

CHAPTER 36
FISH, WILDLIFE AND RECREATION

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PREAMBLE: LAKOTA ECOLOGY STEWARDSHIP MODEL

For over one hundred years, the lands of the Pine Ridge Indian Reservation in South Dakota, the home of the Oglala Sioux people, have been under attack. The combination of Federal Indian policy, State policy, and loss of historical homelands have devastated both the biological diversity of the ecosystem and the traditional lifestyles of the Lakota people. The traditional ecological practices and values of the Lakota have been ignored and suppressed, at great cost to the environment and the people.

After many years of struggling with this situation, the Oglala Sioux (Lakota) Parks and Recreation Authority has begun to develop an entirely new approach to stewarding the natural resources of Pine Ridge Reservation, which is in fact a revival and restoration of the Lakota ecology system. The Lakota Ecology Stewardship Model is a comprehensive and dynamic program to reestablish and promote the traditional methods of Lakota ecology and land stewardship. It is representative of efforts by indigenous peoples worldwide to revitalize their own unique knowledge systems and to replace the intrusive and culturally inappropriate systems imposed upon them by dominant cultures.

The primary goal of the Lakota Ecology Stewardship Model is to revive, record, and implement the ecological values and practices of traditional Lakota Knowledge System. During the centuries before Indians were confined to reservations, the Lakota lived in harmony with their natural surroundings. The Lakota culture was based on a belief in an intricate and balanced web of life, in which all beings, human and non-human, living and non-living are related and play an equal and important role. The relationship of the Lakota with the natural world was one of reverence and stewardship, not dominion, and ecological practices reflected an intensive, first-hand knowledge of the environment, knowledge that was acquired and passed on over countless generations. This unique knowledge, together with the traditional culture and values that supported it, is still being suppressed. The government policies and land management practices that destroyed subsistence lifestyles and seriously damaged the Great Plains Ecosystem continue unabated, and government agencies will not recognize the legitimacy nor allow indigenous environmental practices. As a result, tribes find themselves in constant conflict with federal and state agencies.

Through its design in implementation on the Pine Ridge Reservation, the Lakota Stewardship Model will attempt to demonstrate the effectiveness of indigenous ecological practices and advocate for policy reform so that these practices are recognized and accepted. In addition, the Model will evaluate and use those Western practices that are in accordance with the Lakota laws and values. Further, it will serve as a model of ecological stewardship for indigenous communities worldwide.

Equally important, the Model will transform the lives of the Lakota people on the Pine Ridge Reservation. Subsistence opportunities will be expanded with an equitable system for sharing the Reservation's natural wealth will be established. Traditional pedagogy will be revived to transfer knowledge from elders to children, and the children in turn will become the real stewards of the Reservation's environment. To the extent possible, the native biological diversity of the Great Plains ecosystem will be restored. Viable populations of plants and animals will be maintained and fragile habitats protected with emphasis on preservation of medicinal and food plants.

The Reservation will once again support a flourishing subsistence economy, able to sustain both the Lakota people and the diverse and plentiful animal and plant life that once thrived there. The Lakota Ecology Stewardship Model will rebuild and safeguard the vitality of the environment and fulfill the Lakota obligation to ensure the welfare and survival of the people during the next seven generations.

In response to many problems described above, the Oglala Sioux Parks and Recreation Authority (OSPRA) is developing a model of environmental stewardship. The primary goal of the Lakota Ecology Stewardship Model is to create a comprehensive indigenous model that enables the Oglala Lakota Tribe to steward their natural and cultural resources on an integrated, stable, and continuous basis at a minimum of cost and maintenance. Stewardship embodies the true spirit of the Lakota term "wolakota", which translates as "living in spiritual harmony with nature"

Some objectives of the Lakota Ecology Stewardship Model have been emphasized and prioritized by inclusion in a separate component, although all components are interrelated.

These components are:

Traditional Ecology System: Environmental Stewardship

**Traditional Lakota Ecology and Modern Western Science:
“Co-Management” and Conflict Resolution**

Traditional Pedagogy: Transferring Knowledge from Elders to Youth

Traditional Subsistence Lifestyles: Reciprocity and Distribution of Wealth

Lakota Ethnobotany: Food and Medicine Plants

Policy Advocacy and Reform: Recognition for Indigenous Knowledge Systems

Oglala Self-Sufficiency: Culturally Compatible Economic Opportunities

Administration: Oglala Sioux Parks and Recreation Authority

The Oglala Sioux Tribe Fish, Wildlife & Recreation Code for the Pine Ridge Indian Reservation, as follows, is based on the Lakota Ecology Stewardship Model, and is related to the following components: Traditional Ecology System, Traditional Lakota Ecology and Modern Western Science, Traditional Subsistence Lifestyles, Policy Advocacy and Reform, and Oglala Self-Sufficiency. The Model serves as a bridge between the oral Tribal Laws of the past and our written Tribal Laws today. In addition, the OST Fish, Wildlife & Recreation Code promotes Tribal self-determination and self-sufficiency, and thus Tribal Sovereignty, in that it provides for Tribal regulation and jurisdiction. And, most importantly, both the Model and the Code provide a formalized means to protect, enhance, and safeguard the natural and cultural resources of the Pine Ridge Reservation for the current and future generations of the Oglala Lakota.

FISH, WILDLIFE AND RECREATION CODE

SECTION 1: INTRODUCTION

1.01 Title

This ordinance shall be known as the Oglala Sioux Tribe Fish, Wildlife and Recreation Code.

1.02 Authority

This ordinance is enacted pursuant to the Constitution and By-Laws of the Oglala Sioux Tribe.

1.03 Purpose

The purpose of this chapter is to provide an orderly system for Tribal management of fish, wildlife and natural resources of the Oglala Sioux Tribe through the control, regulation and enforcement of hunting, fishing, trapping and recreational activities within the boundaries of the Pine Ridge Indian Reservation.

1.04 Jurisdiction

- (1) Provisions contained within this chapter specifically apply to all lands within the original exterior boundaries of the Pine Ridge Indian Reservation as described in the constitution and by-laws dated March 2, 1889 (25 Stat. L. 888). All matters contained herein relating to the propagation, conservation, management, distribution, transportation, storage, and taking of fish and wildlife; relating to the management, conservation and control of reservation lands, forests and waters for fish and wildlife purposes; and relating to fishing, hunting, trapping, sale, barter, and exchange of fish and wildlife products from the land resources of the Pine Ridge Indian Reservation are all subject to the absolute jurisdiction of the Oglala Sioux Tribe.
- (2) All fish and wildlife resources now or hereafter within the Pine Ridge Reservation, not held in private ownership legally acquired, which, for the purposes of this chapter shall include all big game animals, game birds, waterfowl, game fish, reptiles, amphibians, fur bearing animals and all other forms of wildlife are hereby declared to be the property of the Oglala Sioux Tribe and no right, title, interest or property therein can be acquired or transferred or the possession thereof had or maintained except as herein expressly provided.
- (3) It shall be lawful for the Director of the Oglala Sioux Tribe Parks and Recreation Authority or the Oglala Sioux Tribe Fish and Wildlife Department or any persons or entity appointed by him/her or them to take fish and wildlife for the purposes of inspection, cultivation, propagation and distribution scientific or other purposes deemed by him/her or them to be in the interest of the fish and wildlife resources of the Oglala Sioux Tribe.
- (4) This chapter shall govern the activities of hunting, fishing, trapping, boating and various types of outdoor recreation within the exterior boundaries of (and trust lands outside the same exterior boundaries of) the Pine Ridge Indian Reservation to include but not limited to the following:
 - (a) The Tribe shall have exclusive jurisdiction over enrolled members of the Oglala Sioux Tribe on all lands and waters within the boundaries of (and trust lands outside the same exterior boundaries of) the Pine Ridge Indian Reservation.
 - (b) The Oglala Sioux Tribe shall have exclusive jurisdiction over non-member Indians on all lands and waters within the exterior boundaries of (and trust lands outside the same exterior boundaries of) the Pine Ridge Indian Reservation.

- (c) The Tribe shall have exclusive jurisdiction over non Indians on Federal Trust, Tribal Trust and Individual Indian Allotted Lands within the boundaries of (and trust lands outside the same exterior boundaries of) the Pine Ridge Reservation.

1.05 Effective Date

This chapter shall be effective on the date adopted by the Oglala Sioux Tribal Council.

1.06 Severability and Non-Liability

If any section, provision or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. The Oglala Sioux Tribe further asserts immunity on its part and that of its agencies, employees and/or agents from any action or damages that may have occur as a result of reliance upon conformances with this chapter.

