17.0121.08000

FISCAL NOTE
Requested by Legislative Council
04/12/2017

Amendment to: Engrossed HB 1025

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				$(1,080)		$(1,080)
Expenditures				$0		$0
Appropriations				$0		$0

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill creates authorization for issuance of discretionary special allocation hunting licenses and amend and repeal relating sections.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill will decrease revenue by allowing additional issuance of annual discretionary special allocation hunting licenses to eligible organizations for raffle or auction.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The bill allows for authorization of issuance of not more than: 2 elk, 2 moose, 2 antelope, and 10 white-tailed deer. These are additional licenses authorized by this bill; each license is $30. The amendment includes 4 spring turkey that are $15 for each license. The fiscal impact is a decrease in revenue of $540 per year (Biennium $1,080).

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The proposed bill does not require programming changes to the Game and Fish online licensing system.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

N/A

Name: Kim Kary
Agency: ND Game and Fish Dept
Telephone: 328-6605
Date Prepared: 04/12/2017

17.0121.07000

FISCAL NOTE
Requested by Legislative Council
03/24/2017

Amendment to: HB 1025

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				$(1,080)		$(1,080)
Expenditures				$0		$0
Appropriations				$0		$0

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill creates authorization for issuance of discretionary special allocation hunting licenses and amend and repeal relating sections.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill will decrease revenue by allowing additional issuance of annual discretionary special allocation hunting licenses to eligible organizations for raffle or auction.

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B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The proposed bill does not require programming changes to the Game and Fish online licensing system.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

N/A

Name: Kim Kary
Agency: ND Game and Fish Dept
Telephone: 328-6605
Date Prepared: 03/24/2017

17.0121.06000

FISCAL NOTE
Requested by Legislative Council
03/24/2017

Amendment to: HB 1025

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				$(1,080)		$(1,080)
Expenditures				$0		$0
Appropriations				$0		$0

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill creates authorization for issuance of discretionary special allocation hunting licenses and amend and repeal relating sections.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill will decrease revenue by allowing additional issuance of annual discretionary special allocation hunting licenses to eligible organizations for raffle or auction.

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A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

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B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The proposed bill does not require programming changes to the Game and Fish online licensing system.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

N/A

Name: Kim Kary
Agency: ND Game and Fish Dept
Telephone: 328-6605
Date Prepared: 03/24/2017

17.0121.05000

FISCAL NOTE
Requested by Legislative Council
12/20/2016

Amendment to: HB 1025

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				$(960)		$(960)
Expenditures				$0		$0
Appropriations				$0		$0

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

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A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The bill allows for authorization of issuance of not more than: 2 elk, 2 moose, 2 antelope, and 10 white-tailed deer. These are additional licenses authorized by this bill; each license is $30. The fiscal impact is a decrease in revenue of $480 per year (Biennium $960).

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The proposed bill does not require programming changes to the Game and Fish online licensing system.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

N/A

Name: Kim Kary
Agency: ND Game and Fish Dept
Telephone: 328-6605
Date Prepared: 12/23/2016

17.0121.04000

FISCAL NOTE
Requested by Legislative Council
12/20/2016

Bill/Resolution No.: HB 1025

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				$(960)		$(960)
Expenditures				$0		$0
Appropriations				$0		$0

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
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2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

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N/A

Name: Kim Kary
Agency: ND Game and Fish Dept
Telephone: 328-6605
Date Prepared: 12/23/2016

2017 HOUSE ENERGY AND NATURAL RESOURCES

HB 1025

2017 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau –A Room, State Capitol

HB 1025
1/5/2017
26635

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Kathleen Davis

Explanation or reason for introduction of bill/resolution:

Relating to authorization for issuance of special allocation hunting licenses

Minutes: Attachment #1 -#2- #3

Chairman Porter: opened the hearing on HB1025. Clerk Davis was asked to read the title. **Chairman Porter:** Pointed out this was an Interim bill with a fiscal note. He noted Rod Gilmore passed out testimony, Attachment #1, prior to the start of the meeting.

Dustin Assel, attorney with Legislative Council: Staffed the most recent interim ag and natural resources committee which work on HB1025. He spoke in a non-partisan capacity. He stated Sec.5 of 2015 HB1081 directed a study of the Game and Fish Dept. The committee was to examine the department's hunting licenses provided to entities for the purpose of fund raising. The study was to include a review of the present law in this and other states and the desirability and feasibility of allowing the Dept. of Game and Fish to issue the licenses through certain procedures and with certain limits created by the legislative assembly. There are currently 9 sections in the Century Code which authorize the governor to make a proclamation authorizing special allocation hunting licenses to be provided to various entities for fund raising purposes through an auction or raffle. Those sections are 20.1-04-07 which addresses wild turkeys, 20.1-08-04.1 addressing big horn sheep, 20.1-08-04.2 addressing moose, 20.1-08-04.6 addressing elk, 20.1-08-04.8 for mule deer, 20.1-08-4.12 for antelope, 20.1-08-04.13 for deer and antelope to the Outdoor Adventure Foundation and then finally there's 2 other provisions, 25.1-02-04 Subdivision 15 which authorizes Games and Fish to provide deer licenses to the injured, military, wildlife protection; 20.1-08-04.14 which authorizes an elk license to Annie's Winter House at Bottineau. The governor has utilized his authority to issue special allocation hunting licenses through proclamation for each of those relevant provisions. The number of special allocation licenses available are included in and not in addition to the total number of licenses made available for each species each year under those provisions. Organizations issuing the special allocation hunting licenses are required to report to Game and Fish including the 1) the name of the recipient if they win through an auction or raffle, 2) net expenses of any raffle or auction, gross proceeds, and net proceeds.

The Interim Committee questioned whether the legislative assembly is the appropriate body to determine what kind and how many special allocation hunting licenses should be made available to those entities and who should be awarded those licenses. Through the discussion the committee's concern was there are many good causes worthy of being authorized a special hunting license though a statutorily authorized proclamation. The Game and Fish has direct control over game management and the appropriate knowledge base to determine how many licenses a specials can sustain on a yearly basis as well as creating new statutory base authority for additional licenses. The committee also question whether creating new statutorily based authority for additional licenses was feasible nor not. Ultimately the committee determined the assembly should retain some oversight over special allocation hunting licenses but that administrative authority and discretion should be given to the Game and Fish Dept. to issue special allocation hunting licenses.

What this bill draft ultimately does, it allows the director of Game and Fish to consider applications for special allocation hunting licenses and to authorize a limited number based on species, population, and some other restrictions in addition to what's already been created statutorily for special allocation hunting licenses.

Section 1, Page 1-2, subsection 15 authorizes the director of Game and Fish to issue a number deer licenses to the injured and military wildlife project. Subsection 15 is overstruck which tells that it was removed. It was, but that language and that authorization did not go away. Rather it was added into Section 3 on Page 4. It creates 2 new sections of the Century Code. 20.1-05.1-01 is the consolidation. It takes all of those statutorily mandated special allocation hunting licenses and it consolidates all of those provisions into one single area. If you're looking to see who's grandfathered in and is already receiving a special allocated hunting license that is the section you can find that information as to what kind of species, how many and who it's going to.

Subsection 2 Page 3 is the same thing. That authority was moved out of the current section and inserted into Subsection 2 Page 4.

Section 3 Page 4 creates a new chapter 20.1-05.1.

Section 1 All the previous special allocation hunting licenses were moved to. If they were already in code prior to this session they were grandfathered in and will remain but they are no longer disbursed over 9 separate sections of the Century Code. They are consolidated into one area.

Section 2 Page 7 at the bottom. That is discretionary special allocation hunting license authorization. This is new language that didn't exist previously and authorizes the director of Game and Fish to issue additional special allocation hunting licenses on top of what was previously statutorily mandated and grandfathered in with the discretion of director of Game and Fish does have some restrictions placed on it. Subsection A, the director could potentially authorize 2 additional elk licenses on a yearly basis but only if the total number of licenses under the general lottery was 100 or more. 100 licenses because the language says the director can issue 2 additional licenses but it may not exceed 2% of the total general lottery allocation. On a yearly basis if only 9 licenses were being offered through the general

lottery, the director could only use his discretion to authorize 1 additional because 2 would be over the 2% threshold.

Page 8 lists a number of provisions that discuss who is eligible to apply for a special allocation hunting license through the director of the Game and Fish and what those organizations must entail with the director creating rules to administer. This section of the code as well as the eligible organizations that would like to apply to potentially receive and additional special allocation hunting license to be offered through a raffle or auction. They would have to be a 501C3 organization, essentially non-profit. They have to be in good standing with the Secretary of State in ND.

Section 4 on Page 9 of the bill draft is a preview section discussed bighorn sheep licenses. The over struck language did not go away but was moved out of where it currently existed and consolidated into the new section in 20.1-05 where all the grandfather provisions are located.

Section 5 on Page 10 discusses the grandfathered moose licenses currently in code, over strikes language and now that's moved into the grandfathered section, Subsection 5 Page 5.

Section 6 on Page 11 discusses elk licenses. The overstruck language was moved into the new section on Page 5 Subsection 6.

Section 7 repeals 3 chapters all of which were the grandfathers provisions and moved into the new section created. Those sections could be repealed in their entirety rather than leaving portions present. This bill consolidates all of the special allocation hunting licenses previously authorized in Century Code into a single grandfather section, and then creates a new section allowing the director of Game and Fish to authorize additional special allocation hunting licenses with restrictions.

If the bill passed, there would be 3 opportunities for an individual to get a hunting licenses. 1) the general lottery, 2) raffle or auction held by one of the grandfathered organizations under the new Section 20.1-05.101 or 3) or they can win the raffle or an auction held by an organization who received a special allocation hunting license under that new section created which is the director of Game and Fish discretion under 20.1-05.102.

Chairman Porter: questions?

Rep. Lefor: Does this basically take away the ability of the legislature to award these things? If you want a special license you go to Game and Fish?

Mr Assel: No, that doesn't take away that ability of the Legislative assembly. I am not a committee member so I am trying not to speak on behalf of the committee. The discussion was that there was concern that authorizing additional sections to be created in the Century Code for special allocation hunting licenses. It's political. It puts in more in you guys' realm. So this would create a mechanism where people would be directed to go to the Game and Fish Dept for the special licenses. Nothing in what we're doing, if this were to pass, it would create that mechanism, but it wouldn't prevent the legislative assembly from creating and

enacting a new section of code which authorize a special entity from receiving a special allocation hunting license.

Rep. Seibel: Line 20 Page 2 that was stuck and moved to Page 4. On Page 2, it also said, "a license issued under this subsection is valid during the period of the deer bow season". The part that was added does not have the bow season. Was that a mistake or is that the intention.

Mr Assel: I'm trying to recall, I apologize, I don't recall. Mr. Peterson may have additional information.

Rep. Seibel: I was just wondering if it was a typo. If you go to Page 2, Section 1, Line 20-22, that is all struck and if you see the last sentence there. If you turn to Page 4 line 10-11 that is not at the end of that any longer. I don't know if it was a typo or intended. The sentence about the bow season was not carried across.

