

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

813A0296

## HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE ENGROSSED NO. **SB137** - 2/28/97

Introduced by: Senators Johnson (William) and Frederick and Representatives Wetz, Crisp, and  
Diedrich

1 FOR AN ACT ENTITLED, An Act to authorize the transfer of certain big game hunting  
2 licenses.

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 provisions of § 41-6-71 notwithstanding and as further limited and restricted by this Act,  
7 a license for the hunting of west river deer that is available for issuance to a person eighteen  
8 years of age or older on the basis of landowner preference pursuant to § 41-6-21 and rules  
9 promulgated pursuant to § 41-6-21 may be transferred, with or without payment or  
10 consideration, to any resident or nonresident who is otherwise qualified to apply for hunting  
11 privileges in South Dakota.

12 No license may be transferred unless the transferor actually operates or lives as owner or  
13 tenant on at least six hundred forty acres of agricultural, timber, or grazing land located within  
14 the State of South Dakota west of the Missouri River. The transferred license is only valid for  
15 hunting during the applicable season on land within the designated west river hunting unit subject

1 to the approved application.

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

4 The Game, Fish and Parks Commission shall promulgate rules pursuant to chapter 1-26 to  
5 establish or authorize written forms, applications, fees, procedures, criteria, quotas, and types  
6 of licenses available for issuance based on landowner preference and transfer and shall  
7 promulgate rules to implement the provisions of this Act. The commission shall establish, by rule,  
8 a fee for the transferable license of no less than two hundred fifty dollars. However, the number  
9 of licenses made available by the commission for transfer may not be less than fifty percent of  
10 the licenses made available to west river landowners as landowner preference licenses in each  
11 designated hunting unit.

12 Section 3. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as  
13 follows:

14 Any revenue received from the sale of a license available for transfer pursuant to section 1  
15 of this Act that exceeds the cost of a license issued to a landowner on the basis of preference not  
16 subject to transfer shall be deposited in a sportsmen access and habitat development fund, which  
17 is hereby established in the state treasury, to be made available for expenditure by the department  
18 and commission to provide public hunting access during that calendar year. No money from this  
19 fund may be used to purchase land in fee title.

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

22 If any person is issued a transferable license pursuant to this Act, the department may not  
23 provide any big game depredation assistance to the person or on any land owned, leased, or  
24 managed by the person for twelve months following the transfer.

1 **BILL HISTORY**

2 1/27/97 First read in Senate and referred to Agriculture & Natural Resources. S.J. 171

3 2/11/97 Scheduled for Committee hearing on this date.

4 2/11/97 Agriculture & Natural Resources Deferred to another day. S.J. 399

5 2/18/97 Scheduled for Committee hearing on this date.

6 2/18/97 Agriculture & Natural Resources Do Pass Amended, Passed, AYES 9, NAYS 0.

7 S.J. 506

8 2/20/97 Senate Placed on Calendar. S.J. 564

9 2/20/97 Senate Do Pass Amended, Passed, AYES 34, NAYS 0. S.J. 565

10 2/21/97 First read in House and referred to Agriculture & Natural Resources. H.J. 638

11 2/27/97 Scheduled for Committee hearing on this date.

12 2/27/97 Agriculture & Natural Resources Do Pass Amended, Passed, AYES 10, NAYS 2.

13 H.J. 745