

**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

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

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