1.07 Repeal of Inconsistent Tribal Ordinances

All ordinances and resolutions inconsistent with this chapter are hereby repealed. To the extent that this document imposes greater restrictions than those contained in any other tribal ordinances, the provisions of this document shall govern.

SECTION 2: DEFINITIONS

For the purpose of this chapter, the following definitions shall apply:

1. **Aircraft** – Any contrivance used for flight or to be airborne.
2. **Allotted Lands** – Tribally owned or individually owned lands held in trust by the Federal Government.
3. **All Terrain Vehicle** – Means an engine driven device which has the Weight of 500 pounds or less, which has a width of 46 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on three or more low-pressure tires. A low pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.
4. **Antler less Deer** – All deer not displaying at least one visible antler at least 4 inches above the head.
5. **Antlered Deer** – All deer displaying at least one visible antler at least 4 inches above the head.
6. **Any Part Thereof/ the Parts Thereof** – Means the hide, horns, hooves, plumage, skin, organs, skeleton and every other part of the wildlife or fish specified.
7. **Arrow** – A shaft of at least 24 inches long containing 3 trimmed or 5 untrimmed feathers, tipped with a point or device used to strike, penetrate or pierce.

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8. **Authority** – Means the Oglala Sioux Parks and Recreation Authority.
9. **Bag Limits** – Means the maximum limit, in number amount, of a particular species of fish or wildlife which may lawfully be taken in one day during an open season.
10. **Bait** – Any substance that is placed by any person and which may serve as an attraction to any wildlife, and may include but not limited to shelled grains, shucked or unshucked grains, bams, alfalfa, hay, food supplements, salt or animal remains; however, artificial decoys used to hunt migratory game birds or turkeys shall not be deemed bait.
11. **Bait Fish** – Any fish or minnow, which is used for angling or the capture or taking of fish.
12. **Big Game** – All cloven hoofed animals including white-tailed deer, mule deer, antelope, elk, bighorn sheep and bison for which harvest laws and regulations may be established by the Tribe.
13. **Big Game Tag** – A non-reusable metal, paper or plastic approval device issued with big game permits which permits, which must be attached through the gambrel or around the antler, ear, or leg of the big game animal at the time it is taken.
14. **Board** – Means the Oglala Sioux Parks and Recreation Authority Board of Directors.
15. **Bow** – Means any hunting instrument designed for the purpose of propelling an arrow which is drawn and held by and through efforts of the person releasing, but does not include a crossbow.
16. **Carcass** – Means the dead body of a fish or wildlife to which it refers, including the head, hair, skin, plumage, skeleton or other parts thereof.
17. **Closed Area** – Any area where the Oglala Sioux Parks and Recreation Authority and or Fish and Wildlife Department has declared that hunting, fishing, trapping, boating and/or other recreational activity is prohibited.
18. **Closed Season** – Means the time during a 24-hour day, a week, a month, a year or years during which fish or wildlife may not be taken legally.
19. **Closed Waters** – Any lake, pond, river, stream, and body of water or any part thereof within the Pine Ridge Indian Reservation wherein it shall be unlawful to fish, hunt, or trap. Said waters may be closed to one or all these activities depending on the designation of these waters.
20. **Cold Water Fishing** – Any lake, pond, stream, creek, river, or any part thereof, which is managed for trout and where the use of live bait and baitfish is prohibited.
21. **Creel Limit / Daily Limit** – The Maximum number of any species of fish that may be legally taken per day from midnight to midnight.
22. **Crossbow** – Means any device using a bow which once drawn is held solely by means other than the effort of the person firing it.
23. **Department** – Means the Oglala Sioux Tribe Fish and Wildlife Department.
24. **Dry Set** – A set or staked in such a manner as to be completely on dry land with no possibility of the trap or trapped animal reaching water.
25. **Endangered or Threatened Species** – Means any species of fish, wildlife or wild plant within the Pine Ridge Indian Reservation as listed but not limited to 50 CFR Section 17.11 and 17.11 and 17.12 or

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species classified pursuant to the Endangered Species Act of 1973, as may be amended from time to time or which the Oglala Sioux Tribal Council from time to time may declare as endangered or threatened.

26. **Falconry** – Means taking quarry by means of a trained raptor.
27. **Fee Land** – Means those lands within the exterior boundary of the Pine Ridge Indian Reservation not held in trust or subject to restrictions on alienation and which is in private ownership.
28. **Firearm** – Means a rifle, shotgun, handgun, muzzleloader or any other weapon designed to act by the force of gunpowder.
29. **Fishing** – Means taking, capturing, killing or attempting to take capture or kill fish or any variety in any manner. When the word “fish” is used as a verb, it shall have the same meaning as the word “fishing.”
30. **Flashlight** – Means an artificial lighting device capable of holding a minimum of 6 D cell batteries or less.
31. **Furbearers** – Means wild animals taken primarily for the sale of their pelts and shall include but not be limited to mink, muskrat, beaver, weasel, fox, coyote, bobcat, badger, and raccoon.
32. **Game** – All wild animals and birds for which hunting seasons have been established by provisions contained within this chapter.
33. **Game Fish** - Shall include all species belonging to the trout, pike, catfish, bullhead, sunfish, bass, bluegill crappie and perch families of fish.
34. **Harass** – Means to shoot at, disturb, worry, molest, rally, concentrate, harry, chase, drive, herd or torment.
35. **Highway** – Means all public ways, thoroughfares, and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of public as a matter of right for the purposes of vehicular travel. It includes those driveways in the Pine Ridge Indian Reservation, which have been opened to the use of the public but does not include private roads or driveway.
36. **Hunt or Hunting** – Includes shooting, shooting at, pursuing, taking, attempting to take, catching, attempting to catch, killing any wild animal or animals, except that hunt or hunting does not include the recovery of any wild animal which has already been lawfully reduced to possession.
37. **Hunting Hours** – Means the time of day when wildlife may be lawfully taken.
38. **Legally Posted** – Means a sign prohibiting entry without the permission of the owner or occupant placed at least every 400 yards along roadways near lands to be posted and at established access points to the land to be posted.
39. **License** – Means a written document granting authority to engage in specific activities covered in this chapter.
40. **Live Bait** – The use of any baitfish, amphibian or any other animal, while alive, for angling.
41. **Loaded Firearm** – Means any firearm containing a cartridge in the chamber or any firearm containing a cartridge(s) in the attached cylinder, or magazine, except that cap lock muzzle loading firearms shall not be considered loaded if a percussion cap is not covering the percussion nipple and flint lock muzzle loading firearms shall not be considered loaded if the flashpan is cleaned of powder.

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42. **Machine Gun / Automatic Firearm** – The term “machine gun” means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapons, any combination of parts designed for use in converting a weapon into a machine gun can be assembled if such parts are in the possession or under the control of a person.
43. **Management / Stewardship Unit** – One of several discrete divisions of the reservation land uniquely managed according to specific habitat type or resident wildlife specie(s) whose boundaries are identified by geographical features and/or other landmarks.
44. **Member** – Any enrolled member of the Oglala Sioux Tribe. Also to include non-enrolled members of the Oglala Sioux Tribe pending enrollment proceedings.
45. **Motor Vehicle** – Any self-propelled vehicle, whether operated upon a highway, railroad track, on the ground, in the water or in the air.
46. **Migratory Birds** – Shall include but not be limited to the following:
- (a) All species of ducks, geese, and swans (Order Anseriformes).
 - (b) All shorebirds, wading birds, and seabirds (Order Gaviiformes, Podicipediformes, Pelicaniformes, Ciconiiformes, Gruiformes).
 - (c) Mourning dove (Order Columbiformes).
47. **Motorboat** – Means any boat equipped with propulsion machinery whether or not the machinery is the principle source of propulsion.
48. **Non Game Species / Protected Species** – All species of birds, mammals, fish, reptiles, amphibians and plants for which this chapter does not expressly authorize the taking, hunting or possession of and thus are protected at all times unless otherwise provided for within the provisions of this chapter.
49. **Non-Indian** – Means any person not legally enrolled by a federal recognized Native American Tribe.
50. **Non-Member Indian** – Means a legally recognized Native American who resides on or visits the Pine Ridge Indian Reservation but is not an enrolled member.
51. **Occupant** – Means any person who lawfully resides on tribally owned or allotted trust lands of the reservation.
52. **Officer / Conversation Officer / Ranger** – Means an employee of the Oglala Sioux Parks and Recreation Authority empowered by the Oglala Sioux Tribal Council to enforce the provisions of this chapter and regulations promulgated pursuant to this chapter. When the context in which the word “officer” is used does not clearly indicate that it applies to an employee of the Oglala Sioux Parks and Recreation Authority empowered by the tribal council to enforce the provisions of this chapter and regulations promulgated pursuant to this chapter, or when the term “other officer(s)” is used, officer shall refer to any law enforcement officer of the Bureau of Indian Affairs or of the Oglala Sioux Tribe Department of Public Safety, or of the U.S. Fish and Wildlife Service or any other officer expressly authorized to enforce the provisions of this chapter and regulations promulgated pursuant to this chapter.
53. **Open Season** – The time specified by the chapter or by rule, regulation, order, resolution or by board proclamation when it shall be lawful to hunt, fish, or trap for any animals, birds, fish, reptiles or amphibians. Each period of time shall be specified as an “opened season” and shall include the period during each day when these activities can legally take place.

