

On page 4, line 7, of the Introduced bill, after "complete." delete "Section 8. That a NEW SECTION be added:

Promulgation of rules.

The commission shall promulgate rules, pursuant to chapter 1-26, establishing the following:

- (1) The conditions under which the commission may authorize the possession, importation, shipment, or transport of an aquatic invasive species within the state;
- (2) The conditions under which the commission may authorize the placement of a conveyance into waters within the state without first meeting the requirements of § 41-13A-4;
- (3) The requirements and protocols for the cleaning, draining, and drying of a conveyance; and
- (4) The standards and procedures for decontaminating a conveyance and for disposing of any organisms and organic material as provided in §§ 41-13A-6 and 41-13A-7.

"

On page 4, line 20, of the Introduced bill, after "41-13A-7." insert "

Section 8. That § 41-2-18 be AMENDED:

41-2-18. Game, fish, and conservation laws--Promulgation of rules.

The Game, Fish and Parks Commission may adopt such rules as may be necessary to implement the provisions of chapters 41-1 to 41-15, inclusive. The rules may be adopted to regulate:

- (1) The conservation, protection, importation, and propagation of wild animals and fish except for any nondomestic animal which is regulated pursuant to § 40-3-26;
- (2) The hunting, taking, killing, possession, sale, and transportation of all wild birds, wild animals, and wild fish except for any nondomestic animal which is regulated pursuant to § 40-3-26;
- (3) The management of nongame, endangered, or threatened wildlife to ensure their perpetuation as viable components of the ecosystem;
- (4) The management, control of traffic, improvement and public use of all lands and water owned, leased, or controlled by the state and Department of Game, Fish and Parks designated as public shooting areas, game production areas, wildlife refuges, lake and fishing access use areas and controlled hunting areas;
- (5) The management, use, and improvement of all meandered and nonmeandered lakes, sloughs, marshes, and streams extending to and over dry or partially dry

meandered lakes, sloughs, marshes, and streams, including all lands to which the state has acquired any right, title or interest for the purpose of water conservation or recreation;

- (6) The creation, modification, or vacation of state game refuges, state waterfowl refuges, and state game bird refuges on all public land and on private land with the written consent of the landowner;
- (7) The management and improvement of all islands or accumulations of land formed in the bed of a navigable stream or meandered lake on the Missouri River below the Fort Randall Power Plant and Lake Francis Case;
- (8) The appointment, management, bonding, and cancellation of licensing agents;
- (9) The gathering, purchasing, distributing, and transferring of all wild animals and fish for population management, stocking purposes, scientific study, and intergovernmental trades;
- (10) The form of and the manner and placement of any tags, coupons, or permits necessary for the transportation of any wild animal or fish;
- (11) The sale, breeding, raising, and transportation of any nondomestic animal which is not regulated pursuant to § 40-3-26;
- (12) The form, procedures for, and content of all license applications authorized under this title;
- (13) The form, procedures for, fee, and manner of validation, replacement, or cancellation of all licenses authorized under this title that are not already established by statute;
- (14) The devices, weapons, ammunition, traps, tackle, bait, lures, and equipment which may be used to hunt, kill, capture, or locate any wild animal or fish if use of the above items would adversely affect the health, safety, or welfare of people or wildlife resources;
- (15) The hunting, fishing, and trapping in the boundary waters of this state;
- (16) The release, hunting, and taking of animals and birds on private shooting preserves;
- (17) The establishment of, and the opening, closing, modifying, or curtailing of hunting, fishing, and trapping seasons, if the seasons are not established by statute;
- (18) The setting of fees for special licenses not covered by statute to manage specific and limited wildlife populations;
- (19) The number of persons who may cooperate as a group in the pursuit, hunting, taking, or killing of game birds or game animals;
- (20) The acquisition, possession, use, and disposition of raptors;

- (21) The acquisition, possession, transportation, sale, and release of bait fish and frogs;
- (22) The regulation of, and the acquisition, possession, transportation, sale, and release of fish, from private fish hatcheries;
- (23) The regulation of fish houses or other sheltering structures maintained upon the ice of any public waters;
- (24) The issuance and cancellation of taxidermist licenses and the acquisition, possession, and disposition of specimens for taxidermy purposes;
- (25) The operation of controlled hunting areas;
- (26) The conditions under which the commission may authorize the possession, importation, shipment, or transport of an aquatic invasive species within the state;
- (27) The conditions under which the commission may authorize the placement of a conveyance into waters within the state without first meeting the requirements of § 41-13A-4;
- (28) The requirements and protocols for the cleaning, draining, and drying of a conveyance; and
- (29) The standards and procedures for decontaminating a conveyance and for disposing of any organisms and organic material as provided in §§ 41-13A-6 and 41-13A-7.

The rules shall be adopted pursuant to chapter 1-26 and shall be in accordance with the provisions of this chapter.

A violation of the substantive provision of any rule authorized by this section is a Class 2 misdemeanor. If the same incident is a violation of statute and of the rules authorized by this section only the penalty authorized for the violation of the statute may be imposed.