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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Hunting on big game preserves - Manifest - Fee - Continuing appropriation - Penalty.

1. A person hunting or harvesting cervidae livestock on a big game preserve is not required to possess a hunting license. Each animal harvested must be accompanied during transport with a manifest provided by the state board of animal health. It is unlawful to transport or possess a big game animal harvested from a big game preserve without a manifest, and the manifest acts as a bill of sale for the permitted owner and the hunter. A big game preserve must contain adequate cover to provide the animal with a reasonable opportunity to elude the hunter and must be fenced to meet the requirements of section 36-25-05 and any rules adopted by the state board of animal health.

2. A big game animal that has been legally acquired or propagated under chapter 36-01 or 36-25 may be hunted within the confines of a big game preserve between one-half hour before sunrise and one-half hour after sunset.

3. It is unlawful to harvest an animal from a big game preserve by any method other than with a gun, bow and arrow, or crossbow, and it is unlawful to offer or allow computer-assisted remote hunting.

4. The annual fee for a big game preserve permit is three hundred dollars. Permit fees must be remitted to the state board of animal health. Permit fees are appropriated on a continuing basis to the board for administrative expenses incurred under 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 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 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.

7. A person that violates this section is guilty of an infraction.