

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

673B0073

HOUSE AGRICULTURE & NATURAL
RESOURCES COMMITTEE ENGROSSED NO.
HB1010 - 2/4/98

Introduced by: Representatives Duenwald, Hagen, Koskan, Lee, Moore, Schrempp, Smidt, and
Sperry and Senators Dennert and Benson at the request of the Interim Hunting
Issues Committee

1 FOR AN ACT ENTITLED, An Act to provide for certain limited term nonresident waterfowl
2 licenses.

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

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

5 41-6-18.1. It is a Class 2 misdemeanor for a nonresident to hunt, take, or kill waterfowl
6 without a special nonresident waterfowl license, a fall three-day temporary nonresident
7 waterfowl license, or a spring five-day snow goose temporary nonresident waterfowl license, and
8 a federal migratory bird stamp or in violation of the conditions of the licenses or the rules of the
9 Game, Fish and Parks Commission.

10 A special nonresident waterfowl license, except as otherwise provided in this title, entitles
11 the licensee to hunt waterfowl for ten consecutive days. Four dollars received from the sale of
12 each special nonresident waterfowl license shall be placed in the land acquisition and
13 development fund. The moneys from this fund shall be used to acquire by purchase or lease real
14 property to be used primarily for game production. For each special nonresident waterfowl

1 license sold, an amount equal to the cost of a habitat stamp shall be placed into the game, fish
2 and parks fund and shall be used for the purpose of restoring the state pheasant and wildlife
3 populations as provided in § 41-2-34.1. For each special nonresident waterfowl license sold, an
4 amount equal to the cost of the waterfowl restoration stamp shall be included with the moneys
5 collected from the sale of resident waterfowl restoration stamps. This license shall be in such
6 form as the Game, Fish and Parks Commission shall prescribe.

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

11 The Game, Fish and Parks Commission may issue no more than four thousand special
12 nonresident waterfowl licenses in a calendar year.

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

15 The Game, Fish and Parks Commission may promulgate rules in accordance with chapter 1-
16 26 to authorize the department to issue up to two thousand fall three-day temporary nonresident
17 waterfowl licenses and a number of spring five-day snow goose temporary nonresident waterfowl
18 licenses to be determined by the department, and to establish the fee therefor, validity of the
19 licenses issued, types of waterfowl to be hunted, and areas in which hunting is permitted. The
20 fall three-day temporary nonresident waterfowl licenses are valid only on private property, but
21 are not valid on private property leased by the department for public hunting or on highways or
22 other public rights-of-way within this state that otherwise meet the requirements of § 41-9-1.3.
23 Revenue from the sale of fall three-day temporary nonresident waterfowl licenses shall be
24 deposited in the department's land acquisition and development fund to be used to acquire, by
25 lease, permit, or otherwise, interests in real property to be used for providing waterfowl hunting

1 public access in the counties adjacent to the Missouri River. Before promulgating rules which
2 permit the issuance of fall three-day temporary nonresident waterfowl licenses, the commission
3 shall determine that adequate waterfowl hunting public access has been provided through
4 revenue from the sale of fall three-day temporary nonresident waterfowl licenses or public access
5 otherwise obtained or acquired.

6 Section 3. That § 41-6-10 be amended by adding thereto a NEW SUBDIVISION to read as
7 follows:

8 Fall three-day temporary nonresident waterfowl license.

9 Section 4. That § 41-6-10 be amended by adding thereto a NEW SUBDIVISION to read as
10 follows:

11 Spring five-day snow goose temporary nonresident waterfowl license.

1 **BILL HISTORY**

2 1/13/98 First read in House and referred to Agriculture and Natural Resources. H.J. 20

3 2/3/98 Scheduled for Committee hearing on this date.

4 2/3/98 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 12, NAYS 1.

5 H.J. 361