54. **Open Water** – Means any water beyond a natural growth of vegetation rooted to the bottom and extended above the water surface of such height as to offer whole or partial concealment of the hunter.
55. **Permit** – A secondary document, although not limited to a secondary document, which may include stamps, normally requiring a license as a prerequisite to its issuance, which grants the authority to engage in certain specified activities under the provisions of this chapter within the parameters of tribal rules and regulations governing these activities.
56. **Person** – Shall include partnerships, associations and corporations, as well as all persons Indian and non-Indian. No violation of this chapter shall be excused because it was done by a person as the agent or employee of another, nor because it was committed by or through an agent or employee of the person charged.
57. **Plant** – Means any undomesticated species, and fruit or part thereof, of the plant kingdom occurring in the natural ecosystem.
58. **Possession** – Means having killed, harvested, taken or otherwise obtained or acquired any wild animal, fish or plant subject to the provisions of this code. It means dominion, actual possession or constructive possession of the article or thing specified.
59. **Possession Limit** – Means having the amount of fish and/or wildlife that may be legally possessed at any one time.
60. **Raptors** – Means a migratory bird of the Order Falconiformes or the Strigiformes. For simplification, bald eagle is part of this definition. Raptors generally mean all hawks, owls, eagles and falcons.
61. **Recreational Vehicle** – Any snowmobile or all-terrain vehicle engaged in off-highway recreational use.
62. **Refuge** – (Also referred to as Game Range) A portion of land identified by game fence and boundary signs, set aside by assignment, lease, rent, or ownership for the purpose(s) of managing the tribe's contained bison and elk. Residual effects being other fish and wildlife species within the refuge boundaries.
63. **Reservation** – Means all lands within the limits of the Pine Ridge Indian Reservation under jurisdiction of the United States, not withstanding the issuance of any patent, and including right-of-ways running through the reservation.
64. **Recreation** – Shall include but not be limited to picnicking, camping, boating, hunting, fishing, hiking, skiing, swimming and other related outdoor activities.
65. **Restricted Water / Trout Water** – Means that fishing methods on any lake, pond, stream or any part thereof may be limited to the use of artificial lures or bait other than live fish.
66. **Rifle** – Means a weapon designed or redesigned or and made or remade, and intended to be fired from the shoulder and designed or redesigned or and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge.
67. **Roadway / Trail** – Shall include but not be limited to any public highway or road, improved or otherwise, dedicated for public ingress and egress. This does not include temporary trails across cultivated land used for agricultural purposes.
68. **Rod** – Means 5.50 yards or 16.5 feet.

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69. **Rough Fish / Non Game Fish** – All fish species not included in the game fish families or not included in the game fish families or not otherwise protected by this chapter.
70. **Sell** – Means to offer or possess for sale, barter, exchange, trade, or the act of selling, bartering, exchanging, trading or disposing of.
71. **Senior Citizen** – Means any member 55 years old or older.
72. **Shotgun** – Means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger and shall include any such weapon which may be readily restored to fire a fixed shotgun shell.
73. **Sight Exposed Bait** – Means any bones, meat or viscera of an animal, bird or fish with or without skin, hide or feathers which can be seen from above the bait.
74. **Size Limit** – Means the specific minimum length and/or maximum length in inches of a species of fish that may be possessed legally.
75. **Small Game** – Shall be defined as including the following: Family Anatidae limited to geese, brants, dabbling ducks, tree ducks, sea ducks, and mergansers; Rallidae, commonly known as rails, coots, mudhens, and gallinule; Limicolae, commonly known as snipe and woodcock; Guide, commonly known as morning dove; Phasianidae, commonly known as grouse, prairie chickens, pheasants, partridges and quail; cottontail rabbit, fox, grey and pine Squirrel.
76. **Snagging** – Means the use of hook and line, with or without a pole, to impale or attempt to impale fish in a manner other than by the natural feeding behavior of fish.
77. **Snowmobile** – Any motorized vehicle designed for travel on snow and/or ice and steered and supported in whole or in part by skis, belts, cleats or runners.
78. **Specified Areas** – Areas where the taking of fish and wildlife is restricted to the specifications set forth by rules, regulations, ordinances, or resolutions set forth by the Oglala Sioux Parks and Recreation Authority.
79. **State** – Means any state of the United States.
80. **Tag** - Means a card, label or other identification device issued for attachment to the carcass of any fish or wildlife.
81. **Take / Taking** – Means pursuing, shooting at, hunting, fishing, netting (including placing or setting any net or other capturing device), Capturing, killing, snaring or trapping any fish, wildlife or plant or attempting any of the foregoing.
82. **Timber** – Shall include but not be limited to any woody vegetation that is 10 feet or greater in height and consist of 6 inches of diameter or greater in diameter breast height.
83. **Trapping** – Includes the taking of, or attempting to take, any wild animal(s) or fish by means of setting or operating any device, mechanism or contraption that is designed, built or made to close upon, hold fast, or otherwise capture a wild animal(s) or fish.
84. **Tribal Court** – Means the Oglala Sioux Tribe Court.
85. **Tribe** – Means the Oglala Sioux Tribe.

86. **Trust Land** – Means land the U.S. Government holds legal title to for the benefits of Indians.
87. **Protected Species** – Shall include but not be limited to elk, antelope, bison, bighorn sheep, mule deer, white-tail deer, wolf, lynx, mountain lion, bobcat, waterfowl, upland game birds, upland game animals, wild turkey, migratory birds, raptors, furbearers and any other species for which a closed season is specified or for which taking is prohibited.
88. **Unprotected Species** – Means those species of wildlife which are not protected under the provisions of this chapter and for which year round hunting under the authority of a department license and/or permit is allowed. This shall include but not be limited to prairie dogs, jackrabbits, and ground squirrels. European starlings, English (house) sparrows, feral pigeons and skunks. Crows, grackles, blackbirds and cowbirds may not be hunted for recreational purposes. They may be killed without tribal permit only if they are causing or are about to cause damage to trees, crops, livestock or wildlife or unless they are concentrated in large number that may constitute a health hazard or other nuisance.
89. **Upland Game Birds** – Shall include but not be limited to sharp-tail grouse, turkey, prairie chicken and pheasants.
90. **Upland Game Mammals** – Shall include but not be limited to tree squirrels and cottontail rabbits.
91. **Waterfowl** – Means any wild species of geese, brants, ducks and swans.
92. **Wet Set / Water set** – A trap that is staked in such a manner as to permit the trap or trapped animal to reach water at any point.
93. **Wild Animal / Wildlife** – Means any mammal, bird, fish, reptile, amphibian or other creature of a wild nature endowed with sensations and the power of voluntary motion, including their eggs, nests and spawn.

SECTION 3: GENERAL PROVISIONS

- 3.01 For the purpose of this chapter, all hunting, fishing, trapping and wood cutting is closed within the exterior boundaries of (and trust lands outside the same boundaries of) the Pine Ridge Indian Reservation unless authorized by the Oglala Sioux Parks and Recreation Authority and the Board of Directors.
- 3.02 Unless and except as permitted by regulation made hereinafter provided by in this chapter, it shall be unlawful at any time, by any means or manner, to pursue, hunt, take, capture, kill, harass, waste, or attempt to take, capture, or kill possess, offer for sale, harass, waste, sell, offer for barter, barter, offer to purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, imported, or cause to be transported, carried, or receive shipment, transportation, carriage, or export any fish, wildlife, timber, any part or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such fish, wildlife, timber or any part included in the terms of this chapter.
- 3.03 **Title to Fish, Wildlife, and Plants**
- (1) The legal title to, and the custody and protection of all fish, wildlife and plants within the exterior boundaries of (and trust lands outside the same boundaries of) the Pine Ridge Indian Reservation is vested in the Oglala Sioux Tribe for the purpose of regulating use, disposition and conservation thereof.
 - (2) The legal title to any fish, wildlife or timber, or carcass and/or part thereof taken or reduced to possession in violation of this chapter remains with the Tribe; and the title to any such fish, wildlife or timber or carcass and/or part thereof, lawfully acquired, is subject to the condition that upon the

violation of this chapter relating to the possession, use, giving, sale, barter, or transportation of such fish, wildlife, or timber, or carcass and/or part thereof, by the holder of such title, the same shall revert, as a result of the violation to the Tribe. In either case, any such fish, wildlife or timber, or carcass and/or part thereof, may be seized forthwith, wherever found, by any law enforcement official authorized to enforce provisions of this chapter.