Chairman Porter: Was there any discussion in regards to the process of the director issuing those licenses if it exceeded the number available. Was there discussion on first come first serve, lottery within the allocation or anything like that?

16:25

Mr Assel: Page 8 Subsections 2-3 it talks about under the discretion of the director who is an eligible organization and what the organization must do to obtain a license.

Chairman Porter: Line 9. Then, you said 3 ways to get license. If I get drawn in the regular deer lottery, and for some unknown reason I get drawn land then lucky enough to win this raffle, then I still only get one license, that's in here? Correct?

Mr Assel: Correct. It's also Subsection 3 on Page 8 as well.

Chairman Porter: Further testimony in support?

18:24

Scott Peterson, Deputy Director, ND Game and Fish Dept. see Attachment #2 and recommends a Do Pass on HB 1025.

Chairman Porter: When we use a percent number against the total number of licenses available. What were the total moose permits issued last year?

20:24

Scott Peterson: I believe 200 and some licenses. The formula, not to exceed 2% was our way of protecting so that we weren't allocation 10 moose licenses. It will never get larger than 2. If we allocate 100 or more licenses to the general lottery, then we'd be a maximum of 2 for this. If that number of general allocation falls between 50-99, that number becomes 1, and if below 50, then none would be allocated under the new subsection.

Chairman Porter: Does it every equal 0 yes?

Scott Peterson: Elk, moose and pronghorn, there would be no licenses allocated for under 50. The provision for white tail deer doesn't state that. We not that concerned that if we allocate less than 100 or 200 licenses statewide we'd probably not have a season.

Chairman Porter: When you read it does it read that it takes you down to zero? It just says it may not exceed 2%, it doesn't say it's the floor and it could go zero.

Scott Peterson: Says not more than 2 elk licenses but the total issued under this subsection may not exceed 2%.

22:45

Chairman Porter: May not exceed 2%. So if you're at 50 elk licenses, I would see that you would have to at least issue 1 license, the way I read it.

Scott Peterson: I would agree with that but if that number were 49, then it would be less than 1. We're open to suggestions on how to clear that up.

Chairman Porter: If you're saying that you want it to have an absolute floor of zero, we're going to want to make sure that it does do that for management purposes.

23:35

Scott Peterson: Could I address Rep. Seibel question from earlier? My understand is that was an oversight. Didn't mean to intentionally omit. It was a typo.

Chairman Porter: So those were any season type, bow or gun. They did not include muzzle loader, just bow or gun. That's the way it's written. Is there anything that would prevent this from being put in place for this 2017 season if we put the emergency clause on so that it would be up and running and in place?

Scott Peterson: Keep in mind our proclamations are due to the governor. In order for us to have applications out in early spring, our big three, big horn sheep, moose, and elk proclamations will have to be signed before the session is over. That's the only thing that would prevent that from happening.

Chairman Porter: Do you think this becoming law prior to that would impede that? The grandfathered things are already there. All this would say is that you could do draw moose license over the summer. If someone wanted to give away a moose, they could have their raffle, have the drawing in the fall and give that away, rather than wait until 2018.

Scott Peterson: If this could be signed into law before our proclamation is due to be signed by the governor, I don't' see any reason why we couldn't. We going to have to draft administrative rules more specifically detailing the lottery process and the reporting requirements of these organizations. That might be tough to do although it wouldn't have to be in place before the proclamation was signed but be a little bit tight.

Chairman Porter: Why don't you go back and look at the implementation and if it's something that could be used in the 2017 season or if it's just too big of a rush to make it happen and if there's anything else we need to add to it to make it happen. The other question I have, was inside of the allocation process, let's say nobody puts in for the available licenses. Then I come in with a 501C3, I want them all and do a big game raffle, no one else is asking for them. I'm going to have one lotter ticket. I'm going to give your 10% and I'm going to raise funds for my tree planting project. Is there any restriction here that says each 501C3 is only allowed 1 or 2? Can one group if they're not allocated, come in and just get them?

Scott Peterson: Very good question. I don't believe there's anything in there to prevent that.

Chairman Porter: We'll make sure we don't put anything in there because my group wants them all! (laughter)

Scott Peterson: Someone is going to catch this. There group of big game licenses conspicuously absent from the list, that's mule deer. If it's considered they be included, whatever that formula is, whatever the language is, that goes to the intent that we want to cap that at 2 and get to the floor of 0, we would recommend that we use the same language for mule deer if we do.

Chairman Porter: Yes, that one has always been a little bit more emotionally charged because they are more sought after, and more susceptible winter and weather conditions than other species. We've never closed down white tail doe season in order to revive the species but we have certainly closed down mule deer doe season because we were at a critical juncture in the availability of the species. It isn't anything I would be looking at doing. They're too fragile of a species in the state to do. Are these licenses then put into the same category that you guys do for gratis tags where if these are allocated out and the total number of moose license is 100, you take these licenses off and now you have 98. Then you take the gratis tags out and now you have say 50 available for the lottery. Is that how you see this implemented?

Scott Peterson: Our intent is not to throw them back in to the pool of general allocation.

Chairman Porter: Do you subtract them off that pool like you do gratis tags?
Scott Peterson: No we do not. We don't do that currently for the big game licenses that are currently offered up under various raffles. We do not subtract those. That's why we've been able to say so far the number has not been biologically significant.

Rep. Roers Jones: Most organizations that have the special allocation tags that were grandfathered in, their organization names were not all capitalization or only partially capitalized, I was wondering if there was a reason.

Chairman Porter: That's a legislative council thing and they've put it in the code.
Any other questions. Further support of HB 1025? Opposition to HB 1025?
No opposition and the hearing was closed.

Attachment #3 was handed in at a later date from Attorney Dustin Assel.

2017 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau –A Room, State Capitol

HB 1025
1/12/2017
26840

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Kathleen Davis

Explanation or reason for introduction of bill/resolution:

Relating to authorization for issuance of special allocation hunting licenses

Minutes:

Chairman Porter: Called the committee to order hearing on HB1025 for discussion. This was a bill we heard last week. Rep. Keiser and Rep. Mock, this bill came out of the interim, that we sent last session because we were getting inundated with special requests licenses. The bill came back was that all the existing licenses that are allotted, are grandfathered in and then it creates a pool of licenses that allow the director, if they make application and it's approved, to say, ok, you can have a deer license this year for your lottery. That in essence is what the bill does. Rep. Lefor caught a piece that was missing. So on Page 4, Line 11, we add back in that was missed. That a license issued under this section is valid during deer bow season and that was left off from the old cross out language on Page 2 Line 20. So this adds that back in. I had some concerns the language did not allow the director to say no and if the population was impacted severely by disease or by harsh winter or some condition outside of the control of Game and Fish, they have the ability to say no. So the next language on Page 7, Line 24, firms up the ability of the director to say no. The rest of the language changes it so it's an "up to" so they know that it's from 0 up to 2, not guarantee a specific number. We asked them if they could implement it this year because we do have other bills that are coming to us asking for special licenses and if we could put the emergency clause on it in order to speed it up, and allow them to implement it this year it could help alleviate codifying other licenses. That's the amendment.

Rep. Keiser: Move the adoption of amendment.

Chairman Porter: I have a motion from Rep Keiser for the amendment, second from Rep. Mitskog. Is there discussion on the amendment? Any discussion. Hearing none, all those in favor say Aye, Opposed. Motion carries.

Committee we have an amended bill in front of us. I have a motion from Rep. Lefor for a Do Pass as amended to HB 1025. Is there a second? Seconded from Rep. Keiser. Discussion on HB1025 as amended? Discussion? Clerk will call the roll on Do Pass HB 1025 as amended.

Clerk Davis: 13 Yes 0 no 1 absent

Chairman Porter: Do pass prevails. Carrier? Rep. Anderson thank you.

1/12/17 DA

17.0121.04001
Title.05000

Adopted by the Agriculture Committee

January 9, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1025

Page 1, line 5, remove the first "and"

Page 1, line 7, after "licenses" insert "; and to declare an emergency"

Page 4, line 11, after "distribution" insert ". A license issued under this subsection is valid during the period of the deer bow season"

Page 7, line 24, after the underscored comma insert "if determined appropriate by the director based on the sustainability of the species population,"

Page 7, line 24, replace "authorize issuance" with "issue"

Page 7, line 25, remove "of"

Page 8, line 5, replace "a" with "up to two"

Page 8, line 6, replace "license" with "licenses"

Page 12, after line 2, insert:

"**SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

Date: 1-12-17

Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1025

House Energy & Natural Resources **Committee**

☐ **Subcommittee**

Amendment LC# or Description: 17.0121.04001

Recommendation
☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions ☐ Reconsider ☐

Motion Made By Rep Keiser **Seconded By** Rep Mitskog

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter			Rep. Lefor		
Vice Chairman Damschen			Rep. Marschall		
Rep. Anderson			Rep. Roers Jones		
Rep. Bosch			Rep. Ruby		
Rep. Devlin			Rep. Seibel		
Rep. Heinert					
Rep. Keiser			Rep. Mitskog		
			Rep. Mock		

Voice Vote

Total (Yes) 13 No

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Motion passed.

made by voice vote

Date: 1-12-17

Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1025

House Energy & Natural Resources **Committee**

☐ **Subcommittee**

Amendment LC# or Description: 17.0121.04001

Recommendation
☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions ☐ Reconsider ☐

Motion Made By Rep Lafor **Seconded By** Rep Keiser

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep. Lefor	✓	
Vice Chairman Damschen	✓		Rep. Marschall	✓	
Rep. Anderson	✓		Rep. Roers Jones	✓	
Rep. Bosch	✓		Rep. Ruby	✓	
Rep. Devlin	✓		Rep. Seibel	—	Abs
Rep. Heinert	✓				
Rep. Keiser	✓		Rep. Mitskog	✓	
			Rep. Mock	✓	

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep Anderson

If the vote is on an amendment, briefly indicate intent:

motion passed

REPORT OF STANDING COMMITTEE

HB 1025: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar.

Page 1, line 5, remove the first "and"

Page 1, line 7, after "licenses" insert "; and to declare an emergency"

Page 4, line 11, after "distribution" insert ". A license issued under this subsection is valid during the period of the deer bow season"

Page 7, line 24, after the underscored comma insert "if determined appropriate by the director based on the sustainability of the species population,"

Page 7, line 24, replace "authorize issuance" with "issue"

Page 7, line 25, remove "of"

Page 8, line 5, replace "a" with "up to two"

Page 8, line 6, replace "license" with "licenses"

Page 12, after line 2, insert:

"**SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

2017 SENATE ENERGY AND NATURAL RESOURCES

HB 1025

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1025
3/2/2017
Job # 28586

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Pam Dever

Explanation or reason for introduction of bill/resolution: Relating to authorization for issuance of special allocation hunting licenses; and to declare an emergency.

