

**OPINION**  
**45-32**

February 24, 1945            (OPINION)

BOUNTIES

RE: Payable When

I acknowledge your letter of February 19, concerning House Bill 40, recently enacted as an emergency measure.

The Secretary of State informs me that this measure was approved on February 8, 1945. Accordingly, the law is now in effect. This law amends and reenacts section 20-1301 of the North Dakota Revised Code of 1943, and therefore supersedes the same. Section 20-1301 provided for the payment of bounty between the first day of April and the first day of October of each year. It also provides that no bounty should be paid on wolves, coyotes, or foxes killed between the first day of October and the first day of April of the following year. These two provisions of the former law are omitted from House Bill 40.

If House Bill 40 is to be interpreted on the basis of its language, we must infer that a bounty may be paid for each mature wolf, coyote, or bobcat during the entire year and for each wolf, coyote or bobcat pup killed prior to September first in the year it was whelped. For instance, if a wolf, coyote, or bobcat kitten was whelped in the spring of 1945, the bounty would be payable on such wolf, coyote or bobcat kitten up to September first of 1945. The same would be true of each fox pup.

The payment of bounties, as provided in house bill 40 hereafter must be on the basis of that law. It is the last enactment upon the subject and, having superseded section 20-1301 of the 1943 Revised Code, that no longer is applicable. From the date of February 8, 1945, all bounties covered by house bill 40 should be paid in accordance with its terms.

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