

AN ACT

ENTITLED, An Act to revise certain provisions relating to nonresident waterfowl licenses.

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

Section 1. That § 41-6-18.1 be amended to read as follows:

41-6-18.1. It is a Class 2 misdemeanor for a nonresident to hunt, take, or kill migratory waterfowl without a nonresident waterfowl license or a temporary nonresident waterfowl license, a migratory bird certification permit, and a federal migratory bird stamp, or in violation of the conditions of the licenses or the rules of the Game, Fish and Parks Commission.

A nonresident waterfowl license, except as otherwise provided in this title, entitles the licensee to hunt migratory waterfowl for ten consecutive days. Four dollars received from the sale of each nonresident waterfowl license shall be placed in the land acquisition and development fund. The moneys from this fund shall be used to acquire by purchase or lease real property to be used primarily for game production. This license shall be in such form as the Game, Fish and Parks Commission shall prescribe.

The provision in this section limiting the validity of a nonresident waterfowl license to ten days does not apply in Union, Clay, Bon Homme, Yankton, and Charles Mix counties; and in such counties, the nonresident waterfowl license is valid during the same period as is a resident waterfowl license.

If the Game, Fish and Parks Commission allocates more than four thousand nonresident waterfowl licenses in a calendar year, any increase in the number of licenses allocated may not exceed five percent of the number of licenses allocated in the previous calendar year.

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

41-6-18.4. The Game, Fish and Parks Commission may promulgate rules in accordance with chapter 1-26 to authorize the department to issue temporary nonresident waterfowl licenses. Any

increase in the number of temporary nonresident waterfowl licenses allocated by the commission in a year may not exceed five percent of the number of licenses allocated for the same license type in the previous year.

Revenue from the sale of temporary nonresident waterfowl licenses shall be deposited in the department's land acquisition and development fund to be used to acquire, by lease, permit, or otherwise, interests in real property to be used for providing waterfowl hunting public access. Before promulgating rules which permit the issuance of temporary nonresident waterfowl licenses, the commission shall determine that adequate waterfowl hunting public access has been provided through the department's land acquisition and development fund or through other means.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1185

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1185

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State