

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

149R0474

HOUSE BILL NO. 1170

Introduced by: Representatives Solberg, Blake, Cronin, Dennert, Elliott, Engels, Faehn, Fargen, Feickert, Frerichs, Hoffman, Hunhoff (Bernie), Killer, Kirkeby, Kirschman, Kopp, Lange, Lederman, Olson (Betty), Peters, Pitts, Rausch, Rave, Rounds, Schlekeway, Schrempp, Solum, Sorenson, Thompson, Vanderlinde, Verchio, and Wismer and Senators Maher, Abdallah, Bradford, Dempster, Garnos, Hanson (Gary), Heidepriem, Jerstad, and Kloucek

1 FOR AN ACT ENTITLED, An Act to authorize the issuance of certain lifetime hunting and
2 fishing licenses.

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

4 Section 1. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The Department of Game, Fish and Parks shall provide for the issuance of a lifetime hunting
7 and fishing license to any resident of South Dakota who meets the qualifications set forth in this
8 Act. The lifetime hunting and fishing license allows the holder of the license the same rights and
9 privileges as provided by a South Dakota resident fishing license and a South Dakota resident
10 small game hunting license. The lifetime hunting and fishing license may not be used as proof
11 of residency for other licenses issued by the department. Any person is eligible to receive a
12 lifetime hunting and fishing license if the person is a South Dakota resident. For the purposes
13 of this section, the term, resident, means a person who has maintained and lived in a place of



1 permanent abode in the state for a period of one year immediately preceding the person's
 2 application for the license. The term, place of permanent abode, does not include mere
 3 ownership of property or the possession of a postal box in the state for the sole purpose of
 4 receiving mail.

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

7 The lifetime hunting and fishing license may be issued or replaced directly by the
 8 Department of Game, Fish and Parks, including issuance or replacement of the license via
 9 electronic means, or by a license agent. No fee may be charged by the department for the
 10 replacement of a lost license. However, if the license is issued or replaced by a license agent,
 11 the agent may charge an issuance or replacement fee not to exceed two dollars. The minimum
 12 fees for the issuance of a lifetime hunting and fishing license based on the age of the applicant
 13 at the time of issuance are as follows:

14	License Type	Fee
15	Lifetime Fishing (1-6 years old)	\$325
16	Lifetime Fishing (7-15 years old)	\$425
17	Lifetime Fishing (16-50 years old)	\$675
18	Lifetime Fishing (51+ years old)	\$325
19	Lifetime Hunting (1-6 years old)	\$425
20	Lifetime Hunting (7-15 years old)	\$525
21	Lifetime Hunting (16-50 years old)	\$775
22	Lifetime Hunting (51+ years old)	\$425
23	Lifetime Hunt and Fish (1-6 years old)	\$525
24	Lifetime Hunt and Fish (7-15 years old)	\$675
25	Lifetime Hunt and Fish (16-50 years old)	\$1,050
26	Lifetime Hunt and Fish (51+ years old)	\$625

1 The commission, by rules promulgated pursuant to chapter 1-26, may increase annually the
2 minimum fees set by this section based on the consumer price index for urban wage earners and
3 clerical workers calculated by the United States Bureau of Labor Statistics.

4 Money generated by the fee for the issuance of each lifetime hunting and fishing license
5 shall be deposited in the lifetime fish and wildlife trust fund created pursuant to section 3 of this
6 Act.

7 Section 3. There is hereby created in the state treasury the lifetime fish and wildlife trust
8 fund. Any money collected for the issuance of a lifetime license pursuant to this Act shall be
9 deposited in this fund. The principal of this fund may not be spent. The annual interest earned
10 on this fund is continuously appropriated to the Game, Fish and Parks Commission to be used
11 as part of the department's annual operating budget.

12 Section 4. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 The Game, Fish and Parks Commission shall promulgate rules pursuant to chapter 1-26
15 pertaining to lifetime hunting and fishing licenses as provided in this section. The rules shall
16 specify license application and replacement procedures and requirements, requirements
17 governing the use of the licenses, procedures for the collection of fees, and procedures and
18 criteria for the suspension or revocation of licenses.

19 Section 5. Any lifetime license issued pursuant to this Act remains valid if the license holder
20 moved out of the state. However, no holder of a lifetime license who has moved out of the state
21 is eligible for a resident big game drawing, resident turkey license, or resident waterfowl license.
22 Such license holder shall apply for those licenses during the periods open to a nonresident for
23 a nonresident license.

24 Section 6. If a person with a lifetime hunting license and while a legal resident of the state

- 1 wants to hunt waterfowl, the person shall have in possession the federal waterfowl stamp and
- 2 the state migratory bird certification stamp. No stamps need be affixed to the lifetime license.
- 3 However, the stamps shall be otherwise carried on the hunter.