

CHAPTER 20.1-05.1
SPECIAL ALLOCATION HUNTING LICENSE

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

1. The director shall authorize issuance of the following annual special allocation hunting licenses:
 - 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.
 - 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.
 - 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.
 - 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 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.
 - e. One license per year to the North American wildlife enforcement memorial museum and educational center 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 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. 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 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.

- f. One license per year to the rocky mountain elk foundation to hunt elk in a manner, places, and times as the governor provides by proclamation. The rocky mountain elk foundation 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. 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. 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.
- 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.
- 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.
- i. One any elk license, one any moose license, up to four any white-tailed deer licenses, up to three any deer licenses, and up to two antelope licenses to the outdoor adventure foundation. 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 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. If a qualified youth is hunting on private land with written permission from the landowner and with a license issued under this section, the qualified youth may use any weapon that is legal in any season for the species being hunted. 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 section for a period of one year to the organization that conducted the hunt. However, the director may issue a license under section 20.1-05.1 to the organization during the one-year period if the organization is otherwise eligible for the license.

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.