

HOUSE BILL NO. 1357

Introduced by

Representatives C. Johnson, Blum, Jones, Zubke

Senator Vedaa

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 eligibility for gratis licenses to hunt moose.

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 North Dakota
5 Century Code is amended and reenacted as follows:

6 8. A resident ~~whethat~~ that is an individual, corporation, limited liability company, limited
7 liability partnership, limited partnership, partnership, trust, or life estate that has
8 executed a lease for at least one hundred fifty acres [60.70 hectares] of land and ~~who~~
9 actively farms or ranches that land, ~~or a resident whethat~~ that is an individual, corporation,
10 limited liability company, limited liability partnership, limited partnership, partnership,
11 trust, or life estate that holds title to at least one hundred fifty acres [60.70 hectares] of
12 land, is eligible to apply for a license to hunt moose without charge annually upon filing
13 a signed application describing that land. The land must be within a unit open for the
14 hunting of moose. The license must include a legal description of the eligible land
15 described in the completed application and may be used to hunt moose only upon that
16 land. Only one license may be issued to an eligible applicant, and, if the eligible
17 applicant is not an individual, the license must be issued in the name of an individual
18 shareholder, member, partner, beneficiary, or holder of a life estate. Upon request, a
19 lessee shall provide proof that the land described in the completed application is
20 leased for agricultural purposes. A resident who is eligible for a license under this
21 subsection may transfer that eligibility for the license to a spouse or a legal dependent
22 residing customarily with the resident, but no more than one license may be issued
23 under this subsection for any qualifying land. ~~A resident transferring eligibility under~~
24 ~~this subsection is not eligible to apply for a license to hunt moose in future years but is~~

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