

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1462

Introduced by

Representatives Strinden, Beadle, Hager, Marschall, Schauer

Senator Clemens

1 A BILL for an Act to amend and reenact section 20.1-05.1-01 of the North Dakota Century
2 Code, relating to special allocation hunting licenses.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 20.1-05.1-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **20.1-05.1-01. Special allocation hunting license authorization.**

7 1. The director shall authorize issuance of the following annual special allocation hunting
8 licenses:

- 9 4. a. Four any deer licenses and six any white-tailed deer licenses per year to the
10 injured military wildlife project of North Dakota for distribution. A license issued
11 under this subsection is valid during the period of the deer bow season.
- 12 2. b. One license per year to the national wild turkey federation to hunt wild turkeys in
13 the spring in the manner, places, and times as the governor provides by
14 proclamation. The national wild turkey federation shall hold a raffle for, or may
15 auction to the highest bidder, whether resident or nonresident, the license to hunt
16 wild turkeys. If an individual receives a wild turkey license through the raffle or
17 auction, the individual is not eligible to receive a wild turkey license through the
18 game and fish department that year. No more than ten percent of the gross
19 proceeds of the raffle may be used to promote the raffle. Ten percent of the net
20 proceeds of the raffle may be retained by the local, state, or national wild turkey
21 federation entity conducting the raffle. All remaining net proceeds must be
22 deposited in the national wild turkey federation superfund and used for wild
23 turkey management and related projects in this state. The national wild turkey
24 federation shall submit reports concerning the raffle as the director requires.

1 3. c. Up to two licenses per year to the outdoor adventure foundation to hunt a turkey
2 in the spring season. The foundation shall make authorized licenses available to
3 sponsored qualified youths to hunt as the governor provides by proclamation. A
4 qualified youth receiving a license under this section must comply with hunter
5 education requirements and if under the age of eighteen must be accompanied
6 by an adult twenty-one years of age or older. As used in this section, "qualified
7 youth" means an individual who has cancer or a life-threatening illness, is of legal
8 age to hunt a turkey, is under twenty-five years of age, is a resident, and is
9 sponsored by the foundation. The foundation must provide the department
10 supporting documentation demonstrating compliance with this section.

11 4. d. One license per year to the midwest chapter of the wild sheep foundation to hunt
12 bighorn sheep in the manner, places, and times as the governor provides by
13 proclamation. The midwest chapter of the wild sheep foundation shall hold a
14 raffle or auction under rules adopted by the director with residents and
15 nonresidents eligible to participate. An individual who has been convicted of
16 illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or
17 receive a license under this subsection. Ten percent of gross raffle proceeds may
18 be retained by the midwest chapter of the wild sheep foundation and ninety
19 percent of gross raffle proceeds must be remitted to the department. All auction
20 proceeds must be remitted to the department. An individual who receives a
21 license through the raffle or auction may not transfer the license.

22 5. e. One license per year to the North American wildlife enforcement memorial
23 museum and educational center to hunt moose in a manner, places, and times as
24 the governor provides by proclamation. The North American wildlife enforcement
25 memorial museum and educational center shall hold a raffle under rules adopted
26 by the director with residents and nonresidents eligible to participate. The
27 individual who receives the license from the raffle may not transfer the license.
28 No more than ten percent of the gross proceeds of the raffle may be used to
29 promote the raffle. The net proceeds distributed to the North American wildlife
30 enforcement memorial museum and educational center must be used for
31 construction and maintenance of the North American wildlife enforcement

1 memorial museum and educational center located at the International Peace
2 Garden. The North American wildlife enforcement memorial museum and
3 educational center shall submit reports concerning the raffle as the director
4 requires. An individual who has been convicted of illegally taking a moose, elk, or
5 bighorn sheep is not eligible to apply for or receive a license under this
6 subsection.

7 6. f. One license per year to the rocky mountain elk foundation to hunt elk in a
8 manner, places, and times as the governor provides by proclamation. The rocky
9 mountain elk foundation shall hold a raffle under rules adopted by the director
10 with residents and nonresidents eligible to participate. No more than ten percent
11 of the gross proceeds of the raffle may be used to promote the raffle. The net
12 proceeds distributed to the rocky mountain elk foundation must be used for elk
13 management or other wildlife and conservation-related projects in North Dakota
14 as described under rocky mountain elk foundation policies and objectives. The
15 rocky mountain elk foundation shall submit reports concerning the raffle as the
16 director requires. An individual who has been convicted of illegally taking a
17 moose, elk, or bighorn sheep is not eligible to apply for or receive a license under
18 this subsection.

