

**GAME, FISH AND PARKS COMMISSION ACTION  
PROPOSAL**

**ARCHERY RESTRICTIONS  
CHAPTER 41:06:05**

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	May 3-4, 2018	Custer State Park
	<b>Public Hearing</b>	June 7, 2018	Aberdeen
	<b>Finalization</b>	June 7-8, 2018	Aberdeen

**COMMISSION PROPOSAL**

Amend 41:06:05:03 to allow an archery hunter to possess a firearm in the field provided they possess a firearms big game license that is valid for the same geographic area and time of year as the archery license.

Amend 41:06:05:03.01 to allow for an armed nonlicensee to accompany an archery big game hunter in the field provided they possess a big game license that is valid for the same geographic area and time of year as the licensed archery hunter.

**SUPPORTIVE INFORMATION**

**41:06:05:03. Possession of firearm while archery hunting prohibited.** No person who is licensed in a season restricted to archery only may possess a firearm in the field while hunting with bow and arrow except if the person is carrying a pistol and possesses a valid concealed pistol permit as provided in SDCL chapter 23-7.

**41:06:05:03.01. Nonlicensee armed accompaniment prohibited -- Exception.** No person accompanying a licensee who is hunting big game in the field with bow and arrow under an archery only license may:

- (1) Possess a bow and arrow (or crossbow) if the person does not possess an archery big game license that is valid for the same geographic area and time of year as the licensed archery hunter; or
- (2) Possess a firearm, including a muzzleloading firearm, except if the person is carrying a pistol and possesses a valid concealed pistol permit as provided in SDCL chapter 23-7.

APPROVE       MODIFY       REJECT       NO ACTION

**GAME, FISH AND PARKS COMMISSION ACTION  
PROPOSAL**

**FUR DEALERS  
CHAPTER 41:09:10**

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	May 3-4, 2018	Custer State Park
	<b>Public Hearing</b>	June 7, 2018	Aberdeen
	<b>Finalization</b>	June 7-8, 2018	Aberdeen

**COMMISSION PROPOSAL**

Create a new rule to require all fur dealers to list employees/agents on their application who will purchase or contract to purchase fur-bearing animals and allow the Department to refuse the issuance of a license to a fur dealer with and employee/agent who has received a suspension or revocation of their fur dealer's license or that has been denied issuance of a license.

**Requirements and Restrictions:**

**41:09:10:04. License fees.** The fee for a resident fur dealer license is \$100. The fee for a nonresident fur dealer license is \$500.

**SUPPORTIVE INFORMATION**

2017-18 Nonresident Fur Dealer Licenses: 4  
2017-18 Resident Fur Dealer Licenses: 25

**41-6-25. Fur dealer's license--Privileges--License valid for one year--Violation as misdemeanor.** It is a Class 1 misdemeanor for a person to purchase or contract to purchase for a commercial purpose the raw skins of fur-bearing animals or unskinned fur-bearing animals, including jackrabbits, without a fur dealer's license or in violation of the license or the rules of the Game, Fish and Parks Commission. For purposes of this section, commercial purpose is the purchase of or contract to purchase the property by persons who hold themselves out as engaging in the business of purchasing such property and does not include the isolated or occasional purchase of such property.

A fur dealer's license permits the licensee to purchase or contract to purchase the skins of fur-bearing animals, including jackrabbits, for the purpose of resale or other commercial purpose, to the extent and in the manner provided by §§ 41-14-22 and 41-14-23. A fur dealer's license is valid for a period of one year from July first to June thirtieth.

Any person convicted of issuing an insufficient funds check or no account check shall be denied a fur dealer's license until such time as all such checks are paid.

APPROVE       MODIFY       REJECT       NO ACTION

**GAME, FISH AND PARKS COMMISSION ACTION  
PROPOSAL**

**MUZZLELOADING RESTRICTIONS  
CHAPTER 41:06:04**

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	May 3-4, 2018	Custer State Park
	<b>Public Hearing</b>	June 7, 2018	Aberdeen
	<b>Finalization</b>	June 7-8, 2018	Aberdeen

**COMMISSION PROPOSAL**

Amend 41:06:04:11 and 41:06:04:14 to allow for the use of muzzleloading handguns for big game hunting, set the standards for muzzleloading handguns, and remove the factory-rated requirement.

**Requirements and Restrictions:**

**41:06:04:11. Minimum size and type of big game ammunition.** Except for wild turkey as provided in § 41:06:04:12 and elk as provided in § 41:06:04:13, a person may hunt, pursue, shoot at, shoot, or kill any of the big game animals of this state only with a shoulder-held firearm using ammunition which is factory-rated to produce at least 1,000 foot-pounds of energy at the muzzle or a handgun using ammunition which is factory-rated to produce at least 500 foot-pounds of energy at the muzzle. Only soft-point or expanding bullets are permitted.

