

CHAPTER 41:09:01

PRIVATE SHOOTING PRESERVES

Cross-Reference: Nondomestic birds, § 12:68:18:05.

Section

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41:09:01:04. Tagging of ~~bagged~~ harvested birds. Serially numbered tags, supplied by the department, must be securely attached around the leg or neck of all harvested bird species that are listed on the preserve permittee's permit. All pen-reared and wild birds harvested on a preserve ~~shall~~ must be tagged by the shooting preserve permittee, or the permittee's employees or agents, upon any of the following circumstances, whichever occurs first:

- (1) Prior to leaving the preserve acreage, except as provided in § 41:09:01:04.03;
- (2) At the time the birds are cleaned or processed;
- (3) Prior to the birds being placed in a cooling or freezing facility; or
- (4) Prior to midnight of the day that the birds were harvested.

The head, leg, or sufficient plumage must remain attached to the bird to identify the sex and species of the bird. The ~~kill~~ tag must remain attached to the bird while the bird is possessed, placed in public storage, transported, or shipped by anyone. However, the head, leg, and sufficient plumage may be detached from the bird and discarded if the bird is processed at a wildlife processing facility, if the bird is immediately packaged by a transparent vacuum-sealed or shrink-wrap packaging process, and if the ~~kill~~ tag is encased in the same package and clearly legible. The package ~~shall~~ may contain only those individual bird parts associated with the original ~~kill~~ tag. No more than two birds may be enclosed in the same package. Except as provided in this section, the provisions of chapter 41:06:03 apply to the possession, processing, and transportation of game birds harvested on a preserve.

Source: SL 1975, ch 16, § 1; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 12 SDR 170, effective April 28, 1986; 13 SDR 26, effective September 10, 1986; 16 SDR 148, effective March 21, 1990; 23 SDR 20, effective August 13, 1996; 32 SDR 55, effective October 17, 2005; 37 SDR 18, effective August 16, 2010; 38 SDR 8, effective August 3, 2011; 43 SDR 31, effective September 14, 2016.

General Authority: SDCL 41-2-18(2)(10)(16), 41-10-16.

Law Implemented: SDCL 41-2-18(2)(~~16~~), 41-10-2, 41-10-16.

41:09:01:04.01. Private shooting preserve transportation permit -- Exception. A licensed private shooting preserve permittee may obtain a transportation permit for processing purposes from the department. The permit allows the transportation of birds legally harvested on the shooting preserve to ~~another location for processing~~ a wildlife processing facility as defined in § 41:06:03:10. The kill tags must be attached to the birds, except as provided for in § 41:09:01:04.03. The permit must include the preserve name; the hunter's name; the hunter's ~~driver's~~ driver license number, ~~state-issued~~ state-issued identification number, or youth hunter safety number; the species and number of birds transported; and the date of processing.

In lieu of the transportation permit, a permittee or employee may transport permitted species harvested on a shooting preserve to another location for processing, if the carrier of the birds has a duplicate copy of the guest register required by SDCL 41-10-17. The permittee may use ~~computer formats~~ a data collection platform provided by the Department that ~~list~~ lists hunter and harvest information for the birds being transported for processing with prior department approval.

The carrier of the permit or guest register must be an employee or agent of the preserve and must possess the processing permit or a copy of the guest register while in possession of the birds enroute to or from the processor.

Source: 22 SDR 16, effective August 15, 1995; 33 SDR 43, effective September 18, 2006; 38 SDR 8, effective August 3, 2011; 47 SDR 27, effective September 15, 2020.

General Authority: SDCL 41-2-18(2)(16), 41-10-16.

Law Implemented: SDCL 41-2-18(2)(~~16~~), 41-10-16, 41-10-17.

41:09:01:04.03. Transportation of birds off preserve prior to tagging.

Notwithstanding subdivision 41:09:01:04(1), prior to tagging, harvested birds may be transported directly to a wildlife processing facility as defined in 41:06:03:10 that is not located on the permitted preserve acreage, if:

- (1) The birds were harvested on the permitted preserve acreage;
- (2) The birds are not transported with other birds harvested off the acreage;
- (3) The birds are transported directly to the processing facility or lodge;
- (4) The birds are transported by the preserve operator or employee;
- (5) The birds are accompanied by the necessary tags described in § 41:09:01:04;
- (6) Complete harvest information was loaded into the private shooting preserve database supplied by the department prior to leaving the acreage; and
- (7) All other transportation requirements provided in § 41:09:01:04.01 are followed.

Source:

General Authority: SDCL 41-2-18(2)(16), 41-10-16.

Law Implemented: SDCL 41-2-18(2), 41-10-16.