Minutes:

Attch#1=DustinAssel;Attch#2=Rod Gilmore;Attch#3=ScottPeterson; Attch#4=Michael McEnroe

Called the committee to order. Attendance was taken. All committee members present.
Chairwoman Unruh: Let's open the hearing on HB 1025.

Dustin Assel, Legislative Council Attorney: I am neutral on this bill. (see Attch#1) Here to provide background information. (8.10)
Sen. Schaible: (8.13) This study was brought forward and we see that they are all great causes and well-intended to raise money. The idea behind the study was to give Game and Fish authority and give parameters so we would not have to deal with this in legislature. Does that accomplish this?
Dustin: Yes. The grandfathered organizations are still getting their previous licenses under this bill. Any new organization that wants additional licenses, now have to go through the director of Game and Fish to get a special allocation hunting license. I am not aware of additions bills before the legislature now.
Sen. Schaible: They should go to Game and Fish then.
Dustin: Yes. That is what this bill accomplished. Game and Fish makes the decision.

Rod Gilmore, Rocky Mountain Elks Foundation: Here in support. (see Attch#2) (10.07) I represent myself.
Sen. Cook: Where is the Game Wildlife Museum?
Rod: ND Peace Gardens, and it is also a tribute to game wardens that have passed away from US and Canada. I have never been there. (15.50)

Scott Peterson, Deputy Director, ND Game and Fish Dept.: (see Attch#3) (16.00-18.10) I am here in support of HB 1025. Please Do Pass.

Sen. Schaible: I think the intent of the study was we were looking for guidance so the department can make decisions. We left that up to the experts at Game and Fish. We did not want to deal with special interests.
Scott:
Sen. Schaible:
Scott:
Sen. Schaible:
Scott: No, not for fundraising purposes.
Mike McEnroe, ND Wildlife Federation: Here to support HB 1025. (see Attch#4)

Chairwoman Unruh: Are there any more in support? Any opposed? Any agencies? Seeing none, this hearing on HB 1025 is closed.

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1025
3/23/2017
Job #29595

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Pam Dever

Explanation or reason for introduction of bill/resolution:

Minutes:

Chairwoman Unruh: Look at HB 1025.

Sen. Armstrong: I kind of promised those guys we would put the turkey tags in. I will work on that.

Chairwoman Unruh: We are done.

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1025
3/23/2017
Job #29625

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Pam Dever

Explanation or reason for introduction of bill/resolution:

Minutes: Attch#1=Sen Armstrong

Chairwoman Unruh: Take out HB 1025.
Sen. Armstrong: In a previous session, Sen Wardner had a bill like it, and we killed it.
Chairwoman Unruh: Sen. Armstrong, do you have your turkey tags amendment?

Sen. Armstrong: Yes, they are being passed out. (see Attch#1)

Sen. Armstrong: I move a Do Pass on amendment 17.0121.05000.
Vice Chair Kreun: I second.

Chairwoman Unruh: Any discussion?
Sen. Armstrong: So now this bill has four turkey tags in it.

Chairwoman Unruh: All in favor of the amendment say yea, same sign for no. Motion carries.

Chairwoman Unruh: In front of us we have HB 1025, amended and engrossed.

Sen. Armstrong: I move a Do Pass as amended. **Sen. Oban**: I second.

Chairwoman Unruh: Any discussion?
Sen. Schaible: Not so much with this bill, but the study we talked about. We had real issues about how we were going to get theses licenses and what we were going to use them for good causes. We seem to study stuff and nothing changes. I do not understand why we can't get our intent across to some of our agencies.
Sen. Armstrong: I agree with everything he just said.

Chairwoman Unruh: Call the roll: YES 7 NO 0 -0- absent.
Sen. Roers will carry the bill.

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Fort Lincoln Room, State Capitol

HB 1025
3/30/2017
Job #29828

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Pam Dever

Explanation or reason for introduction of bill/resolution:

Minutes: Committee wk.; Attch#1= Sen. Roers;

Chairwoman Unruh: This bill came back to us from the floor.

Sen. Armstrong: I move to reconsider HB 1025. **Sen. Oban**: I second.

Chairwoman Unruh: All in favor say yea, any opposed, same sign. All yeas. Motion passed.
Chairwoman Unruh: We have an amendment to go through.

Sen. Roers: LC drafted this amendment 17.0121.05003 you have before you. (see Attch#1) He went through the changes.

Sen. Cook: Should we take off the turkey tags we added for Sen. Armstrong?

Chairwoman Unruh: Probably.

Sen. Cook: I move to amend to remove turkey tags. **Sen. Armstrong**: I second.
Chairwoman Unruh: Any discussion? All in favor say yea, any opposed, same sign.
All yeas. Motion to amend the amendment passed.

Chairwoman Unruh: Now we have the amendment, as amended.
Sen. Armstrong: I move the amendment as amended. **Sen. Roers**: I second.
Chairwoman Unruh: Read roll call. YES 7 NO 0 -0- absent. Amendment Passed.

Chairwoman Unruh: We have engrossed HB 1025 as amended before us.
Sen. Cook: I move a Do Pass as amended. **Vice Chair Kreun**: I second.
Chairwoman Unruh: Any discussion? Call the roll. YES 7 NO 0 -0- absent

Engrossed HB 1025 passed as amended. **Sen. Roers** will carry the bill.

17.0121.05001
Title.06000

Adopted by the Energy and Natural Resources Committee

March 23, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for veterans receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses for certain veterans.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to veterans residing in North Dakota who are selected by a nonprofit organization that provides outdoor recreation activities to veterans to help improve their health and well - being, and reduce the rate of suicide among veterans. The organization must provide each veteran a hunting expedition during the spring wild turkey season designed to achieve the purpose of the organization during which the veteran may use the veteran's wild turkey license."

Renumber accordingly

17.0121.05003
Title.07000

Prepared by the Legislative Council for
Senator Roers
March 30, 2017

Ch
3/30/17
1 of 2

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

In lieu of the amendments as printed on page 896 of the Senate Journal, Engrossed House Bill No. 1025 is amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for veterans receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses for certain veterans.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to veterans residing in North Dakota and who are selected by a nonprofit organization that provides outdoor recreation activities to veterans to help improve their health and well-being and to reduce the rate of suicide among veterans. The organization shall provide each veteran a hunting expedition during the spring wild turkey season designed to achieve the purpose of the organization during which the veteran may use the veteran's wild turkey license."

Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

Page 5, line 27, remove "and the"

Page 5, line 28, remove "rocky mountain elk foundation"

Page 6, line 1, remove "and the North American"

Page 6, line 2, remove "wildlife enforcement memorial museum and educational center"

Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

3/30/17
CR
2 of 2

Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

Date: 3/23/17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1025 engrossed

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: 17.0121.05001

Recommendation: ☑ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐

Motion Made By Sen. Armstrong Seconded By Sen. Kreun

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh			Sen. Erin Oban		
Vice Chair Curt Kreun					
Sen. Kelly Armstrong					
Sen. Dwight Cook					
Sen. Jim Roers					
Sen. Don Schaible					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

all yea's
amend. passed

3/23/17
Date:
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1025 engrossed

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: 17.0121.05001

Recommendation: ☐ Adopt Amendment
☑ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☑ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐

Motion Made By Sen. Armstrong Seconded By Sen. Oban

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh	✓		Sen. Erin Oban	✓	
Vice Chair Curt Kreun	✓				
Sen. Kelly Armstrong	✓				
Sen. Dwight Cook	✓				
Sen. Jim Roers	✓				
Sen. Don Schaible	✓				

Total (Yes) 7 No 0

Absent -0-

Floor Assignment Sen. Roers

If the vote is on an amendment, briefly indicate intent:

Date: 3/30/17
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. AB 1025 engross.

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation:
☐ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☑ Reconsider ☐ _____

Back from floor

Motion Made By Sen. Armstrong Seconded By Sen. Oban

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh			Sen. Erin Oban		
Vice Chair Curt Kreun					
Sen. Kelly Armstrong					
Sen. Dwight Cook					
Sen. Jim Roers					
Sen. Don Schaible					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

all yes reconsider

Date: 3/30/17
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1025 eng.

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: take off "turkey tags" under Sect 3 - 20.1-04-07.1

Recommendation: ☑ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☑ further amend the 17.0121.05003

Motion Made By Sen. Cook Seconded By Sen. Armstrong

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh			Sen. Erin Oban		
Vice Chair Curt Kreun					
Sen. Kelly Armstrong					
Sen. Dwight Cook					
Sen. Jim Roers					
Sen. Don Schaible					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

further amend passed

All yea

Date: 3/30/17
Roll Call Vote #: 3

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1025 engrossed

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: amd. 17.0121.05003

Recommendation: ☑ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐

Motion Made By Sen. Armstrong Seconded By Sen. Roers

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh	✓		Sen. Erin Oban	✓	
Vice Chair Curt Kreun	✓				
Sen. Kelly Armstrong	✓				
Sen. Dwight Cook	✓				
Sen. Jim Roers	✓				
Sen. Don Schaible	✓				

Total (Yes) 7 No 0

Absent -0-

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3/30/17
Roll Call Vote #: 4

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1025 engrossed

Senate Energy and Natural Resources Committee

☐ Subcommittee

Amendment LC# or Description: 17.0121.05003

Recommendation:
☐ Adopt Amendment
☑ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☑ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐

Motion Made By Sen. Cook Seconded By Sen. Kreun

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh	✓		Sen. Erin Oban	✓	
Vice Chair Curt Kreun	✓				
Sen. Kelly Armstrong	✓				
Sen. Dwight Cook	✓				
Sen. Jim Roers	✓				
Sen. Don Schaible	✓				

Total (Yes) 7 No 0

Absent -0-

Floor Assignment Sen. Roers

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1025, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1025 was placed on the Sixth order on the calendar.

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Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1025, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1025 was placed on the Sixth order on the calendar.

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Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

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Page 6, line 1, remove "and the North American"

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Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

2017 CONFERENCE COMMITTEE

HB 1025

2017 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau –A Room, State Capitol

HB 1025
4/7/2017
26635

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature	Kathleen Davis

Explanation or reason for introduction of bill/resolution:

Relating to authorization for issuance of special allocation hunting licenses

Minutes: Attachment 1

Chairman Anderson: Called the committee to order on HB 1025

Terry Steinwand, director Fish and Game Dept.: This amendment was offered in the Senate ENAT and that is what we wanted. What came out of the House was a little different. They added 4 spring wild turkey tags to it. There was a separate bill on the Senate side asked by a veterans group. We had no problem with that so we asked the Senate to add those in. During the Senate committee meeting an individual from the Rocky Mountain Elk Foundation came in and was saying, we've had problems between the North American Game Warden's Museum and Memorial. In 1993 their 2 raffles were intertwined. Rocky Mountain Elk Foundation was saying we do most of the work but they get ½ the proceeds by law. So we dealt with that and split them out. Rocky Mountain Elk Foundation would have the elk raffle and the North American Game Warden's Museum would have the moose raffle. Not addition any additional tags.

