

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1462

Introduced by

Representatives Strinden, Beadle, Hager, Marschall, Schauer

Senator Clemens

A BILL ~~for an Act to amend and reenact subsection 9 of section 20.1-05.1-01 of the North Dakota Century Code, relating to special allocation hunting licenses for a nonprofit organization serving youth with life-threatening illnesses.~~ for an Act to amend and reenact section 20.1-05.1-01 of the North Dakota Century Code, relating to special allocation hunting licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~**SECTION 1. AMENDMENT.** Subsection 9 of section 20.1-05.1-01 of the North Dakota Century Code is amended and reenacted as follows:—~~

~~— 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 may use any legal weapon when hunting with the license regardless of whether the weapon is permitted generally for the season, 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.~~

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

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

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

~~1.~~ a. 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.~~ b. 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.~~ c. 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.~~ d. 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

1 proclamation. The midwest chapter of the wild sheep foundation shall hold a
2 raffle or auction under rules adopted by the director with residents and
3 nonresidents eligible to participate. An individual who has been convicted of
4 illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or
5 receive a license under this subsection. Ten percent of gross raffle proceeds may
6 be retained by the midwest chapter of the wild sheep foundation and ninety
7 percent of gross raffle proceeds must be remitted to the department. All auction
8 proceeds must be remitted to the department. An individual who receives a
9 license through the raffle or auction may not transfer the license.

10 ~~5-~~ e. One license per year to the North American wildlife enforcement memorial
11 museum and educational center to hunt moose in a manner, places, and times as
12 the governor provides by proclamation. The North American wildlife enforcement
13 memorial museum and educational center shall hold a raffle under rules adopted
14 by the director with residents and nonresidents eligible to participate. The
15 individual who receives the license from the raffle may not transfer the license.
16 No more than ten percent of the gross proceeds of the raffle may be used to
17 promote the raffle. The net proceeds distributed to the North American wildlife
18 enforcement memorial museum and educational center must be used for
19 construction and maintenance of the North American wildlife enforcement
20 memorial museum and educational center located at the International Peace
21 Garden. The North American wildlife enforcement memorial museum and
22 educational center shall submit reports concerning the raffle as the director
23 requires. An individual who has been convicted of illegally taking a moose, elk, or
24 bighorn sheep is not eligible to apply for or receive a license under this
25 subsection.

26 ~~6-~~ f. One license per year to the rocky mountain elk foundation to hunt elk in a
27 manner, places, and times as the governor provides by proclamation. The rocky
28 mountain elk foundation shall hold a raffle under rules adopted by the director
29 with residents and nonresidents eligible to participate. No more than ten percent
30 of the gross proceeds of the raffle may be used to promote the raffle. The net
31 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. 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.

~~7.~~ g. 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.~~ h. 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. i. One any elk license, one any moose license, up to ~~seven~~four any white-tailed deer licenses, up to three any antlered 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 issued under this section is only valid during an open season for the species indicated as prescribed by the governor's proclamation and for the year indicated on the license or tag. A qualified youth hunting with a license issued under this section may use any weapon that is legal for the species being hunted. However, a qualified youth may use any weapon when hunting with a license under this subsection on private land with the written permission from the landowner. 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.

2. An organization eligible to receive a license under this section shall provide an annual report on forms provided by the director. The annual report must include the name of the hunters, dates of the hunt, and the species harvested. If an organization fails to submit a complete report required under this subsection, the organization may not receive a license under this section until the organization submits the complete report. If the director determines by clear and convincing evidence that a criminal violation of a state hunting, fishing, or trapping law occurred during a hunt conducted with a license issued under this section, the director may not issue a license under this

- 1 section for a period of one year to the organization that conducted the hunt. However,
- 2 the director may issue a license under section 20.1-05.1 to the organization during the
- 3 one-year period if the organization is otherwise eligible for the license.