

HOUSE BILL NO. 1094

Introduced by

Representatives J. Olson, D. Anderson, Kempenich, Nehring, Novak, Pyle, Schauer,
Swiontek

Senators Kessel, Patten, Thomas

1 A BILL for an Act to amend and reenact section 20.1-05.1-02 of the North Dakota Century
2 Code, relating to discretionary special allocation hunting licenses.

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

4 **SECTION 1. AMENDMENT.** Section 20.1-05.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **20.1-05.1-02. Discretionary special allocation hunting license authorization.**

7 1. Subject to the restrictions under this section and in addition to the special allocation
8 licenses authorized under section 20.1-05.1-01, if determined appropriate by the
9 director based on the sustainability of the species population, the director may issue to
10 eligible organizations the following annual special allocation hunting licenses:

11 a. Not more than two elk licenses, but the total issued under this subdivision may
12 not exceed two percent of the general lottery allocation of elk licenses for the
13 season.

14 b. Not more than two moose licenses, but the total issued under this subdivision
15 may not exceed two percent of the general lottery allocation of moose licenses
16 for the season.

17 c. Not more than two antelope licenses, but the total issued under this subdivision
18 may not exceed two percent of the general lottery allocation of antelope licenses
19 for the previous season.

20 d. Not more than ten white-tailed deer licenses.

21 2. An eligible organization may apply annually to be considered for issuance of up to two
22 special allocation hunting licenses under this section. Applications under this
23 subsection must be filed at the times, in the manner, and containing the information

1 required by rules adopted by the director. If more applications are filed than the
2 number of licenses under this section available for that species for a season, the
3 director shall determine by lottery which organizations will receive the available
4 licenses.

5 3. An eligible organization that obtains a license under this section and conducts a raffle
6 or auction to determine the recipient of the license must conduct the raffle or auction in
7 compliance with rules adopted by the director. An eligible organization that obtains a
8 license under this section shall submit reports concerning a raffle or auction as the
9 director requires. An individual may apply to receive an elk or moose license through a
10 raffle or auction under this section as well as through the game and fish department
11 general lottery. If an individual receives an elk or moose license under this section, the
12 individual is not eligible to receive an elk or moose license through the game and fish
13 department general lottery that year and may not obtain an elk or moose license under
14 section 20.1-05.1-01 that year. If an individual receives an elk or moose license under
15 section 20.1-05.1-01, the individual is not eligible to receive an elk or moose license
16 under this section that year.

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

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

- 20 a. Is exempt from federal income taxation under section 501(c)(~~3~~) of the Internal
21 Revenue Code [26 U.S.C. 501(c)(~~3~~)] and provides with its application a copy of
22 the letter from the internal revenue service to that effect-;
- 23 b. Is on file as a nonprofit corporation in good standing in the office of the secretary
24 of state-;
- 25 c. Agrees in its application to contribute at least ten percent of the net proceeds of
26 any raffle of a license under this section to a conservation-related project to be
27 conducted in this state and approved by the director-; and
- 28 d. Is not the recipient of a special allocation hunting license under section
29 20.1-05.1-01.