Sen. Roers: Attachment 1. The way the bill is written, do you believe it projects exactly what you just described? Are you okay with the language we put in?

Steinwand: Yes, exactly as discussed.

Rep. Porter: This came out of the interim as a bill. We put it there last session because of the inundation of requests to the legislative assembly to do special permits. In the case of the spring wild turkey license, I don't have a problem authorizing you to do spring wild turkeys, but I have an issue again naming another group specifically for them when the whole purpose of the bill is to put that authority on to you and take it away from the legislative process of picking winners and losers. Then you can evaluate programs, the organizations, how they're doing, what they're doing with the money, and that we aren't in that process. We agreed right away to grandfather in those that had already gone through the process. But we have not heard from this group on the House side and it's bypassing the intent of HB 1025 by picking a winner and saying we forgot to put turkey licenses in this bill. Now again we're setting

ourselves up for next session to have another group come in and say, "me too." So I'm not excited about Section 3 in this bill from the standpoint of picking the group. I don't have a problem giving you the authority if we forgot to include wild turkeys and for you to make sure the group that comes in and gets the wild turkey tags meets all requirements of the law, and is a group using the benefits of this privilege for their purpose. I'm hesitant to pick another winner and shut this down.

Steinwand. I would have no problem with the language that would be changed similar to these other ones; wild turkey licenses to an eligible organization.

Sen. Roers: Is it your concern that the word "veterans" is in the bill?

Chairman Porter: My concern is that we're limiting to another special group. We're setting ourselves up for another, "me too". A group comes in, doing something else and they want 4 turkey licenses too. They want to be listed specifically in the law and by pass this system we're establishing with this bill. I think the purpose of the whole bill is to stop the ability of groups to come here and do an end run around what we're creating in the bill. I fully agree to the grandfathering of those existing groups that came in and presented their case. This particular group did not come to the House. They are adding themselves as a grandfathered group and while I don't disagree they should get the 4 tags, I think the tags should be available if we forgot turkey tags, but they should have to go through the process, not be grandfathered into the law.

Sen. Schaible: In the study that was done, it was to take all these ideas away from us. Even with the grandfathering. We were looking for a rational for all these special exemptions for the licenses and tags and we were getting inundated for all kinds of requests and they were all good. I think we missed the mark with the bill we intended and that we have, and maybe we have to revisit that in 2 years again and do that. This is making us judge and jury to whichever group is worthy of these exemptions to raise money. The intent was to designate that to Game and Fish, let them have the perimeters to do that so we don't have to be judge and jury. I wasn't real happy with what this did. We missed the mark of our intention. We need to further look at this in the future which is too late now. That was discussed if we should look at it further and didn't.

Chairman Anderson: That's how I feel. Last session, there was a bill so we could get a permit for Annie's House in Bottineau. We got the permit, everything went well, they raised $130k, but to tie up all the time with legislation; it seems to be better fit to let the Game and Fish director make that decision.

Sen. Schaible: I'm not against any that are grandfathered, but as time goes by and something rises to the top, and something is on the list that shouldn't be on the top, that was the intent of what the study was for. Take this out of our realm and put this under the Game and Fish realm under certain criteria, they manage and regulate it.

Chairman Porter: In agreeing with Sen. Schaible, I think we did miss it and end up in a situation and where we pick winners and losers. Another group that may want an elk tag and may not get it. That was part of my problem with the grandfathering effect. Every year that group shouldn't necessarily be guaranteed to get it. There are other competing groups that

should get it. I totally agree with that. We took the sting out of the bill by putting the grandfathering in but I don't think we should expound saying this veterans group now gets 4 turkey tags. I think we should say the director has the ability to issue 4 turkey tags inside of this bill and if a veterans group wants them, they're on equal footing with everybody else. Maybe they get 2 and some other group gets 2. I have a problem taking what we already know is a flawed system and expounding on it one more time.

Sen. Schaible: So is the solution to give discretionary language to the four turkey tags? The real solution is probably to fix this bill 2 years from now with the real intent of what we want and see how that goes. To allow for these turkey tags are you suggesting we add language to allow the Game and Fish discretion up to 4 more turkey tags?

Chairman Porter: I would be in agreement to include 4 more turkey tags. I don't know that turkeys are as rare as an elk, moose, or big horn sheep. Is 4 the number, is 6? We're putting it in the Century Code. I would ask the director; what number are you comfortable inside the agency?

Steinwand: Conservative as we are, our surveys and determining license numbers aren't exact. I would feel comfortable with 4.

Sen. Schaible: Assuming a bill comes up next session, looking at guidelines for Game and Fish to take control of these numbers that are regulated not to jeopardize other hunting and making perimeters. Are you ok that we would limit perimeters to give control over to you and you have authority to be judge and jury?

Steinwand, Yes within the confines of this bill. We work closely with the interim committee especially on big game like moose and elk. When you have 2 or 2%, that's not going to affect the lottery for the general public's ability to get one of those high value tags.

Chairman Anderson: When applying for these license, how do people know when to apply?

Steinwand: That would be part of the administrative rules process. I would hope we have that in place by September 1 of this year which is going to be too late for deer tag or special big game tag. That's about as quick as we can do it under the administrative rules.

Chairman Anderson: You post this on your website?

Steinwand: Oh yes.

Rep. Mitskog: Do you have criteria that's clearly spelled out in trying to choose a non-profit organization?

Steinwand: As this time, no. We didn't want to start on writing administrative rules until we knew this bill was going to pass.

Rep. Mitskog: Defining eligible organization would be in that?

Steinwand: That's already defined in this bill.

Chairman Porter: Do you think we should add a study at the end of this again and have the interim committee look at what we've implemented, the grandfathering provisions to see if some of those should be removed or modified and see what's going on so it's not just a bill that pops up during the next session? That it's an ongoing implementation study by the legislature as this bill now becomes law, they implement it? We look at groups applying, the situation presented to Game and Fish, the ones now available along with the grandfathered tags to see if there should be movement away from the naming of groups to kind of a rotation of those more valuable tags?

Sen. Schaible: The answer to that is, what would the study show we didn't learn before? I think it's bad policy the way we do it. Do I think a study is necessary? No. I think Chairman Porter and my name is on a bill and suggest that would have just as much effect as a study. I'm not against any one of these. I would imagine that Rocky Mountain and Museum will be upset with that if we put that in there. I don't know what a study will show us, that we don't already know.

Rep. Porter: ok

Chairman Anderson: I think if we have the director study everything and sees one group applying every year, I think most directors will rotate and make sure everybody has a shot at these licenses. I think the problem will solve itself if some group got it one year, they're probably not going to get it. I think the problem is with Section 3, that we might have to remove the veterans out of that for now.

Sen. Schaible: Would you say that again about the turkeys.

Chairman Anderson: Section 3, we're creating another group. Maybe we should allow the director to issue 4 more permits, leave that language out, veterans residing in ND. We're taking away the rest of the bill, picking and choosing again.

Sen. Roers: Yes I agree. We should look at this language referring to improving the health and well-being and reduce the rate of suicide amongst veterans. I think that's unnecessary language.

Chairman Anderson: Yes. Everything beyond, "the director shall issue 4 spring wild turkey licenses and permits to hunt wild turkeys". I think "in ND" and everything else would be eliminated.

Rep. Porter: Currently if we leave that language the director may issue up to 4 spring wild turkey licenses and permits to hunt wild turkeys to a non-profit organization, and just put a "period" after that, not say anything more. Then any non-profit would have the ability to apply for those. Right now it says that person who would win the raffle is needing to be a resident. Spring turkey is not resident only is it?

Steinwand: Yes it is.

Rep. Porter: so we need to keep the residing in ND.

Schaible: I'm wondering about the availability usage to raise money also. Is that ok with this?

Chairman Anderson: I believe there's language further down they need to be 501c3.

Steinwand: You're correct. It defines what the eligible organization is. Honestly on the turkey licenses, they're not going to make much. The National Wild Turkey Federation has had a tag contained in this bill for a number of years, the most they've ever made was $600.

Chairman Anderson: Most of the money is made on the big game raffles. Will have that language drafted. Adjourned.

2017 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau –A Room, State Capitol

HB 1025
4/10/2017
30004

☐ Subcommittee
☒ Conference Committee

Committee Clerk Signature	Kathleen Davis

Explanation or reason for introduction of bill/resolution:

Relating to authorization for issuance of special allocation hunting licenses

Minutes: Attachment 1-2

Chairman Anderson: Called the conference committee to order on HB 1025.

Rep. Porter: Attachment 1-2. I would move to adopt the amendment 05004, the Senate recede from Senate amendments and amend.

Sen. Roers: second

Chairman Anderson: Discussion on the amendment?
Roll call vote 6 yes 0 no 0 absent Motion carried. Chairman Anderson, House carrier, and Sen. Roers, Senate carrier. Meeting adjourned.

4/10/17 DP
1 of 2

17.0121.05004
Title.08000

Prepared by the Legislative Council
Representative D. Anderson
April 7, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

That the Senate recede from its amendments as printed on pages 1402 and 1403 of the House Journal and pages 1085 and 1086 of the Senate Journal and that Engrossed House Bill No. 1025 be amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for individuals receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses - Nonprofit organizations.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to individuals residing in North Dakota who are selected by a nonprofit organization as provided under section 20.1-05.1-01."

Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

Page 5, line 27, remove "and the"

Page 5, line 28, remove "rocky mountain elk foundation"

Page 6, line 1, remove "and the North American"

Page 6, line 2, remove "wildlife enforcement memorial museum and educational center"

Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

Date: 4-7-17
Roll Call Vote #: _____

2017 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. "Enter Bill/Resolution No." as (re) engrossed

House "Enter committee name" Committee

Action Taken
- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☐ **SENATE recede from Senate amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: _____ Seconded by: _____

Representatives	4/7			Yes	No		Senators	4/7			Yes	No
Chairman Anderson	✓						Sen. Roers	✓				
Rep. Porter	✓						Sen Schaible	✓				
Rep. Mitskog	✓						Sen. Oban	✓				
Total Rep. Vote							Total Senate Vote					

Vote Count Yes: _____ No: _____ Absent: _____

House Carrier _____ Senate Carrier _____

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Date: 4-10-17
Roll Call Vote #: 1

2017 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. "Enter Bill/Resolution No." as (re) engrossed

House "Enter committee name" Committee

Action Taken
- ☐ **HOUSE accede to Senate Amendments**
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- ☒ **SENATE recede from Senate amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep Porter Seconded by: Sen Roers

Representatives	4/10/17			Yes	No		Senators	4/10/17			Yes	No
Chairman Anderson	✓			✓			Sen. Roers	✓			✓	
Rep. Porter	✓			✓			Sen Schaible	✓			✓	
Rep. Mitskog	✓			✓			Sen. Oban	✓			✓	
Total Rep. Vote							Total Senate Vote					

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Rep Anderson Senate Carrier Sen Roers

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

17.0121.05004

Insert LC: 17.0121.05004
House Carrier: D. Anderson
Senate Carrier: Roers

REPORT OF CONFERENCE COMMITTEE

HB 1025, as engrossed: Your conference committee (Sens. Roers, Schaible, Oban and Reps. D. Anderson, Porter, Mitskog) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1402-1403, adopt amendments as follows, and place HB 1025 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1402 and 1403 of the House Journal and pages 1085 and 1086 of the Senate Journal and that Engrossed House Bill No. 1025 be amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for individuals receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses - Nonprofit organizations.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to individuals residing in North Dakota who are selected by a nonprofit organization as provided under section 20.1-05.1-01."