**41:06:04:14. Muzzleloading restrictions.** In seasons restricted to muzzleloading rifles, no telescopic sights may be used. Telescopic sights are those sights that utilize magnification.

**Proposed changes:**

1. 41:06:04:11 – eliminate the use of the term “factory rated”, and replace with “rated”. Require a minimum standard of .50 caliber bullets when using muzzleloading handguns for big game hunting.
2. 41:06:04:14 – clarify that muzzleloading handguns are specifically authorized for big game hunting.

**SUPPORTIVE INFORMATION**

The Department has received requests to clarify that muzzleloading handguns would be allowed for big game hunting. Current South Dakota regulations suggest that muzzleloading handguns are not expressly authorized. All states that border South Dakota currently allow muzzleloading handguns to be used when big game hunting, with varying regulations and season structures.

In addition, these changes would set a minimum standard for the use of .50 caliber bullets when hunting with a muzzleloading handgun. Setting the standard at .50 caliber is desirable, as the vast majority of loads using smaller calibers do not meet the minimum standard currently in place for foot-pounds of energy at the muzzle.

These changes would also clarify that hand loaded ammunition meeting the minimum energy standard is specifically authorized for big game hunting. As currently written, the use of the term “factory rated” suggests that hand loaded ammunition is prohibited.

Typical comparison of differences between muzzleloading handgun calibers:

Caliber	Powder	Energy at Muzzle
.44	46 grains Pyrodex	350 ft-lbs
.50	50 grains FFG	580 ft-lbs

**APPROVE**       **MODIFY**       **REJECT**       **NO ACTION**

**GAME, FISH AND PARKS COMMISSION ACTION  
PROPOSAL**

**HUNTING PARTY SIZE  
CHAPTER 41:06:04**

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	May 3-4, 2018	Custer State Park
	<b>Public Hearing</b>	June 7, 2018	Aberdeen
	<b>Finalization</b>	June 7-8, 2018	Aberdeen

**COMMISSION PROPOSAL**

Repeal 41:06:04:02 – Size of party limited.

**41:06:04:02. Size of party limited.** No more than 20 persons may possess a bow and arrow, crossbow, or firearm, including a muzzleloading firearm, while cooperating as a party in hunting, except when hunting a predator/varmint. The provisions of this section do not apply to a person who is only carrying a concealed pistol, if the person possesses a valid concealed pistol permit as provided in SDCL chapter 23-7.

**SUPPORTIVE INFORMATION**

This recommendation originates from the Department rules review workgroup and aligns with the strategy of allowing more opportunity. This repeal would allow individual members of a hunting party to determine the safety guidelines for their particular hunt.

APPROVE       MODIFY       REJECT       NO ACTION

**GAME, FISH, AND PARKS COMMISSION ACTION  
PROPOSAL**

**Application for License**  
Chapters 41:06:01

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>May 3-4, 2018</b>	<b>Custer State Park</b>
	<b>Public Hearing</b>	<b>June 7, 2018</b>	<b>Aberdeen</b>
	<b>Finalization</b>	<b>June 7-8, 2018</b>	<b>Aberdeen</b>

**COMMISSION PROPOSAL**

**Proposed changes from last year:**

**41:06:01:10. Prior application preference.** Fifty percent of any licenses which are limited in number and are issued by application and computer drawing are set aside for landowner applications as described in § 41:06:01:07 for the Black Hills deer hunting season, the West River deer hunting season except for special buck licenses, the East River deer hunting season except for special buck licenses, the antelope hunting season, the spring wild turkey hunting season, and the fall wild turkey hunting season. If an applicant is unsuccessful in drawing a license for a first-choice unit in the initial drawing for a specific season, the applicant shall receive a preference point for that season if they chose to purchase a preference point. For elk, bighorn sheep, mountain goat, and free access permits the applicant shall receive a preference point at no charge if they apply for one of these seasons in the first draw and are unsuccessful. Preference points shall be applied to a subsequent initial drawing application submitted by the applicant for the season in which the preference points were earned, except for elk hunting seasons pursuant to § 41:06:01:09. No additional preference points may be issued if an applicant decides to use preference points in the second draw for elk and is unsuccessful in the draw. ~~An applicant who fails to submit an initial drawing application in a single season for a period of five consecutive years forfeits any preference points accrued for that season.~~

**SUPPORTIVE INFORMATION**

The rule pertaining to the time period of forfeiting preference points is no longer needed as applicants now purchase preference points for limited draw licenses and the licensing system database is capable of storing these records.

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

# GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

## Archery Deer Hunting Season Chapter 41:06:22

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>May 3-4, 2018</b>	<b>Custer State Park</b>
	<b>Public Hearing</b>	<b>June 7, 2018</b>	<b>Aberdeen</b>
	<b>Finalization</b>	<b>June 7-8, 2018</b>	<b>Aberdeen</b>

### COMMISSION PROPOSAL

The current archery deer hunting season is open statewide beginning on the fourth Saturday of September to January 1.

