

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

559Q0738

## SENATE BILL NO. 175

Introduced by: Senators Ahlers, Abdallah, Hanson (Gary), Heidepriem, and Rhoden and  
Representatives Engels, Boomgarden, Feinstein, Gosch, Hunhoff (Bernie),  
Jensen, and Noem

1 FOR AN ACT ENTITLED, An Act to set a maximum limit on certain license and permit fees  
2 that may be established by the Game, Fish and Parks Commission.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The maximum hunting license and permit fees that the Game, Fish and Parks Commission  
7 may set pursuant to §§ 41-2-18, 41-6-10, 41-6-18.4, 41-6-19.6, and 41-17-1.1(9) are as follows:

- 8 (1) Resident predator/varmint license, \$5;
- 9 (2) Resident small game license:
- 10 (a) Sixteen years of age and older, \$24;
- 11 (b) Under 16 years of age, \$5;
- 12 (3) Resident one-day small game license, \$10;
- 13 (4) Resident combination license, \$44;
- 14 (5) Resident junior combination license, 16 to 18 years of age, inclusive, \$25;



- 1 (6) Resident furbearer license, \$25;
- 2 (7) Nonresident furbearer license, \$250;
- 3 (8) Resident spring one-tag wild turkey license, \$15;
- 4 (9) Resident spring two-tag wild turkey license, \$20;
- 5 (10) Resident fall one-tag wild turkey license, \$5;
- 6 (11) Resident fall two-tag wild turkey license, \$10;
- 7 (12) Resident deer or antelope one-tag license, \$30;
- 8 (13) Resident deer or antelope two-tag license, \$40;
- 9 (14) Resident antelope three-tag license, \$40;
- 10 (15) Resident-landowner-on-own land deer or antelope license, one-half the fee of the
- 11 deer or antelope license which has been applied for;
- 12 (16) Resident one-tag antlerless deer or doe-fawn antelope license, \$10;
- 13 (17) Resident two-tag antlerless deer or doe-fawn antelope license, \$20;
- 14 (18) Resident three-tag doe-fawn antelope license, \$20;
- 15 (19) Resident elk license:
  - 16 (a) Any elk or bull elk, \$150;
  - 17 (b) Antlerless elk, \$100;
- 18 (20) Resident landowner depredation elk, one-half the fee of the elk license which has
- 19 been applied for;
- 20 (21) Resident mountain goat license, \$250;
- 21 (22) Resident Black Hills bighorn sheep license, \$250;
- 22 (23) Canada goose special unit permit, \$10;
- 23 (24) Nonresident small game license:
  - 24 (a) Sixteen years of age and older, \$105;

- 1 (b) Under 16 years of age, \$25;
- 2 (25) Special nonresident waterfowl license, includes migratory bird certification permit,
- 3 \$105;
- 4 (26) Fall three-consecutive days temporary nonresident waterfowl license, \$70;
- 5 (27) Spring snow goose temporary nonresident license:
  - 6 (a) Sixteen years of age and older, \$40;
  - 7 (b) Under 16 years of age, \$20;
- 8 (28) Early fall Canada goose temporary nonresident license, \$40;
- 9 (29) Nonresident spring one-tag wild turkey license, \$80;
- 10 (30) Nonresident spring two-tag wild turkey license, \$95;
- 11 (31) Nonresident fall one-tag wild turkey license, \$70;
- 12 (32) Nonresident fall two-tag wild turkey license, \$80;
- 13 (33) Nonresident deer or antelope one-tag license, \$190;
- 14 (34) Nonresident deer or antelope two-tag license, \$240;
- 15 (35) Nonresident antelope three-tag license, \$240;
- 16 (36) Nonresident one-tag antlerless deer or doe-fawn antelope license, \$50;
- 17 (37) Nonresident two-tag antlerless deer or doe-fawn antelope license, \$75;
- 18 (38) Nonresident three-tag doe-fawn antelope license, \$75;
- 19 (39) Nonresident predator license, \$35;
- 20 (40) Custer State Park elk license:
  - 21 (a) Custer State Park rifle any elk license, \$300;
  - 22 (b) Custer State Park early archery elk license, \$300;
  - 23 (c) Custer State Park late archery elk license, \$200;
  - 24 (d) Custer State Park special antlerless elk license, \$200;

- 1       (41) Custer State Park deer license:
  - 2           (a) Custer State Park any deer license, \$150;
  - 3           (b) Custer State Park two-tag whitetail license for one any whitetail deer and one
  - 4                   antlerless whitetail deer, \$150;
  - 5           (c) Custer State Park one-tag or two-tag antlerless deer license, \$25;
- 6       (42) Custer State Park bison license:
  - 7           (a) Custer State Park trophy bull bison license, \$5,000;
  - 8           (b) Custer State Park non-trophy bull bison license, \$1,500;
  - 9           (c) Custer State Park cow bison license, \$1,000;
- 10      (43) Custer State Park bighorn sheep license, \$500;
- 11      (44) Custer State Park coyote license, \$10;
- 12      (45) Nonrefundable application fee:
  - 13           (a) Archery and rifle elk, \$5;
  - 14           (b) Mountain goat, \$5;
  - 15           (c) Bighorn sheep, \$5;
- 16      (46) Resident special any deer license, \$150;
- 17      (47) Nonresident special any deer license, \$500;
- 18      (48) Youth deer or antelope license:
  - 19           (a) Resident, \$5;
  - 20           (b) Nonresident, \$10;
- 21      (49) Tundra swan permit:
  - 22           (a) Resident, \$5;
  - 23           (b) Nonresident, \$10;
- 24      (50) Migratory bird certification permit, \$5;

- 1 (51) Nonresident shooting preserve license:
  - 2 (a) One-day, \$30;
  - 3 (b) Five-consecutive days, \$60;
  - 4 (c) Annual, \$80;
- 5 (52) Mountain lion license, \$10;
- 6 (53) Resident mentored youth deer, antelope, or turkey license, \$5;
- 7 (54) Any big game license hunting unit, other than elk, bighorn sheep, or mountain goat,
  - 8 for which no licenses have been allocated for the purpose of acquiring a preference
  - 9 point, \$5.

