

# GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

## License Agents Chapter 41:02:01

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>January 4-5, 2022</b>	<b>Pierre</b>
	<b>Public Hearing</b>	<b>April 7, 2022</b>	<b>Watertown</b>
	<b>Finalization</b>	<b>April 7-8, 2022</b>	<b>Watertown</b>

### COMMISSION PROPOSAL

#### **Proposed changes from last year:**

1. Modify two administrative rules to align new business practices with GFP's new licensing system and requirements.
  - a. Adjust electronic ACH transfers, processes, and timeframe for payments
  - b. Remove the use of Emergency Authorization books

### SUPPORTIVE INFORMATION

GFP will be launching the new licensing system on December 15, 2021. Once this occurs, license agents will be required to work within new business practices (i.e. electronic ACH transfers and different timeframes when the electronic money sweeps occur) to continue to be a license agent for GFP. License agents serve an important role for selling licenses on behalf of GFP as well as providing hunters with the ability to purchase hunting and fishing licenses outside normal business hours that GFP offices are open. As technology advances, the ability to sell paper hunting and fishing licenses is no longer needed. Customers will be able to purchase licenses online (through GFP's licensing website) or by visiting a license agent or by calling GFP's call center.

### DRAFT ADMINISTRATIVE RULE CHANGES

The following are proposed draft changes that are intended to incorporate the recommended changes adopted by the Commission.

**41:02:01:07. Licensing agents report of sales -- Fees remitted.** Any licensing agent appointed by the department shall be responsible to the department for payment of all license fees the agent collects on behalf of the department. The department shall produce and distribute invoices for the previous month and shall be made available in an electronic system by the first of each month. ~~for the previous month's recorded sales to each licensing agent no later than the fifteenth day of each month.~~ The department shall make electronic fund sweeps for monthly sales on the 25<sup>th</sup> day of each month or the next following business day. ~~Each licensing agent shall remit payment by the tenth day of the month following the invoice date.~~ For the purposes of this chapter, the term, license fees, means all fees collected by a licensing agent in connection with the sale of hunting, fishing, and trapping licenses, except for that portion of the fees which are established pursuant to SDCL 41-6-66.1.

**41:02:01:12. Emergency authorization books.** ~~Each licensing agent using a book containing emergency authorization licenses shall legibly record all information that is requested on the license. The agent shall enter all emergency authorization licenses into the department's licensing system, either online or through the department's licensing call center, no later than 48 hours after issuing an emergency authorization license. An emergency authorization license book shall be returned to the department's licensing office within seven days following issuance of the last license in the book. A~~

**APPROVE** \_\_\_\_\_ **MODIFY** \_\_\_\_\_ **REJECT** \_\_\_\_\_ **NO ACTION** \_\_\_\_\_

~~licensing agent shall account for each emergency authorization license at the end of the license season or at the time of termination of licensing agent status. A licensing agent is responsible for any emergency authorization license issued to the agent. The department shall assess an agent \$110 for each missing emergency authorization license. If any missing emergency authorization license is recovered by the agent after the agent has paid \$110 for the missing license, the licensing agent may return the license to the department's licensing office and obtain a full refund Repealed.~~

#### RESIDENT/NONRESIDENT CRITERIA

1. The Issue
  - N/A
2. Historical Considerations
  - N/A
3. Biological Considerations
  - N/A
4. Social Considerations
  - N/A
5. Financial considerations
  - N/A

#### RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? N/A
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? N/A
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? N/A

#### FISCAL IMPACT

Not applicable.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_