

HOUSE BILL NO. 1238

Introduced by

Representatives Nottestad, Brekke, Carlson

Senator Espegard

1 A BILL for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code,
2 relating to use of out-of-state vendors by county auditors to sell fishing licenses and
3 appointment of agents to sell game and fish licenses.

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

5 **SECTION 1. AMENDMENT.** Section 20.1-03-17 of the 1999 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **20.1-03-17. Issuance of licenses - Who to issue - County auditor may appoint**
8 **agents to receive service fees - Disposition of proceeds - Continuing appropriation.** All
9 hunting, fur-bearer, fishing, and taxidermists' licenses must be issued by county auditors, the
10 director, deputy director, and bonded game wardens. The county auditors, deputy director, and
11 each bonded game warden shall send the director all license fees. For each license the county
12 auditor issues, the county auditor shall collect the authorized charges and record them in the
13 county auditor's record of cash received. The county auditor is entitled to be reimbursed, as
14 compensation, twenty-five cents for the issuance of each of the first one thousand resident
15 hunting, fishing, or fur-bearer licenses issued each year and fifteen cents for the issuance of
16 each resident hunting, fishing, or fur-bearer license issued in excess of the first one thousand
17 licenses issued each year; one dollar for the issuance of each nonresident hunting or fur-bearer
18 license; twenty-five cents for the issuance of each nonresident fishing license; and ten cents for
19 the issuance of each nonresident general game license. The compensation due the county
20 auditor for the issuance of licenses is hereby appropriated as a standing and continuing
21 appropriation from the game and fish fund for the purposes of this section.

22 The county auditor may appoint agents to distribute hunting and fishing licenses or
23 stamps. ~~However, a~~ A county auditor may not provide hunting or fishing licenses to agents
24 located outside this state, but the director may provide licenses to agents located outside this

1 state if there are no agents located a reasonable distance within this state where nonresidents
2 may obtain licenses. The director and county auditor may require agents to show evidence of
3 adequate financial security before the agents are appointed. Adequate financial security may
4 be evidenced by a letter of credit, cash deposit, or bond. Agents may be bonded through the
5 state bonding fund. The agents may charge purchasers a service fee of fifty cents for each
6 license. Service fees may be retained by the agent. The agent shall return the remainder of
7 the license fees ~~must be returned~~ to the county auditor, for deposit with the county treasurer, or
8 to the director if the agent is appointed by the director, at least once each month, and not later
9 than three days after the close of the month. Notwithstanding section 26.1-21-11, if a claim
10 against the state bonding fund is not filed within sixty days of the expiration of the reporting
11 period provided in this section, the claim is waived. Deposits are to be accompanied by a
12 report showing the amounts received from the sale of each type of license, the amount
13 retained, and the net amounts deposited. The county treasurer shall credit the fees so
14 deposited to a separate account and shall hold the fees, subject to warrant for payment thereof
15 drawn by the county auditor in favor of the director. The director shall deposit all license or
16 stamp fees received with the state treasurer to be credited to the game and fish fund.