Proposed changes from last year:

1. Change the start date of the archery deer hunting season from the fourth Saturday of September to September 1.

### SUPPORTIVE INFORMATION

Prior to the development and adoption of the deer management plan, a petition was brought forward to the Commission requesting the start date of the archery deer hunting season be changed from the fourth Saturday of September to the second Saturday of September. The Commission denied the petition with the agreement that the archery season start date would be evaluated under the guidance of the deer management plan. A summary of archery season dates for adjacent states are presented for discussion and consideration.

State	2017/2018 Archery Season Dates
Colorado	August 25 - September 23
Iowa	Oct. 1 - Dec. 1 and Dec. 18 - Jan. 10
Minnesota	September 15 - December 31
Montana	September 2 - October 15
Nebraska	September 1 - December 31
North Dakota	September 1 - January 7
Wyoming	September 1 -30

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

**GAME, FISH, AND PARKS COMMISSION ACTION  
PROPOSAL**

**Hunting Requirements and Prohibited Methods**

Chapters 41:06:04

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>May 3-4, 2018</b>	<b>Custer State Park</b>
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**COMMISSION PROPOSAL**

**41:06:04:21. Mandatory submission of samples for chronic wasting disease testing.** Each successful elk hunter shall submit samples for chronic wasting disease testing for all elk harvested from any Custer State Park elk hunting unit.

**Proposed changes from last year:**

1. Modify ARSD 41:06:04:21 to include the mandatory submission of required samples for chronic wasting disease (CWD) testing for all deer harvested from any Custer State Park (CSP) deer hunting season.

**SUPPORTIVE INFORMATION**

This disease management action was implemented to strengthen the sample size for determining a random prevalence rate of elk within CSP; mule deer and white-tailed deer are also susceptible CWD. Department staff will evaluate disease test results and adapt as needed for future CWD management and hunting seasons.

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

# GAME, FISH AND PARKS COMMISSION ACTION PROPOSAL

## Application for License Chapter 41:06:01

Commission Meeting Dates:	Proposal	May 3-4, 2018	Custer State Park
	Public Hearing	June 7, 2018	Aberdeen
	Finalization	June 7-8, 2018	Aberdeen

### COMMISSION PROPOSAL

#### Proposed changes from last year:

Eligibility for mentored youth big game hunting licenses.

**41:06:01:12. Mentored youth big game license -- Restrictions.** A resident parent or guardian may purchase no more than one mentored "antlerless deer" license, one "doe-fawn antelope" license, one fall "any turkey" license, and one spring "male turkey" license for a designated mentored youth ~~who is at least 10 and younger than 16 years of age~~. No youth participating in a mentored big game hunt may apply for a regular season license for that corresponding species and season.

### SUPPORTIVE INFORMATION

During the 93<sup>rd</sup> South Dakota Legislative Session, Senate Bill 137 amended §41-6-81 by retaining those youth less than 16 years of age, but removed the minimum age requirement of 10 years of age for mentored youth hunting. Age requirements currently found within ARSD 41:06:01:12 are unnecessary and repetitive of state law.

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



# GAME, FISH, AND PARKS COMMISSION ACTION PROPOSAL

## Trapping Prohibitions

Chapter 41:08:02

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>April 5-6, 2018</b>	<b>Rapid City</b>
	<b>Public Hearing</b>	<b>May 3, 2018</b>	<b>Custer State Park</b>
	<b>Public Hearing</b>	<b>June 7, 2018</b>	<b>Aberdeen</b>
	<b>Finalization</b>	<b>June 7-8, 2012</b>	<b>Aberdeen</b>

### COMMISSION PROPOSAL

#### Current Restrictions:

1. From May 1 to November 13, inclusive, no snare is permitted on public lands or within any improved road rights-of-way, statewide.

#### Proposed changes from last year:

1. For all public lands and improved road rights-of-way, extend the existing prohibition on the use of snares to run through the last day of the pheasant season.
2. Create a new administrative rule which requires all traps and snares placed on public lands and improved road rights-of-way, statewide, to be marked with the owner's name and address or personal identification number. The Department will generate and issue one unique personal identification number to each individual.
3. No snare using springs or other powering devices that hold the snare closed may be used on Game Production Areas and Waterfowl Production Areas above water, yearround.

### SUPPORTIVE INFORMATION

The prohibition of the use of snares on public lands and improved road rights-of-way, statewide, through the last day of the pheasant season, will eliminate incidents of hunting dogs getting caught in snares on these areas during the pheasant season.

The new administrative rule requiring identification of traps and snares will assist GFP officials with the identification of private property left on public lands and improved road rights-of-way.

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