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Insert LC: 17.0121.05004
House Carrier: D. Anderson
Senate Carrier: Roers

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

Engrossed HB 1025 was placed on the Seventh order of business on the calendar.

2017 TESTIMONY

HB 1025

1-5-17
HB 1025
#1
Rod Gilmore

5 January 2017

Ref: HB 1025

Chairman Todd Porter & Members of House Energy and Natural Resources:

My name is Rod Gilmore. I am a live long resident of North Dakota and an avid outdoorsman. I have been a longtime advocate of the hunting opportunities afforded us in our state and have served on numerous boards and committees supporting our outdoor heritage. From 2005 through 2014 I was the Regional Director for the Rocky Mountain Elk Foundation (RMEF) and ran the moose tag & elk tag raffle awarded through these sections of the Century Code for RMEF and the North American Game Wardens' Museum NAGWM).

Originally, RMEF was issued the elk permit and the NAGWM was issued the moose permit. The elk permit raffle was conducted by the RMEF's Regional Director based in North Dakota and the moose permit raffle was conducted by the ND Game Wardens' Association. During the 2003 legislative session, a bill was introduced and passed which gave both the elk permit and the moose permit to both RMEF and NAGWM jointly. As a result, one raffle was conducted utilizing both permits and per the bill, net proceeds from the elk/moose permit raffle would be split 50/50 between the RMEF and the NAGWM.

Starting in 2004 and after I took over as Regional Director in 2005 through 2013, this combined elk/moose permit raffle raised approximately $242,000 in net proceeds. The entire RMEF share of the net funds ($121,000) was spent by RMEF in ND on land conservation projects (specific project information was submitted to the interim committee that developed HB 1025).

A significant problem has arisen with the combining of the elk and moose tags into one raffle with equal sharing of net proceeds between RMEF and NAGWM. Specifically, most years the RMEF Regional Director and RMEF chapters across the state raise upwards of 90% of the gross sales for the elk/moose tag raffle yet have to give 50% of the net to the NAGWM. The best the NAGWM has ever accomplished since the combining of the two tags was raising 19.7% of the gross sales in 2006. That year they raised $6,430 in gross raffle sales but received $11,743 in net raffle proceeds (50% of the net of $23,486). 80.3% of the gross sales of $32,610 that year were raised by RMEF members. Since retirement of a Game and Fish Department Warden Supervisor who was very involved in the NAGWM side of the raffle, the share of gross proceeds raised each year by the NAGWM has steadily dropped to 10% to 13%. This has caused a great deal of concern with RMEF members in the state as they consistently raise 87% to 90% of the gross for the raffle while the NAGWM continues to receive 50% of the net as established by century code.

For example, in 2013, the NAGWM raised approximately $3400 in gross sales yet received over $12,000 in net proceeds. This is a typical example of a year to year

effort. This problem was brought to the attention of the Board of Directors of the North American Game Wardens Museum by RMEF's Regional Director (Rod Gilmore). Promises were made by the Museum's Board of Directors to improve their effort and increase sales but few if any results have occurred. This is a sweet deal for NAGWM but not for ND RMEF members and sportsmen who purchase tickets thinking the profits will be utilized for habitat conservation. As Regional Director for RMEF, I did almost all of the administrative work associated with the raffle and received very little assistance from the NAGWM.

RMEF members in ND put significant effort into raising funds for conservation and habitat. Fifty percent of the money they raise through the elk/moose permit raffle goes to the NAGWM which does not align with RMEF's mission statement and conservation philosophy. Other funds raised in ND by RMEF have been utilized to fund approved projects (as required under ND gaming regulations) such as: a pilot burn project on private land in the badlands to control conifer spread, a pilot burn project with the Dakota Prairie Grasslands to control invasive weeds, assisting a county weed board on a large scale leafy spurge eradication project, elk radio collar and tracking project in the badlands in addition to numerous grant projects across the state for conservation education for youth.

If changes are forthcoming regarding the issuance of an elk and a moose tag to RMEF and NAGWA, the following options are suggested:

A. Issue both tags (elk & moose) to RMEF with no involvement/allocation to NAGWM. 100% of the net proceeds to be utilized in ND by RMEF for conservation and habitat.
B. If the tags remain a joint venture, the 50% allocation of net proceeds between RMEF and the NAGWM be changed to reflect the percentage of gross sales accomplished by each organization respectively. If RMEF sells 70% of the tickets for the raffle, RMEF is allocated 70% of the net.
C. Split the tags back to their respective organization. RMEF gets the elk tag. NAGWM gets the moose tag. This is not a preferred option as many RMEF members and other sportsmen in the state do not feel a ND big game tag should be utilized to maintain any organization's building or overhead costs.

I apologize for not being present today to answer any questions as I am helping rancher friend ship cattle. Thank you for your time and consideration.

Rod Gilmore
Retired RMEF Regional Director
RMEF Life Member
1313 16th St SE
Mandan, ND 58554
701-527-0027
rodg@bis.midco.net

HR 1025
#2
1.5.17 pm

House Energy and Natural Resources Committee

Testimony on HB 1025

Scott Peterson, Deputy Director

North Dakota Game and Fish Department

January 5, 2017

Chairman Porter and members of the House Energy and Natural Resources committee, my name is Scott Peterson. I am the Deputy Director of the North Dakota Game and Fish Department and I'm testifying in support of HB 1025.

Over the years, several big game licenses have allocated to various organizations for fundraiser purposes. Thus far, we have been able to say that the number of licenses allocated for those purposes, has not been biologically significant.

We have assisted Legislative Counsel in crafting this legislation and we believe that it does a good job of allocating big game licenses long term while removing the burden of trying to determine which organizations are worthy of such licenses on a biennial basis. Utilizing this process is responsible and sustainable.

Chairman Porter and Committee Members, the North Dakota Game and Fish Department respectfully recommends a **DO PASS** on HB 1025.

#3

- Mr. Chairman and members of the committee, for the record my name is Dustin Assel.
    - I am an attorney with the Legislative Council
        - I staffed the most recent interim agriculture and natural resources committee which worked on HB 1025 which is before you today.
- I will start by saying that I am here to testify in a purely non-partisan capacity.
    - I am neither in support for nor against these bills, but rather I am here to provide background and information on these bills
- I will start by giving some general background on the bill and the process:
    - Section 5 of 2015 House Bill No. 1081 directed a study of the Game and Fish Department. Specifically, the committee was to examine the department's hunting licenses provided to entities for the purpose of fundraising. The study was to include a review of the present law in this and other states and the desirability and feasibility of allowing the department to issue the licenses through certain procedures and with certain limits created by the Legislative Assembly.
- There are nine sections in Century Code which authorize the governor to make a proclamation authorizing special allocation hunting licenses to be provided to various entities for fundraising purposes through an auction or a raffle.
    - Those sections are:
        - 20.1-04-07 (wild turkeys- to the national wildlife turkey federation and the outdoor adventure fund)
        - 20.1-08-04.1 (big horn sheep-foundation of North American Wild Sheep organization)
        - 20.1-08-04.2 (moose- Game Warden Association- 10 total under the provision)
            - 20.1-08-04.13 (one more)
        - 20.1-08-04.6 (elk- Rocky mountain elk foundation)
            - 20.1-08-04.13 (one more)

        - 20.1-08-04.8 (mule deer- mule deer foundation)
        - 20.1-08-04.12 (antelope- Hunters Education Association)
        - 20.1-08-04.13 (8 deer and 4 antelope per year to outdoor adventure foundation)
        - 20.1-02-04(15) (Game and fish to provide deer licenses to the injured military wildlife project)
        - 20.1-08-04.14 (elk-Annie's winter house at Bottineau)
- **The Governor has utilized the Governor's authority to issue special allocation licenses, via proclamation, for each of the relevant provisions. The number of special allocation licenses available through the Game and Fish Department are included in, and not in addition to, the total number of licenses made available for each species each year. Organizations issuing the special allocation licenses made available are required to report to the Game and Fish Department certain information, including the name of the recipient of the special allocation license, the net expenses of any raffle or auction, the gross proceeds, and the net proceeds.**

Interim Committee Work:

- The interim committee, during its study, questioned whether the Legislative Assembly is the appropriate body to determine what kind and how many special allocation hunting licenses should be made available to various entities and who should be awarded a license.
    - The committee's concern was that while there are many good causes worthy of being authorized a special allocation hunting license through a statutorily authorized gubernatorial proclamation, the game and fish department has direct control over game management and the appropriate knowledge base to determine how many hunting licenses a species can sustain on a yearly basis, and creating new statutory based authority for additional licenses may not always be feasible.
        - The committee ultimately agreed that the assembly should retain oversight of special allocation hunting licenses, but that some administrative authority and discretion should be given to the Game and Fish Department.
- **HB 1025:**

- Ultimately, what HB 1025 does is it allows the Director of Game and Fish to consider applications for special hunting licenses and authorize a limited number based on species population in addition to the statutorily authorized licenses currently in code.

- **<u>Walking through the bill</u>**
  - Section 1: Sub 15.
    - Authorized the director of game and fish to issue a number of deer licenses annually to the injured military wildlife project
      - That did not go away, but rather it was overstruck in section 1 and added in section 3 on page 4.
        - It is grandfathered in, but the special allocation hunting licenses that were already existing in century code were consolidated into a single new section of the code.
  - Section 2, page 3:
    - Same thing, that authority was moved out of the current section of code and inserted into the new section on page. 4 subsections 2 and 3.
  - Section 3 on page 4:
    - A new chapter created 20.1-05.1:
      - Section 1
        - This is where all of the previous special allocation hunting licenses were moved to. If they were already in code, they were grandfathered in and will remain, but not they are in a single section of code.
      - Section 2:
        - This is the new language that authorized the director of game and fish to issue additional special allocation hunting licenses each year based on some restrictions.

        - So under subdivision a, the director of game and fish could authorize 2 additional elk licenses but only if the total number of licenses under the general lottery was 100 or more. If there were only 90 being offered by the general lottery, then only 1 could be offered, because 2 would be more than 2 percent.
    - Page 8 discusses who is eligible to apply for a special hunting license and that the director of game and fish must adopt rules governing this section.
- **Subsection 3 on page 8:**
    - Discusses that an individual can apply for an elk or moose license through both the general lottery and an auction or raffle under this section, but if they receive a special license under this section, they may not also receive a license through the general lottery.
        - They may also not receive a license through an auction or raffle held by one of the organizations in the grandfathered provisions...no double, or triple dipping.
    - Eligible organizations are non profit 501 c 3 organizations.

