

Fifty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2215**

Introduced by

Senators Wardner, Fischer

Representatives Hanson, F. Klein

1 A BILL for an Act to amend and reenact subsection 8 of section 20.1-03-11 and sections  
2 20.1-08-04.2 and 20.1-08-04.6 of the North Dakota Century Code, relating to the moose and elk  
3 hunting license raffles.

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

5 **SECTION 1. AMENDMENT.** Subsection 8 of section 20.1-03-11 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 8. A resident who has executed a lease for at least one hundred sixty acres [64.75  
8 hectares] of land and who actively farms or ranches that land or a resident who  
9 holds title to at least one hundred sixty acres [64.75 hectares] of land is eligible to  
10 apply for a license to hunt moose without charge upon filing a signed application  
11 describing that land. The land must be within a unit open for the hunting of moose.  
12 The license must include a legal description of the eligible land described in the  
13 completed application and may be used to hunt moose only upon that land. Upon  
14 request, a lessee shall provide proof that the land described in the completed  
15 application is leased for agricultural purposes. A resident who is eligible for a  
16 license under this subsection may transfer that eligibility for the license to a spouse  
17 or a legal dependent residing customarily with the resident, but no more than one  
18 license may be issued under this subsection for any qualifying land. A resident  
19 transferring eligibility under this subsection is not eligible to apply for a license to  
20 hunt moose in future years but is eligible to participate in the ~~North Dakota game~~  
21 ~~warden association~~ raffle under section 20.1-08-04.2. If not otherwise specified in  
22 an agricultural lease, the landowner is entitled to receive the license. The number  
23 of licenses issued under this subsection for a district or unit may not exceed fifteen  
24 percent of the total licenses prescribed in the governor's proclamation for that

district or unit. If the number of eligible persons who apply for a license under this subsection exceeds the number of licenses available under this subsection, the licenses must be issued by lottery as prescribed in the governor's proclamation. A person who receives a license under this subsection and who is successful in harvesting a moose is not eligible to apply for a license to hunt moose in future years but is eligible to participate in the ~~North Dakota game warden association~~ raffle under section 20.1-08-04.2. Notwithstanding this subsection, if a person other than the transferee of license eligibility is unsuccessful in harvesting a moose under this subsection, that person may return the unused license to the department and is eligible to apply for, but not transfer, an additional license to hunt moose in future years. A person who receives a second license under this subsection is not eligible to participate in the ~~North Dakota game warden association~~ raffle under section 20.1-08-04.2. If a person receives a license under this subsection, the person's spouse, children, and parents living with the person are not eligible to receive a license under this subsection for the district or unit in which the land described in the completed application is located, unless the person has sold or otherwise transferred the person's rights to the land described in the completed application. The governor's proclamation may restrict the area of land within a unit open for the hunting of moose for which a preferential license is issued under this subsection. If the proclamation restricts the area for issuance of preferential licenses, an applicant must own or lease land within the restricted area to be eligible to apply for a license to hunt moose upon payment of the fee required for a resident big game license. The license may be used to hunt moose within the entire unit in which the land described in the completed application is located. A successful applicant from a restricted area may not return an unused license to regain eligibility for a license to hunt moose in future years.

**SECTION 2. 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 - ~~North Dakota game warden association raffle~~ - Raffle.** The governor may by proclamation provide for a season to hunt moose in a manner, number, places, and times as the governor prescribes.

1 Licenses to hunt moose must be issued by lottery, except as provided under subsection 8 of  
2 section 20.1-03-11, with only residents eligible to apply; however, the governor may by  
3 proclamation make available to the ~~North Dakota game warden association~~ rocky mountain elk  
4 foundation one license per year to hunt moose in a manner, places, and times as the governor  
5 prescribes. The ~~North Dakota game warden association~~ rocky mountain elk foundation shall  
6 hold a raffle under rules adopted by the director with residents and nonresidents eligible to  
7 participate. The person who receives the license from the raffle may not transfer the license.  
8 No more than ten percent of the gross proceeds of the raffle may be used to promote the raffle.  
9 ~~Fifteen~~ Fifty percent of all net proceeds must be remitted to the department and used for  
10 ~~moose elk~~ management and related projects in this state. All remaining net proceeds must be  
11 used for construction and maintenance of the North American wildlife enforcement officers  
12 association game warden museum located at the international peace garden. ~~The governor~~  
13 ~~may not make more than a total of ten licenses available to the North Dakota game warden~~  
14 ~~association under this section~~ The rocky mountain elk foundation shall submit reports  
15 concerning the moose license raffle as the director requires. A person may only receive one  
16 license to hunt moose issued by lottery and one license to hunt moose through the ~~North~~  
17 ~~Dakota game warden association~~ rocky mountain elk foundation moose license raffle in a  
18 lifetime.

19 **SECTION 3. AMENDMENT.** Section 20.1-08-04.6 of the North Dakota Century Code  
20 is amended and reenacted as follows:

21 **20.1-08-04.6. Governor's proclamation concerning the hunting of elk - Rocky**  
22 **mountain elk foundation raffle.** The governor may by proclamation provide for a season to  
23 hunt elk in a manner, number, places, and times as the governor prescribes. Licenses to hunt  
24 elk must be issued by lottery, except as provided under subsection 7 of section 20.1-03-11, with  
25 only residents eligible to apply; however, the governor may by proclamation make available to  
26 the rocky mountain elk foundation a license to hunt elk in a manner, places, and times as the  
27 governor prescribes. The rocky mountain elk foundation shall hold a raffle under rules adopted  
28 by the ~~commissioner~~ director with ~~only~~ residents and nonresidents eligible to participate. No  
29 more than ten percent of the gross proceeds of the raffle may be used to promote the raffle and  
30 all net proceeds must be used for elk management and related projects in North Dakota as  
31 described under rocky mountain elk foundation policies and objectives. The rocky mountain elk

- 1 foundation shall submit reports concerning the raffle as the ~~commissioner~~ director requires.
- 2 Except for landowners who receive special elk depredation management licenses issued to
- 3 landowners under subsection 7 of section 20.1-03-11 and persons who receive a special elk
- 4 depredation management license issued by lottery under this section, a person may only
- 5 receive one license to hunt elk issued by lottery and one nontransferable license to hunt elk
- 6 through the rocky mountain elk foundation raffle in a lifetime.