

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0210

HOUSE ENGROSSED NO. **HB1039** . 2/10/99

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish, and Parks

1 FOR AN ACT ENTITLED, An Act to repeal the licensing of resident and nonresident
2 professional dog trainers and to restrict the training of dogs on wild game birds.

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

4 Section 1. That § 41-6-78 be amended to read as follows:

5 41-6-78. ~~The Department of Game, Fish and Parks may issue any resident, as defined by this~~
6 ~~title, a resident professional dog training license. The license permits the licensee to train or~~
7 ~~engage in the business of training hunting or field trial dogs when and where wild game is found.~~
8 ~~For purposes of this section, a professional dog trainer is any person who trains or sells any~~
9 ~~breed of hunting dog for remuneration. The license shall be issued annually. No licensee may be~~
10 ~~allowed to~~ No person may train dogs on wild game birds from April fifteenth to July thirty-first,
11 inclusive. The licensee shall comply with rules adopted pursuant to § 41-2-18 by the Game, Fish
12 and Parks commission to protect and perpetuate the wild game resources of the state. Such rules
13 may limit the number of licenses issued and further restrict professional dog training on public
14 lands. Failure to comply with such rules or the provisions of this section shall be cause for
15 revocation of license and nonissuance of future licenses. No person may train dogs on wild game
16 birds from April fifteenth to July thirty-first, inclusive. The commission shall promulgate rules

1 pursuant to chapter 1-26 to impose restrictions on the methods, dates, and number of dogs that
2 may be trained on wild game birds on public lands and public rights-of-way. Any person who
3 violates this section is guilty of a Class 2 misdemeanor.

4 Section 2. That § 41-6-79 be repealed.

5 ~~—41-6-79. The department of game, fish and parks may issue any nonresident a nonresident~~
6 ~~professional dog training license. The nonresident professional dog training license entitles the~~
7 ~~licensee to all the privileges and is subject to all the restrictions and penalty provisions as the~~
8 ~~resident professional dog training license provided by § 41-6-78.~~

9 Section 3. That § 41-6-10 be amended to read as follows:

10 41-6-10. Licenses, permits, and stamps issued under this title are classified as follows:

- 11 (1) Disabled hunter permit;
- 12 (2) Export bait dealer license;
- 13 (2A) Fall three-day temporary nonresident waterfowl license;
- 14 (3) Fur dealer's license;
- 15 (4) Hoop net, trap or setline license;
- 16 (5) License for breeding and domesticating animals and birds;
- 17 (6) License to take fur-bearing animals;
- 18 (7) Nonresident big game license;
- 19 (8) Nonresident fishing license;
- 20 (9) Nonresident predator/varmint license;
- 21 (10) ~~Nonresident professional dog training license;~~
- 22 (11) Nonresident retail bait dealer license;
- 23 (12) Nonresident shooting preserve license;
- 24 (13) Nonresident small game license;
- 25 (14) Nonresident and resident migratory bird certification permit;

- 1 (15) Nonresident wholesale bait dealer license;
- 2 (16) Nonresident wild turkey license;
- 3 (17) Nursing facility group fishing license;
- 4 (18) Park user's license;
- 5 (19) Permit for transportation of big game animal;
- 6 (20) Private fish hatchery license;
- 7 (21) Resident big game license;
- 8 (22) Resident elk license;
- 9 (23) Resident fishing license and resident senior fishing license;
- 10 (24) ~~Resident professional dog training license;~~
- 11 (25) Resident retail bait dealer license;
- 12 (26) Resident small game license and resident youth small game license;
- 13 (27) Resident predator/varmint license;
- 14 (28) Resident wholesale bait dealer license;
- 15 (29) Resident wild turkey license;
- 16 (30) Scientific collector's license;
- 17 (31) Special nonresident waterfowl license;
- 18 (32) ~~Special Pine Ridge Indian reservation resident and nonresident big game license;~~
- 19 (33) Taxidermist's license;
- 20 (33A) Spring five-day snow goose temporary nonresident waterfowl license;
- 21 (34) Temporary fishing and hunting licenses.

22 The rights and privileges of such licensees are set forth in §§ 41-6-12 to 41-6-45.1, inclusive,
23 and in § 41-17-13. The Game, Fish and Parks Commission shall promulgate rules pursuant to
24 chapter 1-26 to set the fees, eligibility, and duration for such licenses.

1 **BILL HISTORY**

2 1/12/99 First read in House and referred to Agriculture and Natural Resources. H.J. 39

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 12, NAYS 0.

5 H.J. 364

6 2/8/99 House of Representatives Deferred to another day. H.J. 419

7 2/9/99 Motion to Amend, Passed. H.J. 442

8 2/9/99 House of Representatives Do Pass Amended, Passed, AYES 52, NAYS 13. H.J. 442