- Section 4 on pg. 9:
    - Discusses bighorn sheep licenses
        - Once again, it moves the grandfathered special allocation license out of this section and into 20.1-05.1-01 (4) on page 5.
- Section 5 pg. 10:
    - Discusses moose licenses

            - It once again overstrikes much of the language and moves it into the grandfathered section on pg. 5 subsection 5
    - Section 6 on page 10:
        - Discusses elk licenses
            - Page 5. Subsection 6
    - Section 7 repeals 3 chapters
        - 20.1-08-04.8 (mule deer- moved into the grandfathered subsection 7 pg. 6)
        - 20.1-08-04.12 (antelope- moved into pg. 6 subsection 8)
        - 20.1-08-04.13 (moved into subsection 9 on pg. 7)
- **Bottom Line:**
    - **This bill consolidates all of the gubernatorial special allocation hunting licenses previously in separate sections of the century code into a single grandfathered section.**
        - **The bill then allows the director of game and fish to authorize additional special allocation hunting licenses with restrictions.**
    - **3 ways to get a license if this bill passes:**
        - **General lottery**
        - **Raffle or auction held by a grandfathered organization under 20.1-05.1-01**
        - **Raffle or auction held by an organization who received a special allocation hunting license under the director's discretion under 20.1-05.1-02**

Dustin Assel

HB 1025
3/2/17
Attch #1
Pg 1

- Mr. Chairman and members of the committee, for the record my name is Dustin Assel.
    - I am an attorney with the Legislative Council
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original

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Att 1
Pg 2

- 20.1-08-04.8 (mule deer- mule deer foundation)
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- **The Governor has utilized the Governor's authority to issue special allocation licenses, via proclamation, for each of the relevant provisions. The number of special allocation licenses available through the Game and Fish Department are included in, and not in addition to, the total number of licenses made available for each species each year. Organizations issuing the special allocation licenses made available are required to report to the Game and Fish Department certain information, including the name of the recipient of the special allocation license, the net expenses of any raffle or auction, the gross proceeds, and the net proceeds.**

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- **HB 1025:**

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3/2/17
Att #1
pg 3

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        - This is where all of the previous special allocation hunting licenses were moved to. If they were already in code, they were grandfathered in and will remain, but ~~not~~ now they are in a single section of code.
      - Section 2: - Pg. 7
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3/2/17
Att #1
pg 4

            - So under subdivision a, the director of game and fish could authorize 2 additional elk licenses but only if the total number of licenses under the general lottery was 100 or more. If there were only 90 being offered by the general lottery, then only 1 could be offered, because 2 would be more than 2 percent.
        - Page 8 discusses who is eligible to apply for a special hunting license and that the director of game and fish must adopt rules governing this section.
    - **Subsection 3 on page 8:**
        - Discusses that an individual can apply for an elk or moose license through both the general lottery and an auction or raffle under this section, but if they receive a special license under this section, they may not also receive a license through the general lottery.
            - They may also not receive a license through an auction or raffle held by one of the organizations in the grandfathered provisions...no double, or triple dipping.
        - Eligible organizations are non profit 501 c 3 organizations.
- Section 4 on pg. 9:
    - Discusses bighorn sheep licenses
        - Once again, it moves the grandfathered special allocation license out of this section and into 20.1-05.1-01 (4) on page 5.
- Section 5 pg. 10:
    - Discusses moose licenses

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        - It once again overstrikes much of the language and moves it into the grandfathered section on pg. 5 subsection 5
    - Section 6 on page ~~10~~: 11
        - Discusses elk licenses
            - Page ~~5~~ 6. Subsection 6
    - Section 7 repeals 3 chapters
        - 20.1-08-04.8 (mule deer- moved into the grandfathered subsection 7 pg. 6)
        - 20.1-08-04.12 (antelope- moved into pg. 6 subsection 8)
        - 20.1-08-04.13 (moved into subsection 9 on pg. 7)
- **Bottom Line:**
    - **This bill consolidates all of the gubernatorial special allocation hunting licenses previously in separate sections of the century code into a single grandfathered section.**
        - **The bill then allows the director of game and fish to authorize additional special allocation hunting licenses with restrictions.**
    - **3 ways to get a license if this bill passes:**
        - **General lottery**
        - **Raffle or auction held by a grandfathered organization under 20.1-05.1-01**
        - **Raffle or auction held by an organization who received a special allocation hunting license under the director's discretion under 20.1-05.1-02**

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1 March 2017

Ref: HB 1025

Chairman Jessica Unruh and Members of the Senate Energy and Natural Resources Committee:

My name is Rod Gilmore. I am a lifelong resident of North Dakota and an avid outdoorsman. I have been a longtime advocate of the hunting opportunities afforded us in our state and have served on numerous boards and committees supporting our outdoor heritage. From 2005 through 2014 I was the Regional Director for the Rocky Mountain Elk Foundation (RMEF) and administered the moose tag & elk tag raffle awarded through Century Code for RMEF and the North American Wildlife Enforcement Memorial Museum (NAWEMM).

Originally, RMEF was issued the elk permit and the NAWEMM was issued the moose permit. The elk permit raffle was conducted by the RMEF's Regional Director based in North Dakota and the moose permit raffle was conducted by the ND Game Wardens' Association and the NAWEMM. During the 2003 legislative session, a bill was introduced and passed which gave the elk permit and the moose permit to both RMEF and NAWEMM jointly. As a result, one raffle was conducted utilizing both permits and per the bill, net proceeds from the elk/moose permit raffle would be split 50/50 between the RMEF and the NAWEMM.

A significant problem has arisen with the combining of the elk and moose tags into one raffle with equal sharing of net proceeds between RMEF and NAWEMM. Specifically, most years the RMEF Regional Director and RMEF chapters across the state raise upwards of 90% of the gross sales for the elk/moose tag raffle yet have to share 50% of the net to the NAWEMM. The best the NAWEMM has ever accomplished since the combining of the two tags was raising 19.7% of the gross sales in 2006. That year they raised $6,430 in gross raffle sales but received $11,743 in net raffle proceeds (50% of the net of $23,486). 80.3% of the gross sales of $32,610 that year were raised by RMEF efforts. Since retirement of a Game and Fish Department Warden Supervisor in 2007 who was very involved in the NAWEMM side of the raffle, the share of gross proceeds raised each year by the NAWEMM has steadily dropped to a range of 10% to 13%. This has caused a great deal of concern with RMEF members in the state as they consistently raise 87% to 90% of the gross for the raffle while the NAWEMM continues to receive 50% of the net as established by century code.

For example, in 2013, the NAWEMM raised approximately $3400 in gross sales yet received over $12,000 in net proceeds. This is a typical example of a year to year effort. This problem was brought to the attention of the Board of Directors of the North American Wildlife Enforcement Memorial Museum by RMEF's Regional Director (Rod Gilmore). Promises were made by the Museum's Board of Directors to improve their effort and increase sales but few if any results have occurred. This is a sweet deal for the NAWEMM but not for ND RMEF members and sportsmen who purchase tickets

original

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thinking the profits will be utilized for habitat conservation. As Regional Director for RMEF, I did almost all of the administrative work associated with the raffle and received very little assistance from the NAWEMM.

NAWEMM has little to no incentive to put any additional effort into increasing sales of this combined elk/moose tag raffle as they know they will reap the benefits of the significant effort put forth by RMEF and its members. If the NAWEMM raised zero dollars for this raffle, they would still receive 50% of the net.

I am not asking for any tags to be taken away from any organization. I am asking that an injustice that was not foreseen be correct by the following change to HB1025. If the tags remain a joint raffle between RMEF and NAWEMM, I would ask for the following changes:

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

5. ~~fifty percent of all net proceeds must be used for elk management or other wildlife and conservation - related projects in North Dakota as described under rocky mountain elk foundation policies and objectives. All remaining net proceeds must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the international peace garden.~~

5. Allocation of net proceeds between Rocky Mountain Elk Foundation and the North American Wildlife Enforcement Memorial Museum is based on percentage of gross raffle sales raised by each respective organization. Rocky Mountain Elk Foundation net proceeds must be used for elk management or other wildlife and conservation related projects in North Dakota as described under Rocky Mountain Elk Foundation policies and objectives. North American Wildlife Enforcement Memorial Museum net proceeds must be used for construction and maintenance of the North American Wildlife Enforcement Memorial Museum at the International Peace Garden.

6. ~~fifty percent of all net proceeds must be used for elk management or other wildlife and conservation - related projects in North Dakota as described under rocky mountain elk foundation policies and objectives. All remaining net proceeds must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the international peace garden.~~

6. Allocation of net proceeds between Rocky Mountain Elk Foundation and the North American Wildlife Enforcement Memorial Museum is based on percentage of gross raffle sales raised by each respective organization. Rocky Mountain Elk Foundation net proceeds must be used for elk management or other wildlife and conservation related projects in North Dakota as described under Rocky Mountain Elk Foundation policies and objectives. North American Wildlife Enforcement Memorial Museum net proceeds must be used for construction and

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maintenance of the North American Wildlife Enforcement Memorial Museum at the International Peace Garden.

Each organization involved in this raffle should be rewarded for their respective efforts. In speaking to the current Regional Director for RMEF, he indicated it would be very easy to calculate the gross sales for each organization for this raffle.

Thank you for your time and consideration.

Rod Gilmore

Rod Gilmore
RMEF Life Member
1313 16th St SE
Mandan, ND 58554
701-527-0027
rodg@bis.midco.net

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Senate Energy and Natural Resources Committee
Testimony on HB 1025

North Dakota Game and Fish Department
Scott Peterson, Deputy Director
March 2, 2017

Madam Chair and members of the Senate Energy and Natural Resources Committee, my name is Scott Peterson. I am the Deputy Director of the North Dakota Game and Fish Department and I'm testifying in support of HB 1025.

Over the years, several big game licenses have been allocated to various organizations for fundraiser purposes. Thus far, we have been able to say that the number of licenses allocated for those purposes, has not been biologically significant.

We have assisted Legislative Counsel in crafting this legislation and we believe that it follows the intent of the Legislative Study. It leaves existing provisions, which provide certain organizations receiving high-value tags, in place. It adds new language that would allow other eligible organizations an opportunity for one of these high-value tags while not significantly reducing the chances of the general public drawing one of these high-value tags. Utilizing this process is responsible and sustainable.

As a point of clarification, we understand that the emergency clause was put in place to keep the existing provisions, for allocating existing raffle tags to various organizations, in place. If the intent is different, it is the Department's opinion that we would not have enough time to implement these new provisions, through the Administrative Rules Hearing process, before the start of the 2017 big game hunting seasons.

I'd also like to take this opportunity to remind the Committee that the Department testified at an earlier hearing on SB 2228 which, had it passed, would have provided 6 deer and 4 spring wild turkey licenses to an organization that advocates for veterans. At that hearing, we went on record stating that the Department would not object to amending HB 1025 to allow for the allocation of 4 spring wild turkey licenses. HB 1025 does not currently allocate any spring wild turkey licenses for fund raising purposes and we would still not object to that provision being made by amending HB 1025.