SECTION 4: ADMINISTRATION AND SUPERVISION

4.01 There is hereby created the Oglala Sioux Parks and Recreation Authority and established a Subordinate Fish and Wildlife Division, which shall both possess authorization and be charged with the duty to protect, conserve, enhance and manage all fish and wildlife resources within the exterior boundaries of (and trust lands outside the same boundaries of) the Pine Ridge Indian Reservation. The Authority and its Division also has the responsibility to enforce the provisions of this chapter, board proclamations and council ordinances in all matters relating to fish, wildlife, timber and outdoor recreational activities.

4.02 Oglala Sioux Parks and Recreation Authority shall oversee operational activities of the Fish and Wildlife Division.

4.03 Policy and Intent

It shall be and is the policy and intent of the Oglala Sioux Parks and Recreation Authority to establish the following:

- (1) To provide an adequate and flexible system for the protection and conservation of all fish, wildlife and other natural resources on the Pine Ridge Indian Reservation.
- (2) To provide for the establishment of rules, regulations, and ordinances relating to the harvest of fish, wildlife and use of recreational areas on the Pine Ridge Indian Reservation.
- (3) To provide for the general management and supervision of all wildlife, fish and outdoor recreational activities on the Pine Ridge Indian Reservation.
- (4) To provide for the establishment of enforcement systems, license requirements, prohibited acts and penalties related to hunting, fishing, trapping, boating, and other outdoor recreational activities.

4.04 Powers of the Authority to conserve Fish, Wildlife and Resources

The Oglala Parks and Recreation Authority shall from time to time recommend to the Oglala Sioux Tribal Council amendment to this chapter as is consistent with policy, objectives and intent of this chapter, which it may deem necessary or desirable, in the public interest in carrying out the policy and provisions of this chapter. Without limiting the general powers herein conferred, the Authority shall:

- (1) Fix seasons and shorten, extend or close seasons on any species of wildlife and fish in any specific locality or localities or on the entire reservation when it shall be found. After investigation, that such action is necessary either to assure maintenance of an adequate supply thereof to regulate taking, or to effectuate proper management and control.
- (2) To close or open lakes, streams and refuges or parts thereof to angling, trapping or hunting, and to regulate and prescribe the means by which wildlife and fish may be taken as may be best to perpetuate, restore increase or control any species of wildlife and fish and assure adequate supply thereof, and to regulate the transportation and storage of all wildlife and fish, or parts thereof within the boundaries of the Pine Ridge Indian Reservation and the shipment or transportation off the Pine Ridge Indian Reservation.
- (3) To establish or change bag limits and possession limits.
- (4) To establish and change territorial limits for the taking of all species of wildlife.

- (5) To prescribe the types of or kinds of bait, lures, tackle, equipment, traps, firearms and weapons, the tagging of game or fish or parts thereof or any other means or devices for taking of such wildlife.
- (6) To designate the areas for hunting with bow and arrow and seasons thereof.
- (7) To establish big game, small game, fish, furbearer and/or wildlife refuges, production areas, demonstration areas and research areas. When private property is to be included in one of the areas described in that subsection, the written-consent of the owner shall be obtained and all boundary lines shall be posted at the usual place of ingress with signs bearing instructions and the title of the Oglala Sioux Parks and Recreation Authority.
- (8) To establish methods for checking hunters, anglers, or trappers into and out of designated areas, to prescribe safety and fire control measures and other regulations as may deem necessary in the interest of range, forest, game, fish, furbearer or wildlife management and for the safety and welfare of hunters, trappers, anglers, boaters and any other outdoor recreationist, land owner and the Oglala Sioux Tribe.
- (9) To establish fees and license and permit costs for hunting seasons, general, special, or otherwise.
- (10) To establish rules and regulations governing the operation of boats, upon waters located within the exterior boundaries of the Pine Ridge Indian Reservation.
- (11) To establish rules and regulations governing the operations of snow-mobiles, all terrain vehicles, recreational vehicles, and aircrafts on over the lands and waters of the Oglala Sioux Tribe.
- (12) The Authority shall manage and regulate recreation resources, including recreation areas, camping areas, lake ponds, reservoirs and streams to ensure the citizens of the Pine Ridge Reservation continued recreation opportunities.
- (13) The Authority may regulate and limit the number of hunters, anglers, trappers and outdoor recreationist and the maximum harvest of fish and game.
- (14) The Authority staff may exercise the power conferred upon its s. 4.04 by recommending proclamations for approval by the Board of Directors.
- (15) All rules of the Authority in conformity with law are prima facie reasonable and lawful.
- (16) Every rule in conformity with laws, made under authority of this section, shall in every prosecution for violation thereof be conclusively presumed to be just, reasonable and lawful, unless prior to instruction of prosecution for such violation the person charged with such violation shall be brought an action to vacate and set aside such rule.
- (17) The Authority is authorized to affix boundary signs to existing fences and/or fence posts located on along the exterior boundaries of the reservation.
- (18) The Authority and its agents while in performance of its/their/his/her duties are exempt from regulatory restrictions and provisions of this chapter unless otherwise directed by this chapter.

4.05 Collection of Permit Fees, Forfeitures and Fines

The Authority shall establish a fund or account to deposit monies collected from the sale of licenses, permits, tags and other approvals. Monies collected from the natural resource penalty assessments, penalty assessments, civil recovery values, natural resources restitutions fines and forfeitures shall be deposited in an account or accounts established by the Authority. Upon federal prosecution, the Director shall make formal request to the U.S. Attorney for civil restitution from persons violating any provisions of this chapter. Monies collected from the federal courts or respective clerk of courts shall be deposited into an account established by the Authority.

4.06 Expenditure of Funds

The Authority shall expend appropriated funds and monies deposited in one or more special accounts for the following:

- (1) Conservation, protection and enhancement of the reservation's fish, wildlife, timber and recreation resources.
- (2) Enforcement of provisions of this chapter, or any rule, regulation or proclamation adopted in pursuant to this chapter.
- (3) Information and educational programs.

SECTION 5: DUTIES OF TRIBAL CONSERVATION / ENFORCEMENT RANGERS

- (1) Conservation/Enforcement Rangers shall enforce all provisions of this chapter and other tribal codes, ordinances, proclamations, resolutions and regulations as directed by the council of the Oglala Sioux Tribe.
- (2) Conservation/Enforcement Rangers shall ensure that any persons who hunts, fishes, traps, boats, camps, or cut wood have in possession the appropriate licenses, permits and/or tags and are complying with all rules, regulations and laws.
- (3) Conservation/Enforcement Ranger shall assist the Authority overhead in their supervision and management of all natural resources on the Pine Ridge Indian Reservation, and shall perform all other duties described or delegated.
- (4) Conservation/Enforcement Rangers shall keep detailed daily logs and provide reports of these activities describing by total number, miles, contacts, violations, dispositions, surveys and what activities were performed or completed.
- (5) Conservation/Enforcement Rangers may not settle or compromise an alleged violation for which they or other officers issued a citation.

SECTION 6: ENFORCEMENT

6.01 Enforcement by Rangers

Any provisions to this chapter may be enforced by tribal Conservation/Enforcement Ranger of the Oglala Sioux Parks and Recreation Authority, or other officers expressly authorized by this chapter or through formally established deputization Agreements.

6.02 Search and Seizure When Authorized

Any persons authorized to enforce the provisions of this chapter may conduct a search of a person, object or place, and seize objects when the search is made:

- (1) With consent of the subject.
- (2) Pursuant to valid search warrant.
- (3) Within the authority and scope of lawful inspection.
- (4) As otherwise authorized by law or provisions of this chapter.
- (5) Incident to arrest.

6.03 Investigation and Citations

- (1) Any person authorized to enforce provisions of this chapter may:
 - (a) Subject to s.6.03 (2). Conduct routine inspections of vessels, boats, wagons, trailers, automobiles, vehicles, snow-mobiles, containers, packages, tents, and other receptacles contained therein, utilized by any person in a harvest activity authorized by this chapter and

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records of commercial transactions. Inspections shall be limited to a plain view inspection unless permitted by s.6.02 (1) to (5).

