-02-05

Law Implemented: NDCC 20.1-02-05

30-04-07 WILDLIFE REPLACEMENT VALUES

30-04-07-01. Schedule of monetary values.

The following base values for wildlife are established:

1.	Big Game	
	a. Deer	\$500
	b. Pronghorn	\$1,000
	c. <u>Elk, Moose and Bighorn sheep, see NDCC 20.1-01-03.</u>	
2.	Upland Game Birds	
	a. Prairie Chicken	\$500
	b. Sage Grouse	\$500
	c. Turkey	\$250
	d. Upland Game Bird (e.g., Pheasant, Grouse, Gray Partridge)	\$50
3.	Migratory Game Birds	
	a. Swan	\$200
	b. Sandhill Crane	\$100
	c. Goose	\$50
	d. Redhead, Canvasback, Pintail	\$75
	e. All Other Ducks and Mergansers	\$50
	f. Other Migratory Game Birds	\$50
4.	Nongame Birds	
	a. Species of Conservation Priority	
	(1) Level I Species	\$400
	(Horned Grebe, American White Pelican, American Bittern, Swainson's Hawk, Ferruginous Hawk, Yellow Rail, Willet, Upland Sandpiper, Long-Billed Curlew, Marbled Godwit, Wilson's Phalarope, Franklin's Gull, Black Tern, Black-Billed Cuckoo, Sprague's Pipit, Grasshopper Sparrow, Baird's Sparrow, Nelson's Sharp-Tailed Sparrow, Lark Bunting, Chestnut-Collared Longspur)	
	(2) Level II Species	\$300
	(Northern Harrier, Prairie Falcon, American Avocet, Short-Eared Owl, Red-Headed Woodpecker, Loggerhead Shrike, Sedge Wren, Dickcissel, Le Conte's Sparrow, Bobolink)	
	(3) Level III Species	\$200
	(Brewer's Sparrow, McCown's, Longspur)	
	b. Waterbirds (e.g., Egret, Heron, Loon, Grebe)	
	(1) Whooping Crane	\$1000
	(2) Egret and Heron	\$50
	(3) Loon	\$200

	(4) Grebe	\$50
c.	Shorebirds (e.g., Avocet, Sandpiper, Killdeer)	\$50
d.	Raptors	
	(1) Golden Eagle	\$500
	(2) Bald Eagle	\$1000
	(3) Peregrine	\$1000
e.	All Other Raptors (e.g., Vulture, Hawk, Owl, Falcon)	\$100
f.	All Other Birds	\$25
	Except: English Sparrows, Blackbirds, Crows, Starlings	No Value
5.	Protected Furbearers and Small Game Mammals	
a.	Bear	\$1000
b.	Bobcat and Lynx	\$500
c.	Mountain Lion	\$1000
d.	Wolf	\$1000
e.	Red Fox and Coyote	\$75
f.	Otter, Fisher, Pine Marten, Wolverine	\$200
g.	All Other Protected Furbearers	\$50
h.	Small Game Mammals (e.g., Rabbit, Gray Squirrel, Fox Squirrel)	\$25
6.	Snapping Turtle	\$50

~~7. 6. Fish and Freshwater Mussels~~

~~The values of fish are those listed in the American Fisheries Society Special Publication No. 30, "Investigation and Monetary Values of Fish and Freshwater Mussell Kills", 2003. mussels are those listed in the American Fisheries Society Special Publication No. 35, "Investigation and Monetary Values of Fish and Freshwater Mollusk Kills", 2017. A copy is available for viewing at the Bismarck office of the North Dakota game and fish department. This publication may be purchased by writing to the following address:~~

~~American Fisheries Society 5410
Grosvenor Lane, Suite 100
Bethesda, MD 20814~~

7. Fish and Other Aquatic Species Restitution Values

	<u>Value per Fish</u>
<u>a. Walleye (zander, hybrids)</u>	<u>\$ 30</u>
<u>b. Sauger (saugeye, hybrids)</u>	<u>\$ 30</u>
<u>c. Northern Pike</u>	<u>\$ 30</u>
<u>d. Black Bass (largemouth, smallmouth)</u>	<u>\$ 30</u>
<u>e. Channel catfish</u>	<u>\$ 30</u>
<u>f. Flathead Catfish</u>	<u>\$ 30</u>
<u>g. Salmon</u>	<u>\$ 30</u>

