

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0210

HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE ENGROSSED NO.

HB1039 - 2/5/99

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~~

1 birds from April fifteenth to July thirty-first, inclusive. The commission shall promulgate rules
2 pursuant to chapter 1-26 to impose restrictions on the methods, dates, and number of dogs that
3 may be trained on public lands and public rights-of-way. Any person who violates this section
4 is guilty of a Class 2 misdemeanor.

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 That § 41-6-79 be repealed.

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

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

11 41-6-10. Licenses, permits, and stamps issued under this title are classified as follows:

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

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

23 The rights and privileges of such licensees are set forth in §§ 41-6-12 to 41-6-45.1, inclusive,
24 and in § 41-17-13. The Game, Fish and Parks Commission shall promulgate rules pursuant to
25 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