- (b) Execute and serve warrants and other processes issued by the tribal courts in accordance with applicable law.
 - (c) Stop and board any boat, stop any vehicle if the Ranger has a reasonable suspicion that there is a violation of any provision of this chapter or regulations promulgated thereof.
 - (d) With or without a warrant, open, enter and examine vessels, boats, wagons, trailers, automobiles, vehicles, snowmobiles, packages and other receptacles contained therein, in which the officer has probable cause to believe that contraband fish, wildlife, timber carcasses, or parts thereof may be contained.
 - (e) Issue citation on a form approved by the tribal court and the Authority to any person upon finding probable cause that such person has violated any provision of this chapter.
 - (f) May seize and hold subject to the order of the tribal court or federal court any alleged contraband or property which such Ranger reasonably believes may be needed as evidence in connection with the institution of proceedings in tribal court or federal court or any property otherwise authorized to be seized by any provision of this chapter. Any Ranger may seize without warrant all birds, animals, or parts thereof, taken, killed, transported or possessed contrary to the provisions of this chapter or any regulation, rule, or ordinance pertaining to hunting, fishing, trapping, or boating and/or any gun, trap, net seine, decoy, bait, vehicle, light, fishing tackle, or other device unlawfully used in hunting, fishing, trapping or boating or held with the intent to unlawfully use for hunting, fishing, or trapping provided such warrant-less seizure is performed by a Ranger who knows or has reasonable cause to believe that the person in possession of such property has committed or is engaged in committing a violation of this chapter.
 - (g) Any Conservation/Enforcement Ranger, in the course of their duties, may enter upon private land within the exterior boundaries of (and trust lands outside the boundaries of) the reservation and remain thereon while performing such duties hereunder, and such actions by the Ranger(s) shall not constitute trespass.
- (2) The inspections authorized by subsection 6.03(1) (a), shall be conducted in a manner and at such times and locations as are reasonable and appropriate in the ordinary course of routine enforcement activities.
- (3) An arrest may be executed by duly authorized Rangers through a tribally or federally approved arrest warrant or with probable cause and exigent circumstances.

6.04 Public Nuisances

- (1) The following are declared public nuisances:
- (a) Any unlicensed net of any kind, or other unlicensed device, trap or contrivance for fishing; or any unlicensed net or other device, trap or contrivance for fishing set, placed, or found in any waters where the same is prohibited to be used, or in a manner prohibited by law or regulation.
 - (b) Any unlicensed setline, cable, rope, or line, with more than one fish line attached thereto; or any licensed setline set, placed or found in any waters where the same is prohibited to be used, or in a manner prohibited by law or regulation; or any fish line left in the water unattended, whether having one or more hooks attached.
 - (c) Any long tunnel pond net or similar entrapping net other than the legal fyke net, drop net, submarine trap net and the short tunnel net whenever found in waters or on any vessel, dock, pier, wharf or in any building or vehicle on or adjacent to such waters. Any such contraband nets so found shall be deemed sufficient evidence of the use such nets by the owner thereof.

- (d) Any screen set in public waters to prevent the free passage of fish, or used in any stream, which has stocked unless authorized by the Authority.
- (e) Any building, enclosure, structure, or shelter placed, occupied or used on the ice of any waters in violation of this chapter.
- (f) Any unlicensed trap, snare, spring gun, set gun, net or other device or contrivance which might entrap, ensnare, or kill wildlife; or any trap without a metal tag attached as required by law or regulation.
- (g) Any boat, together with its machinery, sails, tackle and equipment, or any lamp, light, gun, pivot gun, swivel gun, or other firearm used in violation of this chapter; or any boat, floating raft, box, or blind set in open water and used in hunting migratory birds.
- (h) Any decoys left in the water unattended.
- (i) Any dog found running deer at any time, or used is in violation of this chapter.
- (j) Any ferret, rat, weasel or guinea pig in possession or used while hunting.
- (k) Any blind used in hunting in violation of law or regulation.

6.05 Seizure and confiscation of Public Nuisances

- (1) The Authority and it's Rangers shall seize and hold subject to the order of the tribal court and apparatus, appliance, vehicle or device declared by this chapter to be a public nuisance or for which they have probable cause to believe is being used in violation by this chapter or a rule promulgated under this chapter. The apparatus, appliance, vehicle or device shall be confiscated if directed by the tribal court.
- (2) Any perishable property seized by the Authority or its Rangers may be sold at the highest available price, and the proceeds of the sale turned into tribal court to await disposition of the proceeds as the court directs.
- (3) Conservation/Enforcement Rangers may kill a dog found running injuring, causing injury to, or killing wildlife, their eggs or nest, if immediate action is necessary to protect the wildlife, their nests or eggs, from injury or death.
- (4) Seizure of any part of shipment under s. 6.06(1) shall include the entire shipment.
- (5) Employees of the Authority and each Ranger in the performance of official duties shall be exempt from any/all liability to any person for acts done or permitted or property destroyed by authority of law. In any action brought against any Authority employee involving any official action, the Oglala Sioux Tribal Prosecutor shall represent such Authority employee. No taxable costs or attorney fees shall be allowed to either party in said action.

6.60 Sale of Confiscated Wildlife Fish and Apparatus

- (1) All confiscated wild animals, or carcasses or parts thereof, and all confiscated apparatus, appliances or devices shall, if not destroyed as authorized by law, be sold at the highest price obtainable by the Authority or by an agent on commission under the written authority and supervision of the Authority. The net proceeds of such sales, after deducting the expense of seizure and sale and any commissions, shall be promptly remitted by the officer by whom or under whose authority the sales are made, to the Authority; the remittance to be accompanied by a complete and certified report of such sales, supported by proper vouchers covering all deductions made for expenses and commissions, to be filed

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with the Authority. Of the remittance from such sales of confiscated apparatus, appliances or devices, the entire amount shall be paid into operating fund of the Authority's Fish and Wildlife Division. In the case of the proceeds from the sale of a confiscated motor vehicle, if the holder of a security interest perfected by filing with such motor vehicle as security, satisfies (and burden of proof shall be upon the holder of a security interest) the court, or after judgment of confiscation the Authority, that the violation that led to such confiscation was not with his or her knowledge, consent or connivance or with that of some person employed or trusted by the holder of a security interest, there shall also be deducted the amount due under the security agreement from the proceeds of such sale and the amount due shall be paid to the one entitled; in the event a sufficient amount does not remain for such purpose after the other deductions then the amount remaining shall be paid. The Authority shall make a reasonable effort within 10 days after seizure to ascertain if a security interest in the seized motor vehicle exist, and shall within 10 days after obtaining actual or constructive notice of such security interest give the secured party notice of the time and place when there is to be any proceeding before the tribal court or the tribal judge pertaining to such confiscation and shall also give such secured party at least 10 days notice of the time and place of sale. Constructive notice shall be limited to security interest perfected by filing. In all such cases, the time of sale of the confiscated motor vehicle shall be within 20 days after judgment of confiscation.

- (2) On any such sales of wild animals, or carcasses or parts thereof, the Ranger or agent selling them shall issue to each purchaser a certificate, on forms to be prepared and furnished by the Authority covering such sales. The animals, or carcasses or parts thereof, so purchased shall be consumed or otherwise disposed of by the purchasers within a period to be set by the Authority, but shall not be resold, bartered, or exchanged in whole or in part, to any person.

6.07 Registration information

Any Ranger(s) empowered to request and receive from tribal license issuance stations, and harvest registration station, information regarding license issuance and harvest registration.

6.08 Penalties and Sanctions

(1) CIVIL PENALTIES

- (a) Any person who engages in conduct prohibited by any provision of this chapter or regulations promulgated there from federal acts and/or laws, may be assessed a civil penalty by the tribal court of not more than \$ 1000.00 for each violation or may be assessed a civil penalty as determined by a federal court.
- (b) No civil penalty may be assessed under this subsection unless the person accused of the violation is given notice and opportunity for a hearing with respect to the violation. Each violation shall be deemed a separate offense.
- (c) Civil jurisdiction over all matters under this chapter and regulations promulgated there from shall be with the tribal or federal court which shall adjudicated in accordance with tribal or federal court law all questions, complaints and alleged violations involving the provisions of this chapter.

