

HOUSE BILL NO. 1396

Introduced by

Representatives D. Johnson, Boe, M. Nelson

Senator Klein

1 A BILL for an Act to amend and reenact subsection 7 of section 20.1-03-11 of the North Dakota
2 Century Code, relating to licenses to hunt elk.

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

4 **SECTION 1. AMENDMENT.** Subsection 7 of section 20.1-03-11 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 7. A resident who has executed a lease for at least one hundred fifty acres [60.78
7 hectares] of land and who actively farms or ranches that land or a resident who holds
8 title to at least one hundred fifty acres [60.78 hectares] of land is eligible to apply for a
9 license to hunt elk upon filing a signed application describing that land and payment of
10 the fee requirement for a resident big game license. The land must be within a unit
11 open for the hunting of elk. The license must include a legal description of the eligible
12 land described in the completed application and may be used to hunt elk within the
13 district or unit in which the land described in the completed application is located.
14 Upon request, a lessee shall provide proof that the land described in the completed
15 application is leased for agricultural purposes. A resident who is eligible for a license
16 under this subsection may transfer that eligibility for the license to a spouse or legal
17 dependent residing customarily with the resident, but no more than one license may
18 be issued under this subsection for any qualifying land. If not otherwise specified in an
19 agricultural lease, the landowner is entitled to receive the license. The governor's
20 proclamation may restrict the districts or units for which preferential licenses may be
21 issued under this subsection. The number of licenses issued under this subsection for
22 each designated district or unit for hunting elk may not exceed fifteen percent of the
23 total licenses prescribed in the governor's proclamation for each district or unit. If the
24 number of applications for licenses to be issued under this subsection in a district or

1 unit exceeds the maximum number of licenses allocated to that district or unit, the
2 licenses to be issued must be issued by weighted lottery as prescribed in the
3 governor's proclamation. Licenses to hunt elk may not be issued under this subsection
4 when the total number of licenses prescribed in the governor's proclamation is fewer
5 than twenty. The director may issue special elk depredation management licenses to
6 landowners in designated areas around Theodore Roosevelt national park upon
7 payment of the fee requirement for a resident big game license. The director may
8 issue special elk depredation management licenses to landowners in designated
9 areas between highway fourteen on the western border, highway forty-three on the
10 southern border, highway three on the eastern border, and the Canadian border on the
11 northern border, upon payment of the fee requirement for a resident big game license.
12 The provisions of this section governing the number of licenses issued for each
13 designated district or unit for hunting elk do not apply to special elk depredation
14 management licenses and a person who receives such a license under this subsection
15 is eligible to apply for a license to hunt elk in future years and is eligible to participate
16 in the raffle under section 20.1-08-04.6. An individual who has been convicted of
17 illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a
18 license under this subsection.