

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

**Possession, Processing and Transportation of Game
Chapters 41:06:03**

Commission Meeting Dates:	Proposal	January 9-10, 2014	Ft. Pierre
	Public Hearing	March 6, 2014	Ft. Pierre
	Finalization	March 6-7, 2014	Ft. Pierre

DEPARTMENT RECOMMENDATION

Promulgate a new administrative rule to allow the purchase and sale of the skins of lawfully taken cottontail rabbits and fox squirrel, grey squirrel, and red squirrel.

Suggested wording of new rule:

Sale of rabbit and squirrel skins. The skins of cottontail rabbit, fox squirrel, grey squirrel, and red squirrel that have been lawfully taken by a licensed hunter may be offered for sale, sold, or purchased.

SUPPORTIVE INFORMATION

A petition was submitted to the Commission to create a rule to provide the allowance of the sale and purchase of cottontail rabbit and squirrels (both defined as small game) to make it legal to mount and sell similar to pheasants, grouse, and partridge as outlined in 41-11-2 and 41-11-8.

41-11-2. Taking, possession, sale or transportation of wild bird or small game prohibited except as provided. Except as permitted by § 41-11-10 and the rules prescribed by the Game, Fish and Parks Commission, no person may kill, catch, or have in possession, living or dead, any wild bird other than small game, or purchase, offer or expose for sale, transport, or ship within or without the state, any such wild bird or small game after it has been killed or caught. A violation of this section is a Class 2 misdemeanor.

41-11-8. Sale of parts of protected bird prohibited--Exceptions--Violation as misdemeanor. No part of the plumage, skin, or body of any bird protected by law may be sold or had in possession for sale, irrespective of whether such bird was captured or killed within or without the state, except that the plumage or skin of the Chinese pheasant, sharptail grouse, Hungarian partridge, and prairie chicken legally taken may be sold or had in possession for sale. A violation of this section is a Class 2 misdemeanor.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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