h.	Trout	\$ 30
i.	Sunfish (bluegill, pumpkinseed, green sunfish, longear sunfish, orange spotted sunfish, hybrids)	\$ 15
j.	Crappie (white, black)	\$ 15
k.	Yellow Perch	\$ 15
l.	Burbot	\$ 15
m.	White bass	\$ 15
n.	Pallid Sturgeon	\$ 1000
o.	Paddlefish	\$ 500
p.	Sturgeon (lake, shovelnose)	\$ 300
q.	Muskellunge	\$ 300
r.	Other Non-Game Fish	\$ 10
s.	Live aquatic bait including fish species (Fathead Minnows, Creek Chubs, White Suckers, Stickleback, and Smelt), and Frogs, Salamanders, Leeches and Crayfish – \$10 per gallon, minimum of \$20.	
t.	TURTLES. The restitution values for turtles are as follows:	
	(1) Painted Turtle - \$50 per turtle	
	(2) All other Turtle species - \$200 per turtle	

History: Effective May 1, 1984; amended effective April 1, 2006-; October 1, 2020.

General Authority: NDCC 20.1-01-03

Law Implemented: NDCC 20.1-01-03

30-04-07-02. Adjustments to base values for deer.

The base values listed in section 30-04-07-01, for deer excluding the values of fish, are subject to the following adjustment: Adjustments are calculated using the green, gross score determined by the Boone and Crockett scoring method.

Value = Base value x Species age and size percent x Species condition percent.

Species age and size*:

Big game adult males, 2 1/2 years or older	_____	- 150% of base value
Females and males less than 2 1/2 years	_____	- 100% of base value
Young of the year**	_____	- 50% of base value

~~*Average size, age, and condition will be determined by investigator.~~

~~** (1) Species that breed once a year – an obvious young of the year animal killed before September first.~~

~~(2) Species that breed more than once a year – an obvious young of the year animal at time of death.~~

~~(3) Bird species before first flight.~~

<u>Antlered White tail Deer score of 140 to 159</u>	<u>\$750</u>
<u>Antlered White tail Deer score of 160 and above</u>	<u>\$1000</u>
<u>Antlered Mule Deer score of 160 to 179</u>	<u>\$750</u>
<u>Antlered Mule Deer score of 180 and above</u>	<u>\$1000</u>

History: Effective May 1, 1984; amended effective April 1, 2006-; October 1, 2020.

General Authority: NDCC 20.1-01-03

Law Implemented: NDCC 20.1-01-03

30-05-01-02. Boat safety equipment.

The following equipment is required as indicated, and must be usable and in serviceable condition.

1. Personal flotation devices - Penalty.

- a. All motorboats less than sixteen feet [4.8 meters] in length and all nonpowered boats must have one United States coast guard approved ~~type I, II, or III~~ device labelled as type I, II, or III, or 70 or more Newtons aboard for each person. All motorboats sixteen feet [4.8 meters] or greater in length must have one United States coast guard approved ~~type I, II, or III~~ device labelled as type I, II, or III, or 70 or more Newtons aboard for each person, and, in addition, one United States coast guard approved throwable type IV device. Any person who violates this subdivision is guilty of a noncriminal offense and shall pay a twenty-five dollar fee for each United States coast guard approved ~~type I, II, or III~~ device not aboard as required for each person with a maximum fee of two hundred fifty dollars for a shortage of ten or more.
- b. All persons manipulating any water skis, surfboard, or similar device must wear a United States coast guard approved ~~type I, II, or III~~ device labelled as type I, II, or III, or 70 or more Newtons. The only exception is that of a performer engaged in a professional exhibition or a person or persons engaged in an activity authorized under North Dakota Century Code section 20.1-13-11.