(2) CRIMINAL PENALTIES

Any Indian who violates any provision of this chapter or regulations promulgated there from or federal acts and/or laws may be assessed a criminal penalty by the tribal court authority of not more than \$ 1000.00 or imprisoned not more than one year and/or both; or any person who violates any provision of this chapter or regulations promulgated there from or federal acts and/or laws is subject to federal prosecution and may be assessed a criminal penalty by federal court.

- (3) For any violation, a revocation or suspension of reservation hunting, fishing, trapping, gathering, boating, woodcutting, or recreational privileges for a period not to exceed one year or for a period of time within the discretion of the court may be imposed.

- (4) Any contraband wildlife or fish or other article described in s.6.03(1)(f) seized shall be subject to forfeiture at the order of the Tribal Court of the Oglala Sioux Tribe after notice and opportunity for hearing or trial as herein set forth, except as provided or otherwise provided upon the sworn complaint of the Ranger making the seizure that any articles seized were not in the possession of any person, and that the owner thereof is unknown, the court shall have the power and jurisdiction to forfeit such articles by publishing a notice of intent to forfeit in any newspaper of general circulation in Shannon, Jackson and Bennett Counties for a period of two successive issues. The notice shall describe the articles seized, whether the owner thereof is known or unknown, articles shall be sold at auction with proceeds going to the Oglala Sioux Parks and Recreation Authority. If any articles are not declared forfeited by the order of the tribal court, they shall be returned to the person from who seized, after the completion of the case and after the civil forfeiture or fines and civil recovery values, if any, have been paid. If fines or civil forfeitures and/or civil recovery values are assessed by the court and not paid within a period of time to be established by the court, the court may dispose of said property at auction as partial or complete payment of such civil forfeiture or fine and/or recovery values, except as provided for otherwise in s.6.9 (3) (b) (4) (A)
- (5) Upon conviction of any person for a violation of this chapter when such person has been convicted of a previous violation of this chapter within a period of one year, the court may enhance any civil remedial forfeiture or other penalty, as the court deems appropriate.

(6) CIVIL DAMAGES

In addition to any other penalty by this chapter, the tribal or federal court may award to the tribe or in addition to an action impose penalties, the tribe may bring a civil action for recovery of damages against any person(s) unlawfully killing, wounding, catching, taking, trapping or having unlawfully in possession any of the following named fish wildlife species, or any part thereof, and sum assessed for damages for each fish, wildlife or plant species shall not be more than that amount stated in this subsection:

(a) Civil Recovery Value

<u>Big Game</u>	<u>Males</u>	<u>Females</u>
Deer	\$ 200.00	\$ 350.00
Antelope	\$ 200.00	\$ 350.00
Elk	\$ 2,000.00	\$ 2,000.00
Bison	\$ 2,000.00	\$ 2,000.00
Big Horn Sheep	\$ 10,000.00	\$ 10,000.00
Turkey	\$ 100.00	\$ 100.00

<u>Small Game</u>	<u>Males</u>	<u>Females</u>
Ducks	\$ 25.00	\$ 50.00
Geese	\$ 50.00	\$ 50.00
Pheasants	\$ 25.00	\$ 50.00
Grouse	\$ 25.00	\$ 50.00
Prairie Chicken	\$ 25.00	\$ 50.00
Morning Dove	\$ 25.00	\$ 50.00
Jack Rabbit	\$ 25.00	\$ 50.00
Cottontail Rabbit	\$ 10.00	\$ 10.00
Squirrel	\$ 10.00	\$ 10.00
Prairie Dog	\$ 5.00	\$ 5.00

Fish

All species will have a value of \$ 2.00 per inch.

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prescribed in this subsection. If the deposit is forfeited, the amount of the natural resource assessment shall be transmitted to the Authority. If the deposit is returned, the natural resource assessment shall be returned.

(b) Use of Natural Resource Assessment Funds

1. All monies collected from natural resources assessments shall be deposited with the authority and appropriated for the management and protection of fish and wildlife.

(9) PENALTY ASSESSMENTS

(a) Levy of Penalty Assessments

1. If the tribal court imposes a fine or forfeiture for a violation of a provision of this chapter or a rule issued under this chapter, the court shall impose a penalty assessment equal to 20 % of the amount of the fine or forfeiture.
2. If any deposit is made for an offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the penalty assessment prescribed in this subsection. If the deposit is forfeited the amount of the penalty assessment shall be transmitted to the Authority. If the deposit is returned, the penalty assessment shall be returned.

(b) Use of Penalty Assessment Funds

1. All monies collected from penalty assessments shall be deposited into the Authority's Fish and Wildlife Divisions operating fund.

6.09 Field Bonds in Civil Forfeiture Actions

(1) FIELD BOND PROCEDURE

For any case in which a Ranger has reason to believe that a person has violated a civil provision of this chapter, and the Ranger determines that:

- (a) Seizure of the person's property is directly necessary to secure the important tribal interest of guaranteeing the presence within tribal jurisdiction of sufficient assets of the person to secure payment of a uniform deposit, and
- (b) There is a special need for prompt action because it is likely that the person will leave the reservation and the jurisdiction of the tribe with his property and no return, then
- (c) The Ranger may demand that the person post a bond in an amount equal to the uniform deposit for which he could be found liable by the tribal court for the violation the Ranger has alleged in the natural resource citation.
- (d) In any case in which the Ranger has reason to believe that the delay caused by the field bond procedure could jeopardize the safety of the Ranger, or lead to a breach of the peace, or cause the Ranger to lose opportunity to seize bond property, or give the person the opportunity to flee the jurisdiction of the tribe, the Ranger may seize bond property first and then issue bond notice.

(2) FIELD BOND NOTICE

- (a) In all cases where it is feasible, the Ranger shall prepare and issue bond notice to a person, allow him to read it, and request him to sign on copy of the bond notice before the Ranger takes possession of any bond property. Bond notices shall be prepared in duplicate and the copy signed by the person shall be filed by the Ranger with the copy of natural resources citation.

Bond notices shall contain the name and address of the person, the serial number of the natural resource citation, which has been issued, the date of the alleged violation, and the signature and identification number of the Ranger, and such other information as the Authority or court deems necessary.

(b) The bond notice shall inform the alleged violator of:

1. The Ranger's authority under this chapter to demand and, if necessary, seized bond property.
2. The violations alleged and the uniform deposit for each, and the total amount.
3. The alternative methods of posting bond as set forth in this chapter.
4. The fact that failure to appear at the hearing may result in entry of a default judgment and the forfeiture of bond.
5. The fact that a property bond may be redeemed at any time during normal business hours at the Authority office by posting of a cash payment equal to the sum of the uniform deposit for each natural resource citation, but that post judgment redemption must occur, it at all, within 30 days of the entry of judgment unless an appeal is filed.

(3) BOND ALTERNATIVES

(a) Cash Bond

1. The alleged violator may post a cash bond in the amount specified as the deposit permitted on the natural resource citation.
2. Upon receipt of cash bond, the Ranger shall prepare a bond receipt for the amount received, which shall be on the official form provided the Authority for that purpose, and which shall contain the name of the alleged violator, the serial number of the natural resource citation issued to the person, the date, the bond amount, and the signature and identification number of the issuing Ranger. One copy of the bond receipt shall be issued to the alleged violator.
3. The alleged violator shall be requested to sign the bond receipt and the Ranger shall retain and file a copy with the court copy of the natural resource citation.
4. The Ranger may accept cash, a money order, or by other means as may be approved by the Authority.
5. If the alleged violator is found not to be liable to the tribe after a trial or hearing, the bond amount shall be returned in full. If the person is found liable after a trial or hearing, or by default due to failure to appear, the bond shall be applied in satisfaction of the judgment, and any excess shall be returned.

(b) Property Bond

1. The alleged violator may post a bond with the Ranger of any property, which the Ranger reasonably believes is valued at an amount at least equal to the uniform deposit appearing on the natural resource citation.
2. Upon receipt of bond property, the Ranger shall give to the person a bond receipt as provided for in s.6.09 (3)(a)(1), except that instead of cash amount received the receipt shall contain a complete description of the property, including all serial numbers. The bond receipt shall also contain the Ranger's estimate of the value of the bond property.
3. The alleged violator shall be requested to sign the bond receipt and the Ranger shall retain and fill a signed copy with the court copy of the natural resource citation.
4. The alleged violator may choose between the following alternatives as to the disposition of his/her property:

- (a) The property may be left in the custody of the Authority until after the trial or hearing, at which time if he has not been found liable to the tribe it shall be returned to him/her. If he/she is found to be liable to the tribe, or is in default due to failure to appear, it will be held as security for payment of the judgment, and will be security for payment in full. In cases involving members and non-member Indian, if payment in full is not received within 30 days of the date of judgment, and if an appeal is not filed as provided by tribal law, the property shall be sold at a public auction, and the amount received shall be applied to the judgment and the costs of said sale and storage. Any excess shall then be returned to the judgment debtor. In cases involving non-Indians, if he fails to appear at the scheduled hearing before the court, the court shall reschedule hearings indefinitely until and when the alleged violator appears.
- (b) He may redeem his property at any time during normal Authority business hours by posting a cash bond in an amount equal to the uniform deposit for the violation with which he is charged, or by paying damages as determined by the court, but redemption must occur, if at all, within 30 days of the entry of judgment unless an appeal is filed.

