

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

381H0648

SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE ENGROSSED NO. **SB 146** - 01/29/2002

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Senators Dennert, Greenfield, Koskan, and Symens and Representatives Fryslie, Hanson (Gary), Juhnke, Koistinen, and Peterson (Jim)

1 FOR AN ACT ENTITLED, An Act to revise the issuance and validity of certain fall three-day
2 temporary nonresident waterfowl licenses.

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

4 Section 1. That section 3 of chapter 205 of the 2000 Session Laws be amended to read as
5 follows:

6 Section 3. That § 41-6-18.4 be amended to read as follows:

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



1 The commission, in rules promulgated pursuant to chapter 1-26, may establish a process and
2 criteria to allow the issuance of a portion of the five hundred licenses in counties other than those
3 specified if the department determines that such licenses are otherwise likely to remain unsold.
4 Except for the fall three-day temporary nonresident waterfowl licenses issued in Brown,
5 Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin counties, the fall three-day
6 temporary nonresident waterfowl licenses are valid only on private property, but are not valid
7 on private property leased by the department for public hunting or on highways or other public
8 rights-of-way within this state that otherwise meet the requirements of § 41-9-1.3. Revenue from
9 the sale of fall three-day temporary nonresident waterfowl licenses shall be deposited in the
10 department's land acquisition and development fund to be used to acquire, by lease, permit, or
11 otherwise, interests in real property to be used for providing waterfowl hunting public access in
12 the counties adjacent to the Missouri River. Revenue from the sale of early fall Canada goose
13 temporary nonresident licenses shall be deposited in the department's land acquisition and
14 development fund to be used to acquire by lease, permit, or otherwise, interests in real property
15 to be used for providing waterfowl hunting public access. Before promulgating rules which
16 permit the issuance of fall three-day temporary nonresident waterfowl licenses, the commission
17 shall determine that adequate waterfowl hunting public access has been provided through the
18 department's land acquisition and development fund or through other means.

19 Section 2. The amendment under this Act to section 3 of chapter 205 of the 2000 Session
20 Laws is repealed on June 30, 2003.