

HOUSE BILL NO. 1088

Introduced by

Representatives Laning, Rohr, Kasper

1 A BILL for an Act to amend and reenact sections 20.1-08-04.1, 20.1-08-04.2, and 20.1-08-04.6
2 of the North Dakota Century Code, relating to who may participate in the bighorn sheep, elk,
3 and moose lottery.

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

5 **SECTION 1. AMENDMENT.** Section 20.1-08-04.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **20.1-08-04.1. Governor's proclamation concerning the hunting of bighorn sheep -**
8 **Minnesota-Wisconsin chapter of the foundation for North American wild sheep raffle or**
9 **auction - Certain license recipients not eligible to apply again.**

10 The governor may by proclamation provide for a season to hunt bighorn sheep in the
11 manner, number, places, and times as the governor prescribes. Licenses to hunt bighorn sheep
12 must be issued by lottery; however, the governor may by proclamation make available to the
13 Minnesota-Wisconsin chapter of the foundation for North American wild sheep a license to hunt
14 bighorn sheep in the manner, places, and times as the governor prescribes. Upon payment of
15 the nonrefundable application fee required by section 20.1-03-12.2, a nonresident may
16 participate in the state lottery. One license to hunt bighorn sheep may be issued to a
17 nonresident participating in the state lottery. If a nonresident is issued a license to hunt bighorn
18 sheep, no other nonresident may be issued a license to hunt bighorn sheep through the state
19 lottery. If all of the licenses to hunt bighorn sheep made available through the state lottery are
20 issued to residents, then a nonresident is not eligible to be issued a license to hunt bighorn
21 sheep through the state lottery. To be eligible to participate in the lottery, a resident must have
22 been a resident of this state for the preceding three years. The Minnesota-Wisconsin chapter of
23 the foundation for North American wild sheep shall hold either a raffle or an auction under rules
24 adopted by the director with residents and nonresidents eligible to participate. Ten percent of

1 gross raffle proceeds may be retained by the Minnesota-Wisconsin chapter of the foundation for
2 North American wild sheep and ninety percent of gross raffle proceeds must be remitted to the
3 department. All auction proceeds must be remitted to the department. Individuals who receive a
4 license through the raffle or auction may not transfer the license. Individuals may participate in
5 the state lottery and the raffle or auction; however, individuals may not receive more than one
6 license in any one year. An individual may only receive one license to hunt bighorn sheep
7 through the state lottery in a lifetime. An individual who has been convicted of illegally taking a
8 moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.

9 **SECTION 2. AMENDMENT.** Section 20.1-08-04.2 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **20.1-08-04.2. Governor's proclamation concerning the hunting of moose - Raffle.**

12 The governor may by proclamation provide for a season to hunt moose in a manner,
13 number, places, and times as the governor prescribes. Licenses to hunt moose must be issued
14 by lottery, except as provided under subsection 8 of section 20.1-03-11, with only residents who
15 have been a resident of this state for the preceding three years eligible to apply; however, the
16 governor may by proclamation make available to the North American wildlife enforcement
17 memorial museum and educational center and the rocky mountain elk foundation one license
18 per year to hunt moose in a manner, places, and times as the governor prescribes. The North
19 American wildlife enforcement memorial museum and educational center and the rocky
20 mountain elk foundation shall hold a raffle under rules adopted by the director with residents
21 and nonresidents eligible to participate. The person who receives the license from the raffle may
22 not transfer the license. No more than ten percent of the gross proceeds of the raffle may be
23 used to promote the raffle. Fifty percent of all net proceeds must be used for elk management or
24 other wildlife and in conservation-related projects in this state as described under rocky
25 mountain elk foundation policies and objectives. All remaining net proceeds must be used for
26 construction and maintenance of the North American wildlife enforcement memorial museum
27 and educational center located at the international peace garden. The North American wildlife
28 enforcement memorial museum and educational center and the rocky mountain elk foundation
29 shall submit reports concerning the raffle as the director requires. A person may only receive
30 one license to hunt moose issued by lottery in a lifetime. An individual who has been convicted

1 of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license
2 under this section.

3 **SECTION 3. AMENDMENT.** Section 20.1-08-04.6 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **20.1-08-04.6. Governor's proclamation concerning the hunting of elk - Rocky**
6 **mountain elk foundation raffle.**

7 The governor may by proclamation provide for a season to hunt elk in a manner, number,
8 places, and times as the governor prescribes. Licenses to hunt elk must be issued by lottery,
9 except as provided under subsection 7 of section 20.1-03-11, with only residents who have
10 been a resident of this state for the preceding three years eligible to apply; however, the
11 governor may by proclamation make available to the rocky mountain elk foundation and the
12 North American wildlife enforcement memorial museum and educational center a license to
13 hunt elk in a manner, places, and times as the governor prescribes. The rocky mountain elk
14 foundation and the North American wildlife enforcement memorial museum and educational
15 center shall hold a raffle under rules adopted by the director with residents and nonresidents
16 eligible to participate. No more than ten percent of the gross proceeds of the raffle may be used
17 to promote the raffle and fifty percent of all net proceeds must be used for elk management or
18 other wildlife and conservation-related projects in North Dakota as described under rocky
19 mountain elk foundation policies and objectives and all remaining net proceeds must be used
20 for construction and maintenance of the North American wildlife enforcement memorial museum
21 and educational center located at the international peace garden. The rocky mountain elk
22 foundation and the North American wildlife enforcement memorial museum and educational
23 center shall submit reports concerning the raffle as the director requires. An owner of farmed elk
24 who is experiencing elk depredation problems may contact the director. Upon investigation, the
25 director may issue special elk depredation management licenses. The governor by proclamation
26 shall establish a procedure to issue elk depredation management licenses in a timely manner.
27 Except for landowners who receive a license under subsection 7 of section 20.1-03-11 and
28 landowners who receive special elk depredation management licenses issued to landowners
29 under subsection 7 of section 20.1-03-11, and persons who receive a special elk depredation
30 management license issued by lottery under this section, a person may only receive one license

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- 1 to hunt elk issued by lottery in a lifetime. An individual who has been convicted of illegally taking
- 2 a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.