Madam Chair and Committee Members, the North Dakota Game and Fish Department respectfully recommends a **DO PASS** on HB 1025.

North Dakota Wildlife Federation

Ensuring abundant wildlife, wildlife habitat, and access to wildlife recreational opportunities

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TESTIMONY OF MICHAEL McENROE
NORTH DAKOTA WILDLIFE FEDERATION
HOUSE BILL 1025
ENERGY AND NATURAL RESOURCES COMMITTEE
MARCH 2, 2017

Madam Chair Unruh and Members of the Senate Energy and Natural Resources Committee:

For the record, I am Mike McEnroe and I am representing the North Dakota Wildlife Federation. The Federation has 1,400 members in eighteen affiliated clubs and organizations across the State.

The Federation supports HB 1025. In the first half of the session we opposed SB 2228, because this bill, HB 1025 addressed the issue of special allocation hunting licenses by the Director. HB 1025, developed during the interim session, consolidates the existing special allocation lottery licenses provided to charitable groups in one bill and one subsection of ND Century Code. In addition, the Director is authorized to issue up to two elk licenses, two moose licenses, two antelope licenses, and ten white-tailed deer licenses to yet unidentified eligible organizations for raffle or auction. We respectfully request a Do Pass on HB 1025.

I would stand for any questions the Committee may have.

PO Box 1091 • Bismarck, North Dakota 58502 • E-mail: ndwf@ndwf.org • Fax: 701-223-4645
Office Manager: 701-222-2557 • 1-888-827-2557 • Web: www.ndwf.org

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17.0121.05000
Sixty-fifth
Legislative Assembly
of North Dakota

INTERN DRAFT AMENDMENT EHB 1025

UPDATE TITLE

Page 4, after line 4, insert:

SECTION 2. Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

Spring wild turkey licenses for certain veterans. The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to veterans residing in North Dakota who are selected by a nonprofit organization that provides outdoor recreation activities to veterans to help improve their health and well - being, and reduce the rate of suicide among veterans. The organization must provide each veteran a hunting expedition during the spring wild turkey season designed to achieve the purpose of the organization during which the veteran may use the veteran's wild turkey license.

Renumber accordingly

17.0121.05003
Title.

Prepared by the Legislative Council for
Senator Roers
March 29, 2017

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pg 1

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

In lieu of the amendments as printed on page 896 of the Senate Journal, Engrossed House Bill No. 1025 is amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for veterans receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses for certain veterans.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to veterans residing in North Dakota and who are selected by a nonprofit organization that provides outdoor recreation activities to veterans to help improve their health and well-being and to reduce the rate of suicide among veterans. The organization shall provide each veteran a hunting expedition during the spring wild turkey season designed to achieve the purpose of the organization during which the veteran may use the veteran's wild turkey license."

Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

Page 5, line 27, remove "and the"

Page 5, line 28, remove "rocky mountain elk foundation"

Page 6, line 1, remove "and the North American"

Page 6, line 2, remove "wildlife enforcement memorial museum and educational center"

Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

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Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

1
4-7-17
HB 1025

17.0121.05003
Title.07000

Prepared by the Legislative Council for
Senator Roers
March 30, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

In lieu of the amendments as printed on page 896 of the Senate Journal, Engrossed House Bill No. 1025 is amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for veterans receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses for certain veterans.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to veterans residing in North Dakota and who are selected by a nonprofit organization that provides outdoor recreation activities to veterans to help improve their health and well-being and to reduce the rate of suicide among veterans. The organization shall provide each veteran a hunting expedition during the spring wild turkey season designed to achieve the purpose of the organization during which the veteran may use the veteran's wild turkey license."

Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

Page 5, line 27, remove "and the"

Page 5, line 28, remove "rocky mountain elk foundation"

Page 6, line 1, remove "and the North American"

Page 6, line 2, remove "wildlife enforcement memorial museum and educational center"

Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

1
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HB 1025

17.0121.05004
Title.

Prepared by the Legislative Council
Representative D. Anderson
April 7, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1025

That the Senate recede from its amendments as printed on pages 1402 and 1403 of the House Journal and pages 1085 and 1086 of the Senate Journal and that Engrossed House Bill No. 1025 be amended as follows:

Page 1, line 1, after "enact" insert "section 20.1-04-07.1 and"

Page 1, line 2, after the first "to" insert "wild turkey hunting licenses for individuals receiving hunting expeditions from a nonprofit organization and"

Page 4, after line 4, insert:

"**SECTION 3.** Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses - Nonprofit organizations.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to individuals residing in North Dakota who are selected by a nonprofit organization as provided under chapter 20.1-05.1-01."

Page 5, line 15, remove "and the rocky mountain elk foundation"

Page 5, line 17, remove "and the"

Page 5, line 18, remove "rocky mountain elk foundation"

Page 5, line 21, remove "Fifty percent of all net"

Page 5, remove lines 22 and 23

Page 5, line 24, replace "foundation policies and objectives. All remaining" with "The"

Page 5, line 24, after "proceeds" insert "distributed to the North American wildlife enforcement memorial museum and educational center"

Page 5, line 27, remove "and the"

Page 5, line 28, remove "rocky mountain elk foundation"

Page 6, line 1, remove "and the North American"

Page 6, line 2, remove "wildlife enforcement memorial museum and educational center"

Page 6, line 4, remove "and the North American wildlife enforcement memorial"

Page 6, line 5, remove "museum and educational center"

Page 6, line 7, remove "and fifty percent of all"

Page 6, line 8, replace "net proceeds" with ". The net proceeds distributed to the rocky mountain elk foundation"

Page 6, line 10, remove "All remaining net proceeds must be used for"

Page 6, remove line 11

Page 6, line 12, remove "museum and educational center located at the international peace garden."

Page 6, line 13, remove "and the North American wildlife enforcement memorial"

Page 6, line 14, remove "museum and educational center"

Renumber accordingly

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17.0121.05004

Sixty-fifth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1025

Introduced by

Legislative Management

(Agriculture and Natural Resources)

A BILL for an Act to create and enact section 20.1-04-07.1 and chapter 20.1-05.1 of the North Dakota Century Code, relating to wild turkey hunting licenses for individuals receiving hunting expeditions from a nonprofit organization and authorization for issuance of special allocation hunting licenses; to amend and reenact sections 20.1-02-04, 20.1-04-07, 20.1-08-04.1, 20.1-08-04.2, and 20.1-08-04.6 of the North Dakota Century Code, relating to authorization for issuance of special allocation hunting licenses; to repeal sections 20.1-08-04.8, 20.1-08-04.12, and 20.1-08-04.13 of the North Dakota Century Code, relating to authorization for issuance of special allocation hunting licenses; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

20.1-02-04. Duties of director.

The director shall:

1. Maintain an office in Bismarck.
2. Adopt rules necessary to the conduct of the department.
3. Keep an accurate record of all the transactions and expenditures of the department and submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04.
4. Enforce state laws involving wildlife.
5. Collect and distribute statistics and information germane to this title and publish information and reports, including a monthly bulletin, for the education of the public in conservation matters.
6. Examine all waters of the state and, wherever suitable waters are found, arrange to plant, stock, or deposit available fish, spawn, or fry.

7. Cooperate with the United States fish and wildlife service, or any other appropriate federal agency, and make applications for fish, spawn, and fry, to apportion and deposit in waters of the state.
8. Cooperate with and assist clubs and individuals in stocking the waters of this state with fish.
9. Remove or take from any public waters containing a surplus of fish any reasonable quantity of fish for stocking other public waters, hatching or propagating purposes, or exchange with other states and countries.
10. Control, construct, mark, designate, manage, and have charge of all state fish hatcheries, state game farms, game refuges, and game reserves owned, leased, or controlled for the propagation and protection of game birds, game animals, and fish.
11. Supervise the breeding, propagation, capture, distribution, and preservation of game birds, game animals, and fish as the director deems advisable.
12. Adopt rules necessary for carrying out section 20.1-10-01 and these rules have the force of law after one publication in the daily newspapers of this state.
13. Provide the necessary blank forms for making applications for licenses of all kinds and distribute them among those authorized to sell licenses.
14. Keep a record of all permits issued for the purpose of propagation and domestication of game birds or protected animals.
~~15. Issue four any deer licenses and six any white-tailed deer licenses annually to the injured military wildlife project of North Dakota for distribution. A license issued under this subsection is valid during the period of the deer bow season.~~

SECTION 2. AMENDMENT. Section 20.1-04-07 of the North Dakota Century Code is amended and reenacted as follows:

20.1-04-07. Governor's proclamation concerning the taking of wild turkeys - ~~National wild turkey federation raffle~~ - Youth spring wild turkey licenses - ~~Outdoor adventure foundation~~Spring wild turkey licenses.

1. ~~By proclamation the~~The governor by proclamation may provide for a ~~permit~~ season to take wild turkeys in the manner, number, places, and times deemed in the state's best interests~~; however:~~.

~~a. By proclamation the governor may make available to the national wild turkey federation one license per year to hunt wild turkeys in the spring in the manner, places, and times as the governor prescribes. The national wild turkey federation shall hold a raffle or may auction to the highest bidder, whether resident or nonresident, a license to hunt wild turkeys. If an individual receives a wild turkey license through the raffle or the auction, the individual is not eligible to apply for a wild turkey license through the game and fish department that year. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle. Ten percent of the net proceeds of the raffle or auction may be retained by the local, state, or national wild turkey federation entity conducting the raffle or auction. All remaining net proceeds must be deposited in the national wild turkey federation superfund and used for wild turkey management and related projects in this state. The national wild turkey federation shall submit reports concerning the raffle or auction as the director requires.~~

~~b. By proclamation the~~ The governor ~~also~~ by proclamation may allow individuals who are first-time youth spring wild turkey hunters to receive one spring wild turkey license valid for the regular spring wild turkey season. To be eligible to receive a spring wild turkey license, an individual must be fifteen years of age or younger on the opening day of the spring wild turkey season and have never received a spring wild turkey license.

~~c. By proclamation the governor may make available to the outdoor adventure foundation up to two licenses to hunt a turkey in the spring season. The foundation shall make one license available to each qualified youth to hunt as provided in the governor's proclamation. A qualified youth receiving a license under this section must comply with hunter education requirements and if under the age of eighteen must be accompanied by an adult twenty-one years of age or older. As used in this section, "qualified youth" means an individual who has cancer or a life-threatening illness, is of legal age to hunt a turkey, is under twenty-five years of age, is a resident, and is sponsored by the foundation. The foundation must provide the department supporting documentation~~

~~demonstrating compliance with this section. The director may adopt rules to implement this section.~~

2. The governor by proclamation shall make available to residents and nonresidents any ~~permits~~licenses remaining after the resident fall drawing.

SECTION 3. Section 20.1-04-07.1 of the North Dakota Century Code is created and enacted as follows:

20.1-04-07.1. Spring wild turkey licenses - Nonprofit organizations.