19 7. g. One license per year to the mule deer foundation to hunt mule deer in the
20 manner, places, and times as the governor provides by proclamation. The mule
21 deer foundation shall hold a raffle or auction under rules adopted by the director
22 with residents and nonresidents eligible to participate. If an individual receives a
23 mule deer license through the raffle or auction, the individual is not eligible to
24 receive a mule deer license through the game and fish department that year. No
25 more than ten percent of the gross proceeds of the raffle may be used to promote
26 the raffle and all net proceeds of the raffle or auction must be used for mule deer
27 management and related projects in North Dakota. The mule deer foundation
28 shall submit reports concerning the raffle or auction as the director requires.

29 8. h. One license per year to the North Dakota hunter educators association to hunt
30 antelope in the manner, places, and times as the governor prescribes by
31 proclamation. The North Dakota hunter educators association shall hold a raffle

1 under rules adopted by the director. Only residents are eligible to participate. No
2 more than ten percent of the gross proceeds of the raffle may be used to promote
3 the raffle and all net proceeds of the raffle must be used for sponsoring mentored
4 hunts for youth who may otherwise not have the means to go afield to hunt,
5 establishing a statewide network of shooting locations for youth to become
6 familiar with archery equipment and firearms under the supervision of a certified
7 volunteer hunter education instructor, and purchasing advertising in news media
8 during hunting season concerning firearms safety and hunting ethics and the
9 promotion of safe and responsible hunting. If an individual receives an antelope
10 license through the raffle, the individual is not eligible to apply for an antelope
11 license through the game and fish department that year. The North Dakota hunter
12 educators association shall submit reports concerning the raffle as the director
13 requires.

- 14 9. i. One any elk license, one any moose license, up to ~~seven~~four any white-tailed
15 deer licenses, up to three any~~any antlered~~ deer licenses, and up to two antelope
16 licenses to the outdoor adventure foundation ~~to hunt the species indicated on the~~
17 ~~license in the manner, places, and times as the governor prescribes by~~
18 ~~proclamation.~~ The foundation shall make one license available to each qualified
19 youth to hunt the species of big game indicated on the license as provided in the
20 governor's proclamation. A ~~qualified youth receiving a license~~ issued under this
21 section is only valid during an open season for the species indicated as
22 prescribed by the governor's proclamation and for the year indicated on the
23 license or tag. Alf a qualified youth is hunting on private land with written
24 permission from the landowner and with a license issued under this section, the
25 qualified youth may use any weapon that is legal in any season for the species
26 being hunted. ~~However, a qualified youth may use any weapon when hunting~~
27 ~~with a license under this subsection on private land with the written permission~~
28 ~~from the landowner.~~ A qualified youth receiving a license under this section must
29 comply with hunter education requirements and if under the age of eighteen must
30 be accompanied by an adult twenty-one years of age or older. As used in this
31 section, "qualified youth" means an individual who has been diagnosed with

1 cancer or a life-threatening illness, is of legal age to hunt the species for which
2 the license is valid, is under twenty-five years of age, is a resident, and is
3 sponsored by the foundation. The foundation must provide the department
4 supporting documentation demonstrating compliance with this section.

5 2. An organization eligible to receive a license under this section shall provide an annual
6 report on forms provided by the director. The annual report must include the name of
7 the hunters, dates of the hunt, and the species harvested. If an organization fails to
8 submit a complete report required under this subsection, the organization may not
9 receive a license under this section until the organization submits the complete report.
10 If the director determines by clear and convincing evidence that a criminal violation of
11 a state hunting, fishing, or trapping law occurred during a hunt conducted with a
12 license issued under this section, the director may not issue a license under this
13 section for a period of one year to the organization that conducted the hunt. However,
14 the director may issue a license under section 20.1-05.1 to the organization during the
15 one-year period if the organization is otherwise eligible for the license.