

Sixty-second
Legislative Assembly
of North Dakota

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 ~~remitted to the state board of animal health. Permit fees are appropriated on a~~
23 ~~continuing basis to the board for administrative expenses incurred under this~~
24 ~~section~~ deposited in the agriculture commissioner's operating fund and are

appropriated on a continuing basis to the state board of animal health for purposes of enforcing this section.

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