

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

525I0492

SENATE AGRICULTURE AND NATURAL RESOURCES COMMITTEE ENGROSSED NO. **SB 90** - 02/06/2003

Introduced by: Senators Dennert, Dempster, Duenwald, Duxbury, Nachtigal, and Symens and
Representatives Fryslie, Glenski, Hanson, Hundstad, and Peterson (Jim)

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 That section 2 of chapter 195 of the 2002 Session Laws be repealed.

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6 ~~Laws is repealed on June 30, 2003.~~

7 Section 2. That § 41-6-18.4 be amended to read as follows:

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



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

20 Section 3. This Act is effective on June 28, 2003.