

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2332

Introduced by

Senators Miller, Klein, O'Connell

Representatives D. Johnson, S. Meyer, Wrangham

1 A BILL for an Act to provide for hunting on big game preserves; to provide a penalty; and to
2 provide a continuing appropriation.

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

4 **SECTION 1.**

5 **Hunting on big game preserves - Manifest - Fee - Continuing appropriation - Penalty.**

- 6 1. A person hunting or harvesting cervidae livestock on a big game preserve is not
7 required to possess a hunting license. Each animal harvested must be accompanied
8 during transport with a manifest provided by the state board of animal health. It is
9 unlawful to transport or possess a big game animal harvested from a big game
10 preserve without a manifest, and the manifest acts as a bill of sale for the permitted
11 owner and the hunter. A big game preserve must contain adequate cover to provide
12 the animal with a reasonable opportunity to elude the hunter and must be fenced to
13 meet the requirements of section 36-25-05 and any rules adopted by the state board
14 of animal health.
- 15 2. A big game animal that has been legally acquired or propagated under chapter 36-01
16 or 36-25 may be hunted within the confines of a big game preserve between one-half
17 hour before sunrise and one-half hour after sunset.
- 18 3. It is unlawful to harvest an animal from a big game preserve by any method other than
19 with a gun, bow and arrow, or crossbow, and it is unlawful to offer or allow
20 computer-assisted remote hunting.
- 21 4. The annual fee for a big game preserve permit is three hundred dollars. Permit fees
22 must be deposited in the agriculture commissioner's operating fund and are
23 appropriated on a continuing basis to the state board of animal health for purposes of
24 enforcing this section.

- 1 5. a. A cervidae livestock operation is an agricultural enterprise and is considered to
2 be part of the farming and agricultural industry of this state and must be afforded
3 all rights, privileges, opportunities, and responsibilities of other agricultural
4 enterprises.
- 5 b. Cervidae livestock operations are a form of agriculture. Cervidae livestock
6 facilities and equipment are considered to be agricultural facilities and equipment
7 and uses related to farming are considered to be agricultural uses.
- 8 c. Cervidae products and cervidae livestock defined as nontraditional livestock or as
9 farmed elk in section 36-01-00.1 lawfully produced, purchased, possessed, or
10 acquired from within this state or imported into this state are the exclusive and
11 private property of the owner.
- 12 6. As used in this section, "big game preserve" means an area of land where game and
13 nonnative wildlife, other than gamebirds, are harvested as authorized by a big game
14 preserve permit. A big game preserve for cervidae livestock must be a fenced single
15 body of land, may not be dissected by public roads, and may not be less than one
16 hundred sixty acres [64.75 hectares] in size. A big game hunting preserve in operation
17 before January 1, 2011, may be less than one hundred sixty acres [64.75 hectares].
18 but in no case may the acreage be less than eighty acres [32.37 hectares].
- 19 7. A person that violates this section is guilty of an infraction.