

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1214

Introduced by

Representatives Wilkie, Olson, Hanson

Senators Kelsh, O'Connell, Sand

1 A BILL for an Act to amend and reenact subsection 8 of section 20.1-03-11 of the North Dakota  
2 Century Code, relating to landowner preference moose hunting licenses.

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

4 **SECTION 1. AMENDMENT.** Subsection 8 of section 20.1-03-11 of the 1995  
5 Supplement to the North Dakota Century Code is amended and reenacted as follows:

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

1 the number of licenses available under this subsection, the licenses must be  
2 issued by lottery as prescribed in the governor's proclamation. A person who  
3 receives a license under this subsection and who is successful in harvesting a  
4 moose is not eligible to apply for a license to hunt moose in future years but is  
5 eligible to participate in the North Dakota game warden association raffle under  
6 section 20.1-08-04.2. Notwithstanding this subsection, if a person other than the  
7 transferee of license eligibility is unsuccessful in harvesting a moose under this  
8 subsection, that person may return the unused license to the department and is  
9 eligible to apply for, but not transfer an additional license to hunt moose in future  
10 years. A person who receives a second license under this subsection is not  
11 eligible to participate in the North Dakota game warden association raffle under  
12 section 20.1-08-04.2. If a person receives a license under this subsection, the  
13 person's spouse, children, and parents living with the person are not eligible to  
14 receive a license under this subsection for the district or unit in which the land  
15 described in the affidavit is located, unless the person has sold or otherwise  
16 transferred the person's rights to the land described in the affidavit. The governor's  
17 proclamation may restrict the area of land within a unit open for the hunting of  
18 moose for which a preferential license is issued under this subsection. If the  
19 proclamation restricts the area for issuance of preferential licenses, an applicant  
20 must own or lease land within the restricted area to be eligible to apply for a license  
21 to hunt moose upon payment of the fee required for a resident big game license.  
22 The license may be used to hunt moose within the entire unit in which the land  
23 described in the affidavit is located. A successful applicant from a restricted area  
24 may not return an unused license to regain eligibility for a license to hunt moose in  
25 future years.