10 Section 2. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as  
11 follows:

12 The maximum fishing license and permit fees that the Game, Fish and Parks Commission  
13 may set pursuant to §§ 41-2-18, 41-6-10, and 41-6-37.1 are as follows:

- 14 (1) Resident fishing license, \$25;
- 15 (2) Resident senior fishing license, age 65 or over, \$10;
- 16 (3) Nonresident fishing license, \$60;
- 17 (4) Nonresident family fishing license, \$60;
- 18 (5) One-day fishing license, valid from 12:01 a.m. to 12:00 midnight, inclusive:
  - 19 (a) Resident, \$7;
  - 20 (b) Nonresident, \$14;
- 21 (6) Nonresident three-consecutive-days fishing license, \$32;
- 22 (7) Special paddlefish permit, \$20.

23 Section 3. That § 41-17-13 be amended to read as follows:

24 41-17-13. A park license may be required to permit a motor vehicle and the occupants

1 entrance to any state park (except Bear Butte when used by persons participating in religious  
2 activities) and to any of the following state recreation areas or state lakeside use areas: Lake  
3 Poinsett; the Yankton unit, the Midway unit, and the Gavins Point unit of Lewis and Clark Lake;  
4 Sandy Shore; Farm Island; Mina Lake; Richmond Lake; Lake Louise; Pickerel Lake; Angostura;  
5 Lake Vermillion; Shadehill; Llewellyn Johns; Burke Lake; Lake Cochrane; West Whitlock;  
6 Swan Creek; West Bend; Snake Creek; Walker's Point; Platte Creek; Lake Alvin; Pelican Lake;  
7 Bush's Landing; Little Bend; Lake Hiddenwood; East Whitlock; Sutton Bay; Dodge Draw; Lake  
8 Thompson; Indian Creek; Downstream (below Oahe Dam); North Point; American Creek;  
9 Randall Creek; Chief White Crane; Pierson Ranch; Spring/Cow Creek; Okobojo Point; Walth  
10 Bay; Spillway (Fort Randall Dam); Pease Creek; North Wheeler; Whetstone Bay; East Shore;  
11 Peoria Flats; West Shore; West Chamberlain; South Shore; Tailrace (Fort Randall Dam);  
12 Revheim Park; Springfield; Buryanek; West Pollock; Bob's Landing; Rocky Point; and Big  
13 Sioux. The Game, Fish and Parks Commission shall, by rules promulgated pursuant to chapter  
14 1-26, set annual and daily park entrance fees. The Game, Fish and Parks Commission shall, by  
15 rules promulgated pursuant to chapter 1-26, establish a system by which owners of two or more  
16 vehicles may purchase an additional license each year for each vehicle registered to the same  
17 owner for one-half the price of the annual license. All fees collected pursuant to this section  
18 shall be deposited in the parks and recreation fund established in § 41-17-21. However, the park  
19 entrance fees may not be more than:

- 20 (1) The fee for an annual park entrance license sticker is \$28 for the first vehicle and \$14  
21 for each additional vehicle registered to the same owner;
- 22 (2) The fee for a transferable annual park entrance license is \$60;
- 23 (3) The temporary park entrance license fee at Custer State Park is \$6 a person or \$15 a  
24 vehicle, whichever is less;

1       (4) Except at Custer State Park, the daily park entrance license fee is \$4 for each person  
2             in the motor vehicle who is twelve years old or older or \$6 a vehicle;

3       (5) Commercial motor coach daily park entrance license fee not to exceed \$3 for each  
4             person.

5       Section 4. That § 41-2-35 be amended to read as follows:

6       41-2-35. ~~All moneys in~~ There is hereby created in the state treasury the Department of  
7 Game, Fish and Parks fund are hereby annually appropriated to be used with any moneys  
8 otherwise appropriated to pay the necessary expenses of effectuating the purposes of this title.  
9 The Department of Game, Fish and Parks fund shall be budgeted and expended in accordance  
10 with Title 4 on warrants drawn by the state auditor on vouchers approved by the secretary of  
11 game, fish and parks.

12       Section 5. That § 41-2-35.1 be repealed.

13 ~~—41-2-35.1. Notwithstanding any other provisions of law, all funds received by the~~  
14 ~~Department of Game, Fish and Parks shall be set forth in an informational budget as described~~  
15 ~~in § 4-7-7.2 and be annually reviewed by the Legislature. The provisions of this section shall~~  
16 ~~not operate to cause the loss of control over expenditures of any portion of dedicated revenues~~  
17 ~~received by the Department of Game, Fish and Parks.~~

18       Section 6. That § 41-19-1 be amended to read as follows:

19       41-19-1. ~~The~~ There is hereby created in the state treasury the snowmobile trails fund  
20 established pursuant to § 32-5-9.2 is hereby appropriated. The snowmobile trails fund shall be  
21 budgeted and expended in accordance with Title 4 on warrants drawn by the state auditor on  
22 vouchers approved by the secretary of game, fish and parks for the administration of § 41-19-2  
23 and shall not revert at the close of any fiscal year but shall accumulate.