(4) **CASH BOND TRUST FUND**

All cash bonds shall be deposited within two business days of being posted in a trust account established by the Authority for that purpose. A receipt shall be given to the Ranger for each deposit.

(5) **BOND PROPERTY STORAGE**

All bond property shall be transferred to the Authority for storage within 24 hours of bond posting.

(6) **INVOLUNTARY SEIZURE SUMMARY OF BOND PROPERTY**

Any Ranger who has followed the procedures of s.609 may use any reasonable non-deadly force necessary to seize bond property from an alleged violator to comply with the bond procedures as provided by s.6.09.

6.10 Forfeited Bond Schedule

The tribal court, in consultation with the board and council committee, may adopt a uniform deposit schedule of forfeiture to be imposed by the court upon the receipt of an admission that a violation of this chapter has occurred, or pleas of no contest, which may be done either in person or in writing. This schedule shall not bind the court as to forfeitures assessed by the court after adjudicating a violation where the defendant has entered a plea of not guilty.

6.11 Parties to a violation

- (1) Whoever participates in the commission of a violation of this chapter or rules promulgated under this chapter shall be deemed and may be charged with the violation although he/she did not directly commit it and although the person who directly committed the violation has not been convicted of the violation.
- (2) A person participates in the commission of the violation if the person:
 - (a) Directly commits the violation:
 - (b) Aids or abets in the commission of or:
 - (c) Is a party to a conspiracy with another to commit the violation, or advises, hires, or counsels, or otherwise procures another to commit the violation.

6.12 Harvesting After Revocation or Suspension

No person whose reservation hunting, fishing or trapping privileges have been revoked or suspended shall hunt, fish or trap on the Pine Ridge Indian Reservation any fish or wildlife, the harvest of which is regulated by this chapter, during such revocation or suspension.

SECTION 7: GENERAL RULES AND REGULATIONS

7.01 Permits and Identification

- (1) No person shall engage in the activity of hunting, fishing, trapping, boating, recreation or cutting wood or other activities regulated by this chapter or other tribal or federal law without acquiring or being in possession of a valid tribal license, permit or tag as this chapter or other tribal or federal law may require for the particular season or activity in question.
- (2) All hunting, fishing, trapping and boating on the reservation by non-members shall conform to the laws of the United States, to the provisions of this chapter and to regulations promulgated under this chapter. Where tribal law or regulation is in conflict with or is different from non-tribal law or regulation, tribal law and regulation shall take precedence.
- (3) The Tribal Park and Recreation Authority and the Fish and Wildlife Department is authorized to issue to persons licenses and permits required by this chapter. Except as otherwise required by this chapter, the form of such permits or licenses shall be left to the discretion of the department head or authority director provided such form shall: describe the licensee, including applicant's weight, height, color of eyes, color of hair, address including (street, and/or box number) date of birth, and tribal enrollment number. This form shall also have printed on it: "Non-Transferable", date of issuance, date of expiration and type of issuance.
- (4) No person shall refuse to display his/her license or permit required by this chapter to any duly authorized officer upon request by such officer.
- (5) No person to whom any license has been issued under this chapter shall, when requested by the department, fail or refuse to provide harvest reports and data, and such other relevant information, as may be requested.
- (6) Misrepresentation of identity, age, tribal membership or residency during the purchase of a tribal license or issuance of a tribal permit shall be unlawful. Any license or permit issued based on such misrepresentation shall be revoked.

7.02 Specific Licenses, Permits, Stamps, Tags, and other Approvals Required; Costs: Expiration; Eligibility Requirements.

7.03 Wanton Waste of Fish and Wildlife

- (1) No person who takes any fish or wildlife shall abandon intentionally, or needlessly allow to go to waste, any edible portion thereof. The failure of any person to properly dress and care for any fish or wildlife species taken or killed by that person, and, if the carcass is reasonably accessible, the failure to take or transport the carcass to the residence of that person, or place for proper storage, and there properly care for the carcass, is prima facie evidence of a violation.
- (2) No person shall abandon edible portions of fish or wildlife at a meat processing plant. The leaving of edible portions of fish or wildlife at a processing plant for more than 90 days following notice by the processing plant to claim the fish or wildlife shall be considered prima facie evidence of a violation.

The owner(s) in charge of any meat processing plant shall report the violation to the department or to any officer for referral to the department.

7.04 Larceny of Fish and Wildlife

No person shall without, permission of the owner, molest, disturb or appropriate any fish or wildlife or the carcass and/or parts thereof, which have been lawfully reduced to possession of another.

7.05 Use of Poison and explosives

- (1) No person shall take, capture, or kill, or attempt to take, capture, or kill any fish or wildlife with the aid of dynamite or any explosive, poisonous, or stupefying substance or device.
- (2) No person shall place in any water explosives which might cause the destruction of any fish, wildlife, or plant, except when authorized by the authority, or have in his/her possession or under his/her control upon any waters any explosive, poisonous, or stupefying substance or device for the purpose of taking, catching, or killing of any fish or wildlife.
- (3) No person shall use, set, lay, or prepare in any waters of the reservation any lime, poison, fish berries, or any other substance deleterious to fish life; or use baits containing poison of description on any area on the reservation or other places where such baits might destroy or cause destruction of fish, wildlife, or plants.
- (4) No person shall take, capture, or kill or attempt to take, capture, or kill any bird by setting or operating any trap or device designed, built, or used to capture birds.
- (5) Nothing in this chapter shall prohibit the department or authority or its designated agents from using explosives or processing explosives for the purpose of removing beaver dams, clearing a channel, or breaking a log or ice jam or for the creation of wetlands.

7.06 Scientific Investigations

The authority's biological services personnel or other authorized individuals may conduct investigations of fish, wildlife, and plants in order to develop scientific information relating to populations, distribution habitat needs, and other biological data in order to advise the tribe on conservation measures designed to ensure the continued ability of fish, wildlife, and plants to perpetuate themselves.

7.07 Seasons

No person shall engage in the reservation harvest privileges regulated by this chapter, except during the respective open seasons established pursuant to this chapter.

7.08 Chasing or Rallying Wildlife

No person shall worry, scare, chase, harass, disperse, rally to otherwise disturb any Big Game Animal with or from any motor vehicle or by any means other by legal hunting methods prescribed by this chapter.

7.09 Unlawful Possession of Fish or Wildlife

No person shall have in his/her possession or under his/her control at any time any fish, wildlife, or carcass and/or part thereof, knowing that the same has been taken unlawfully or during a closed season for such species.

7.10 Bag Limits; Possession Limits

No person shall have in his/her possession or under his/her control any fish, wildlife or plant in excess of the bag or possession limits, or above or below the size limits for any fish, wildlife, or plants as established by this chapter.

7.11 Sharing of Permits and Tags

Except as otherwise provided in this chapter, no person shall lend, share, give, transfer, sell, barter or trade to any person any identification document, license, permit, tag, or other type of approval issue by the tribe pursuant to this chapter.

7.12 Harvesting with Another's Permit

No person shall hunt, fish, trap, recreate, gather or cut wood under the authority of any license, permit or tag issued to another person except when authorized by a permit issued by the authority or department.

7.13 Shining Animals

- (1) It shall be unlawful for any person to shine a spotlight, headlight, or any other artificial light for locating, hunting, pursuing, taking or attempting to take or kill any fish or protected wildlife.
- (2) It shall be unlawful for any person to shine a spotlight, headlight, or any other artificial for locating, hunting, pursuing, taking or attempting to take or kill any fish or protected wildlife while the person is in possession firearm or bow of any type.
- (3) A person casting rays of light in a field, forest or other area, which is frequented by wild animals. A person may introduce evidence to rebut this presumption.
- (4) This subsection shall not apply to:
 - (a) Any person who possess a light or uses a light to track or hunt raccoons, foxes, skunks, coyotes or any other unprotected species only when hunting with dogs.
 - (b) Any person authorized to enforce the provisions of this chapter while conducting an active investigation.
 - (c) Any person authorized to conduct fish and wildlife surveys or to do animal damage control work.