The director shall issue four spring wild turkey licenses and permits to hunt wild turkeys to individuals residing in North Dakota who are selected by a nonprofit organization as provided under chapter 20.1-05.1-01.

SECTION 4. Chapter 20.1-05.1 of the North Dakota Century Code is created and enacted as follows:

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

The director shall authorize issuance of the following annual special allocation hunting licenses:

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

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

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

5. One license per year to the North American wildlife enforcement memorial museum and educational center ~~and the rocky mountain elk foundation~~ to hunt moose in a manner, places, and times as the governor provides by proclamation. The North American wildlife enforcement memorial museum and educational center ~~and the rocky mountain elk foundation~~ shall hold a raffle under rules adopted by the director with residents and nonresidents eligible to participate. The individual who receives the license from the raffle may not transfer the license. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle. ~~Fifty percent of all net proceeds must be used for elk management or other wildlife and in conservation-related projects in this state as described under rocky mountain elk foundation policies and objectives. All remaining~~The net proceeds distributed to the

North American wildlife enforcement memorial museum and educational center must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the international peace garden. The North American wildlife enforcement memorial museum and educational center ~~and the rocky mountain elk foundation~~ shall submit reports concerning the raffle as the director requires. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this subsection.

6. One license per year to the rocky mountain elk foundation ~~and the North American wildlife enforcement memorial museum and educational center~~ to hunt elk in a manner, places, and times as the governor provides by proclamation. The rocky mountain elk foundation ~~and the North American wildlife enforcement memorial museum and educational center~~ shall hold a raffle under rules adopted by the director with residents and nonresidents eligible to participate. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle ~~and fifty percent of all net proceeds~~. The net proceeds distributed to the rocky mountain elk foundation must be used for elk management or other wildlife and conservation-related projects in North Dakota as described under rocky mountain elk foundation policies and objectives. ~~All remaining net proceeds must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the international peace garden.~~ The rocky mountain elk foundation ~~and the North American wildlife enforcement memorial museum and educational center~~ shall submit reports concerning the raffle as the director requires. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this subsection.

7. One license per year to the mule deer foundation to hunt mule deer in the manner, places, and times as the governor provides by proclamation. The mule deer foundation shall hold a raffle or auction under rules adopted by the director with residents and nonresidents eligible to participate. If an individual receives a mule deer license through the raffle or auction, the individual is not eligible to receive a mule deer license through the game and fish department that year. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle and all net proceeds

of the raffle or auction must be used for mule deer management and related projects in North Dakota. The mule deer foundation shall submit reports concerning the raffle or auction as the director requires.

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

9. One any elk license, one any moose license, up to seven white-tailed deer licenses, and up to two antelope licenses to the outdoor adventure foundation to hunt the species indicated on the license in the manner, places, and times as the governor prescribes by proclamation. The foundation shall make one license available to each qualified youth to hunt the species of big game indicated on the license as provided in the governor's proclamation. A qualified youth receiving a license under this section must comply with hunter education requirements and if under the age of eighteen must be accompanied by an adult twenty-one years of age or older. As used in this section, "qualified youth" means an individual who has been diagnosed with cancer or a life-threatening illness, is of legal age to hunt the species for which the license is valid, is under twenty-five years of age, is a resident, and is sponsored by the foundation. The foundation must provide the department supporting documentation demonstrating compliance with this section.

20.1-05.1-02. Discretionary special allocation hunting license authorization.

1. Subject to the restrictions under this section and in addition to the special allocation licenses authorized under section 20.1-05.1-01, if determined appropriate by the director based on the sustainability of the species population, the director may issue to eligible organizations the following annual special allocation hunting licenses:
   a. Not more than two elk licenses, but the total issued under this subdivision may not exceed two percent of the general lottery allocation of elk licenses for the season.
   b. Not more than two moose licenses, but the total issued under this subdivision may not exceed two percent of the general lottery allocation of moose licenses for the season.
   c. Not more than two antelope licenses, but the total issued under this subdivision may not exceed two percent of the general lottery allocation of antelope licenses for the previous season.
   d. Not more than ten white-tailed deer licenses.
2. An eligible organization may apply annually to be considered for issuance of up to two special allocation hunting licenses under this section. Applications under this subsection must be filed at the times, in the manner, and containing the information required by rules adopted by the director. If more applications are filed than the number of licenses under this section available for that species for a season, the director shall determine by lottery which organizations will receive the available licenses.
3. An eligible organization that obtains a license under this section and conducts a raffle or auction to determine the recipient of the license must conduct the raffle or auction in compliance with rules adopted by the director. An eligible organization that obtains a license under this section shall submit reports concerning a raffle or auction as the director requires. An individual may apply to receive an elk or moose license through a raffle or auction under this section as well as through the game and fish department general lottery. If an individual receives an elk or moose license under this section, the individual is not eligible to receive an elk or moose license through the game and fish department general lottery that year and may not obtain an elk or moose license under

section 20.1-05.1-01 that year. If an individual receives an elk or moose license under section 20.1-05.1-01, the individual is not eligible to receive an elk or moose license under this section that year.

4. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.

5. For purposes of this section, "eligible organization" means an organization that:

   a. Is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)] and provides with its application a copy of the letter from the internal revenue service to that effect.

   b. Is on file as a nonprofit corporation in good standing in the office of the secretary of state.

   c. Agrees in its application to contribute at least ten percent of the net proceeds of any raffle of a license under this section to a conservation-related project to be conducted in this state and approved by the director.

   d.. Is not the recipient of a special allocation hunting license under section 20.1-05.1-01.

SECTION 5. AMENDMENT. Section 20.1-08-04.1 of the North Dakota Century Code is amended and reenacted as follows:

20.1-08-04.1. Governor's proclamation concerning the hunting of bighorn sheep - ~~Minnesota-Wisconsin chapter of the foundation for North American wild sheep raffle or auction~~ - Certain license recipients not eligible to apply again.

The governor may by proclamation provide for a season to hunt bighorn sheep in the manner, number, places, and times as the governor prescribes. Licenses to hunt bighorn sheep must be issued by lottery~~; however, the governor may by proclamation make available to the Minnesota-Wisconsin chapter of the foundation for North American wild sheep a license to hunt bighorn sheep in the manner, places, and times as the governor prescribes~~, except special allocation licenses issued under subsection 1 of section 20.1-05.1-01. Upon payment of the nonrefundable application fee required by section 20.1-03-12.2, a nonresident may participate in the state lottery. One license to hunt bighorn sheep may be issued to a nonresident participating in the state lottery. If a nonresident is issued a license to hunt bighorn sheep, no other nonresident may be issued a license to hunt bighorn sheep through the state lottery. If all

of the licenses to hunt bighorn sheep made available through the state lottery are issued to residents, then a nonresident is not eligible to be issued a license to hunt bighorn sheep through the state lottery. ~~The Minnesota-Wisconsin chapter of the foundation for North American wild sheep shall hold either a raffle or an auction under rules adopted by the director with residents and nonresidents eligible to participate. Ten percent of gross raffle proceeds may be retained by the Minnesota-Wisconsin chapter of the foundation for North American wild sheep and ninety percent of gross raffle proceeds must be remitted to the department. All auction proceeds must be remitted to the department.~~ Individuals who receive a license through the raffle or auction may not transfer the license. Individuals may participate in the state lottery and the raffle or auction~~; however, individuals~~ under subsection 4 of section 20.1-05.1-01, but an individual may not receive more than one license in any one year. An individual may only receive one license to hunt bighorn sheep through the state lottery in a lifetime. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.

SECTION 6. AMENDMENT. Section 20.1-08-04.2 of the North Dakota Century Code is amended and reenacted as follows:

20.1-08-04.2. Governor's proclamation concerning the hunting of moose - Raffle.

The governor may by proclamation provide for a season to hunt moose in a manner, number, places, and times as the governor prescribes. Licenses to hunt moose must be issued by lottery, except as provided under subsection 8 of section 20.1-03-11, with only residents eligible to apply~~; however, the governor may by proclamation make available to the North American wildlife enforcement memorial museum and educational center and the rocky mountain elk foundation one license per year to hunt moose in a manner, places, and times as the governor prescribes. In addition, the governor may by proclamation make available a license under section 20.1-08-04.13. The North American wildlife enforcement memorial museum and educational center and the rocky mountain elk foundation shall hold a raffle under rules adopted by the director with residents and nonresidents eligible to participate. The person who receives the license from the raffle may not transfer the license. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle. Fifty percent of all net proceeds must be used for elk management or other wildlife and in conservation-related projects in this state as described under rocky mountain elk foundation policies and objectives.~~

~~All remaining net proceeds must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the international peace garden. The North American wildlife enforcement memorial museum and educational center and the rocky mountain elk foundation shall submit reports concerning the raffle as the director requires~~. A person may only receive one license to hunt moose issued by lottery in a lifetime. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.

SECTION 7. AMENDMENT. Section 20.1-08-04.6 of the North Dakota Century Code is amended and reenacted as follows:

20.1-08-04.6. Governor's proclamation concerning the hunting of elk - ~~Rocky mountain elk foundation raffle~~Special elk depredation management licenses.

The governor may by proclamation provide for a season to hunt elk in a manner, number, places, and times as the governor prescribes. Licenses to hunt elk must be issued by lottery, except as provided under subsection 7 of section 20.1-03-11, with only residents eligible to apply~~; however, the governor may by proclamation make available to the rocky mountain elk foundation and the North American wildlife enforcement memorial museum and educational center a license to hunt elk in a manner, places, and times as the governor prescribes. In addition, the governor may by proclamation make available a license under section 20.1-08-04.13. The rocky mountain elk foundation and the North American wildlife enforcement memorial museum and educational center shall hold a raffle under rules adopted by the director with residents and nonresidents eligible to participate. No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle and fifty percent of all net proceeds must be used for elk management or other wildlife and conservation-related projects in North Dakota as described under rocky mountain elk foundation policies and objectives and all remaining net proceeds must be used for construction and maintenance of the North American wildlife enforcement memorial museum and educational center located at the international peace garden. The rocky mountain elk foundation and the North American wildlife enforcement memorial museum and educational center shall submit reports concerning the raffle as the director requires~~.

An owner of farmed elk who is experiencing elk depredation problems may contact the director. Upon investigation, the director may issue special elk depredation management

licenses. The governor by proclamation shall establish a procedure to issue elk depredation management licenses in a timely manner.

Except for landowners who receive a license under subsection 7 of section 20.1-03-11 and landowners who receive special elk depredation management licenses issued to landowners under subsection 7 of section 20.1-03-11, and persons who receive a special elk depredation management license issued by lottery under this section, a person may only receive one license to hunt elk issued by lottery in a lifetime. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.

SECTION 8. REPEAL. Sections 20.1-08-04.8, 20.1-08-04.12, and 20.1-08-04.13 of the North Dakota Century Code are repealed.

SECTION 9. EMERGENCY. This Act is declared to be an emergency measure.