

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

916Q0034

SENATE BILL NO. 2

Introduced by: Senators Hansen (Tom), Howie, and Maher and Representatives Brunner, Juhnke, Olson (Betty), and Vanneman at the request of the Department of Game, Fish and Parks Agency Review Committee

1 FOR AN ACT ENTITLED, An Act to revise the available number of certain nonresident
2 waterfowl hunting licenses.

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

4 Section 1. That § 41-6-18.4 be amended to read as follows:

5 41-6-18.4. The Game, Fish and Parks Commission may promulgate rules in accordance with
6 chapter 1-26 to authorize the department to issue up to two thousand five-hundred fall three-day
7 temporary nonresident waterfowl licenses, up to two thousand early fall Canada goose
8 temporary nonresident licenses, and a number of spring snow goose temporary nonresident
9 licenses to be determined by the department, and to establish the fee therefor, validity of the
10 licenses issued, types of waterfowl to be hunted, and areas in which hunting is permitted. Up
11 to ~~five hundred~~ one thousand of the fall three-day temporary nonresident waterfowl licenses
12 shall be made available for use in the counties of Brown, Marshall, Roberts, Day, Grant, Clark,
13 Codington, Deuel, and Hamlin. The commission, in rules promulgated pursuant to chapter 1-26,
14 may establish a process and criteria to allow the issuance of a portion of the ~~five hundred~~ one



1 thousand licenses in counties other than those specified if the department determines that such
2 licenses are otherwise likely to remain unsold. Except for the fall three-day temporary
3 nonresident waterfowl licenses issued in Brown, Marshall, Roberts, Day, Grant, Clark,
4 Codington, Deuel, and Hamlin counties, the fall three-day temporary nonresident waterfowl
5 licenses are valid only on private property, but are not valid on private property leased by the
6 department for public hunting or on highways or other public rights-of-way within this state that
7 otherwise meet the requirements of § 41-9-1.3. Revenue from the sale of fall three-day
8 temporary nonresident waterfowl licenses shall be deposited in the department's land acquisition
9 and development fund to be used to acquire, by lease; or permit, ~~or otherwise~~; interests in real
10 property to be used for providing waterfowl hunting public access in the counties adjacent to
11 the Missouri River. Revenue from the sale of early fall Canada goose temporary nonresident
12 licenses shall be deposited in the department's land acquisition and development fund to be used
13 to acquire by lease; or permit, ~~or otherwise~~; interests in real property to be used for providing
14 waterfowl hunting public access. Before promulgating rules which permit the issuance of fall
15 three-day temporary nonresident waterfowl licenses, the commission shall determine that
16 adequate waterfowl hunting public access has been provided through the department's land
17 acquisition and development fund or through other means.