2. Fire extinguishers. Motorboats of less than twenty-six feet [7.8 meters] in length need no fire extinguishing equipment, unless the boat has a double bottom not sealed to the hull or not completely filled with flotation material; or unless it has closed stowage compartments in which combustible or flammable materials are stored; or unless it has closed compartments under thwarts and seats wherein portable fuel tanks may be stored; or unless it has closed living spaces; or unless it has permanently installed fuel tanks. If in any of these categories, it must have either a fixed fire extinguishing system in the machinery spaces, or at least one United States coast guard approved B-I type portable extinguisher. Motorboats twenty-six [7.8 meters] to forty feet [12 meters] in length must have either two United States coast guard approved B-I type portable extinguishers or one United States coast guard approved B-II type portable extinguisher, or a fixed fire extinguishing system in the machinery spaces and one United States coast guard approved B-I type portable extinguisher. Motorboats forty feet [12 meters] or over in length must have either three United States coast guard B-I type portable extinguishers, or one United States coast guard approved B-II type portable extinguisher and one B-I type portable extinguisher, or a fixed fire extinguishing system in the machinery spaces along with one United States coast guard approved B-II type or two B-I type portable extinguishers, or a fixed fire extinguishing system in the machinery spaces along with one United States coast guard approved B-II type or two B-I type portable extinguishers.

3. Backfire flame arrester. One United States coast guard approved device is required on each carburetor of all gasoline powered engines, except outboard motors.

4. Bells and whistles. Boats sixteen feet [4.8 meters] to less than twenty-six feet [7.8 meters] in length require one hand, mouth, or power operated whistle audible at least one-half mile [.8 kilometer]. Boats twenty-six feet [7.8 meters] to less than forty feet [12 meters] in length require a hand or power operated whistle audible at least one mile [1.6 kilometers], and a bell which produces a clear, bell-like tone when struck. Boats over forty feet [12 meters] in length require a

power operated whistle audible at least one mile [1.6 kilometers] and a bell which produces a clear, bell-like tone when struck.

5. **Ventilation.** All motorboats with enclosed engine or fuel compartments, and using gasoline as a fuel, must have at least two ventilator ducts, fitted with cowls, or the equivalent, leading to each such compartment, to properly and efficiently ventilate the compartment.

6. **Lighting.** When operating between sunset and sunrise, all motorboats under twenty-six feet [6.8 meters] in length shall exhibit a twenty-point [225 degree] combination red and green bowlight visible for one mile [1.6 kilometers], ten points [112.5 degrees] to the left of the centerline of the boat being red, the ten points [112.5 degrees] to the right of the centerline being green, and a thirty-two-point [360 degree] white stern light, visible for two miles [3.2 kilometers], placed higher than the bowlight and unobstructed by occupants or portions of the vessel.

When operating between sunset and sunrise, all motorboats twenty-six feet [6.8 meters] in length or over shall exhibit a twenty-point [225 degree] white bowlight visible for two miles [3.2 kilometers], a ten-point [112.5 degree] red side light, visible for one mile [1.6 kilometers], on the left side of the vessel, a ten-point [112.5 degree] green side light, visible for one mile [1.6 kilometers] on the right side (the side lights shall be visible through an arc beginning parallel to the centerline of the vessel and extending ten points [112.5 degrees] toward the stern), and a thirty-two-point [360 degree] white stern light visible for two miles [3.6 kilometers], placed higher than the bowlight and unobstructed by occupants or portions of the vessel.

All nonpowered boats operating between sunset and sunrise shall have readily accessible a white light source which shall be temporarily exhibited in sufficient time to prevent a collision. All vessels at anchor between sunset and sunrise must display a white light visible to a boat approaching from any direction.

7. Except as provided in subdivision a of subsection 1, any person who violates this section is guilty of a noncriminal offense and shall pay a twenty-five dollar fee.

History: Amended effective December 1, 1982; April 1, 1986; May 1, 1995; April 1, 2006-; October 1, 2020.

General Authority: NDCC 20.1-13-12

Law Implemented: NDCC 20.1-13-05

30-05-01-07. Placement of regulatory signs, markers, buoys, and other warning or marking devices.

Upon written approval of the director of the game and fish department, regulatory signs, markers, buoys, or other warning or marking devices may be placed near or in the waters of this state as may be necessary for safety or recreation. Any person violating the restrictions on a sign, marker, buoy, or other warning or marking device is guilty of a noncriminal offense and shall pay a ~~thirty~~ seventy-five dollar fee.

History: Effective November 1, 1995. Amended effective October 1, 2020.

General Authority: NDCC 20.1-13-12, 20.1-13-14

Law Implemented: NDCC 20.1-13-12, 20.1-13-14