

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

741V0760

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 164** - 02/18/2014

Introduced by: Senators Van Gerpen, Hunhoff (Jean), and Sutton and Representatives Qualm, Bartling, Hunhoff (Bernie), Schoenfish, Stalzer, and Stevens

1 FOR AN ACT ENTITLED, An Act to revise the allocation of certain temporary nonresident  
2 waterfowl hunting licenses.

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

4 Section 1. That § 41-6-18.4 be amended to read as follows:

5 41-6-18.4. The Game, Fish and Parks Commission may promulgate rules in accordance with  
6 chapter 1-26 to authorize the department to issue up to two thousand fall three-day temporary  
7 nonresident waterfowl licenses, up to two thousand early fall Canada goose temporary  
8 nonresident licenses, and a number of spring snow goose temporary nonresident licenses to be  
9 determined by the department, and to establish the fee therefor, validity of the licenses issued,  
10 types of waterfowl to be hunted, and areas in which hunting is permitted. Up to five hundred  
11 of the fall three-day temporary nonresident waterfowl licenses shall be made available for use  
12 in the counties of Brown, Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin.  
13 The commission, in rules promulgated pursuant to chapter 1-26, may establish a process and  
14 criteria to allow the issuance of a portion of the five hundred licenses in counties other than



1 those specified if the department determines that such licenses are otherwise likely to remain  
2 unsold. Up to three hundred of the fall three-day temporary nonresident waterfowl licenses shall  
3 be made available for use in the counties of Union, Clay, Bon Homme, Yankton, and Charles  
4 Mix counties. If all of the two thousand fall three-day temporary nonresident waterfowl licenses  
5 are sold, the Game, Fish and Parks Commission may issue an additional number of such  
6 licenses not to exceed three hundred. Except for the fall three-day temporary nonresident  
7 waterfowl licenses issued in Union, Clay, Bon Homme, Yankton, Charles Mix, Brown,  
8 Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin counties, the fall three-day  
9 temporary nonresident waterfowl licenses are valid only on private property, but are not valid  
10 on private property leased by the department for public hunting or on highways or other public  
11 rights-of-way within this state that otherwise meet the requirements of § 41-9-1.3. Revenue from  
12 the sale of fall three-day temporary nonresident waterfowl licenses shall be deposited in the  
13 department's land acquisition and development fund to be used to acquire, by lease, permit, or  
14 otherwise, interests in real property to be used for providing waterfowl hunting public access  
15 in the counties adjacent to the Missouri River. Revenue from the sale of early fall Canada goose  
16 temporary nonresident licenses shall be deposited in the department's land acquisition and  
17 development fund to be used to acquire by lease, permit, or otherwise, interests in real property  
18 to be used for providing waterfowl hunting public access. Before promulgating rules which  
19 permit the issuance of fall three-day temporary nonresident waterfowl licenses, the commission  
20 shall determine that adequate waterfowl hunting public access has been provided through the  
21 department's land acquisition and development fund or through other means.