7.14 Duties on Accidental Shooting

Any person who, while hunting any fish or wildlife discharges a firearm or arrow, and injures or kills another person, shall forthwith give his or her name and address to such person if injured and render assistance to him or her as may be necessary and obtain immediate medical or hospital care, and shall immediately report such injury or death to the proper law enforcement authorities.

7.15 Failure to Report Hunting Accidents

Any person who has caused or been injured in an accident in which another person has been injured by gunfire or by an arrow while hunting, fishing or trapping, or has inflicted an injury upon himself or herself with a firearm or arrow while hunting, fishing or trapping, shall render or cause to be rendered a report to the authority within 10 days after such injury. Failure to report such an accident shall constitute a violation.

7.16 Restrictions on Hunting and Use of Firearm by Persons Under 16 Years of Age; Possession of a Handgun by a Minor

- (1) Persons Under 12 Years of Age:

- (a) No person under 12 years of age may hunt with a firearm or bow and arrow
 - (b) No person under 12 years of age may have in his or her possession or control any firearm unless he or she is enrolled in a course of instruction under a hunter education and firearm safety program and is carrying the firearm unloaded to or from that class under the supervision of a parent or guardian or is handling or operating the firearm during that class under the supervision of an instructor.
 - (c) Except as provided under paragraph (d), no person under 12 years of age may obtain any approval authorizing hunting.
 - (d) A person under 12 years of age may obtain a certificate of accomplishment if he or she completed a certified hunter education course but that certificate is not valid for the hunting of small game until that person becomes 12 years of age.
- (2) Persons of 12 to 14 years of Age
- (a) No person 12 years of age or older but less than 14 years of age may hunt unless he or she is accompanied by a parent or any responsible adult.
 - (b) No person 12 years or older but under 14 years of age may have in his or her possession or control any firearm unless he or she:
 1. Is accompanied by a parent or any responsible adult, or
 2. Is enrolled in a course of instruction under a hunter education and firearm safety program and is carrying the firearm unloaded to or from that class or is handling or operating the firearm during the class under the supervision of an instructor.
- (3) Persons 14 to 16 Years of Age
- (a) No person 14 years of age or older but under 16 years of age may hunt unless he or she:
 1. Is accompanied by a parent or any responsible adult, or
 2. Is issued a certificate of accomplishment under a hunter education and firearm safety program or similar certificate issued by another tribe, state or province.
 - (b) No person 14 years of age or older but under 16 years of age may hunt unless he or she:
 1. Is accompanied by a parent or any responsible adult, or
 2. Enrolled in a course of instruction under a hunter education and firearm safety program and is carrying the firearm in a case and unloaded to or from that class or is handling or operating the firearm during the class under the supervision of an instructor, or
 3. Is issued a certificate of accomplishment under the hunter education and firearm program or a similar certificate issued by another tribe, state or province.
 4. No person under the age of 18 years of age shall possess or be in control of a handgun unless the person is target practicing with the immediate supervision of a parent or any responsible adult or is lawfully using the handgun for hunting while under the immediate supervision of a parent or any responsible adult.

7.19 Resisting an Enforcement Ranger

No person shall resist or obstruct any law enforcement officer authorized to enforce the provisions of this chapter in the performance of duty.

7.20 Assaulting an Enforcement Ranger

No person shall assault any law enforcement officer authorized to enforce the provisions of this chapter in the performance of duty.

7.21 False Impersonation of an Enforcement Ranger

No person shall falsely represent himself/herself to be a law enforcement officer authorized to enforce the provisions of this chapter. Or shall assume to act as such an officer, without having been first duly appointed.

7.22 General Restrictions on Hunting and Trapping

(1) General Restrictions

- (a) Hunt within 1700 feet of any hospital, school and/or grounds, or any public establishment and/or grounds.
- (b) While on lands of another, discharge a firearm within 440 feet of any building devoted to human occupancy situated on lands and attached to the lands of another without the express permission of the owner or occupant of the building.
- (c) Hunt or pursue any wildlife, or enter for the purpose of hunting or pursuing any wildlife on any legally posted lands without the express permission of the owner or occupant. Trap or pursue furbearers on legally posted land without permission from the owner or occupant.
- (d) Leave any gate, bars or other devices used to enclose land or livestock open upon entering or existing the premises for the purposes of hunting or pursuing wildlife unless he/she is in lawful possession of the premises.
- (e) In any manner deface, destroy, or remove any signs posted in a legal manner.

(2) Transportation and Safe Use of Firearms and Bows

(a) Definitions

In this subsection:

1. "Encased" means enclosed in a case that is expressly made for containing a bow or crossbow and that is completely zipped, snapped, buckled, tied or otherwise fastened with no part of the bow or crossbow exposed.
2. "Firearms" means a weapon that acts by force of gunpowder.
3. "Unloaded" means any of the following:
 - (a) Having no shell or cartridge in the chamber of a firearm or in the magazine attached to a firearm.
 - (b) Having no shells or cartridges in the cylinder of a revolver.
 - (c) Having no shell or cartridges in the chamber of a semi-automatic pistol or in the magazine attached to the pistol.
 - (1) Except as provided in s.7.22 (4), no person may place, possess or transport a firearm, bow or crossbow in or on a motorboat with the motor running or in, on or against a vehicle unless the firearm is unloaded or unless the bow or crossbow does not contain a nocked arrow.
 - (2) Except as provided in s. 7.22 (4), no person may load or discharge a firearm or shoot a bolt or any arrow from a bow or crossbow in, on or from a vehicle or on, from or across a maintained highway.

- (3) Except as provided in s. 7.22 (4), no person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow within 50 feet of the center of a maintained roadway.
- (4) Except as provided in s. 7.22 (4), no person shall hunt within 50 feet of the center of a maintained roadway.
- (5) Except as provided in s. 7.22 (4), no person shall transport a loaded handgun in a vehicle unless authorized by a permit.

(3) **Restrictions on Use of Bait and Salt**

- (a) No person shall hunt with the aid of bait unless such material is present from normal agricultural practices.
- (b) No person shall hunt with the aid of salt, except that hunting near or in areas containing natural salts in the soil shall not be unlawful.
- (c) No person shall set any steel leg hold or body-gripping animal trap within 30 feet of any exposed bait. Exposed bait means meat or viscera of any mammal, bird, fish, reptile, or amphibian with or without skin, hide or feathers.

(4) **Exceptions**

s. 7.22 shall not apply to any person authorized to enforce this chapter, who in the line of duty places, possesses, transports, loads or discharges a firearm in, on or from a motor vehicle or motorboat or discharges a firearm from, on or across a maintained roadway or within 50 feet of the center of a maintained roadway, or leaves an established roadway in a motorized vehicle while conducting an active investigation surveys or wildlife and fisheries counts.

7.23 Hunting or Harassing Wildlife with Aircraft

No person shall hunt or harass any wild animal with the aid of any type of aircraft. An exception is the authorized use of aircraft to perform population censuses or to remove depredating wildlife with the consent of the authority or department.

7.24 Nets, Pitfalls and Set Guns

No person shall place operate or attend, spread, or set ant net pitfall, or set gun for the purpose of catching or which might catch, take or ensnare wild animals.

7.25 Tampering With Equipment of Another

No person shall molest, disturb, tamper with or in anyway interfere with any hunting, fishing, trapping, wood cutting, recreational or other equipment used, set or placed by another except with the owner's permission.

7.26 Endangered and Threatened Species Protected

Except as otherwise permitted by law, no person shall take, transport, possess, or sell any endangered and threatened species as defined in section 2.

7.27 Unprotected Species

Except as otherwise expressly provided, nothing in this chapter shall be construed to prohibit or regulate the harvest of any un-protected species as defined in section 2 of this chapter.

7.28 Protected Species

No person shall hunt, fish, gather, take, pursue, harass, disturb, sell purchase or barter any protected species as defined in section 2 of this chapter, except those species whose harvest is specifically regulated pursuant to the provisions of this chapter.

7.29 Permissible Conduct

- (1) Conduct, which is not expressly prohibited, restricted or otherwise regulated by this chapter, shall be deemed permissible.
- (2) Except as otherwise provided herein, nothing in this chapter shall be construed to prohibit a person from hunting, fishing, trapping, boating, recreating, or wood cutting with an enrolled member of the Oglala Sioux Tribe, provided that the non-member or non-Indian possesses a license or permit if required and is otherwise not prohibited from engaging in the activity involved and complies with the laws of this chapter or proper jurisdiction.

7.30 Emergency Closures

- (1) Notwithstanding any other provisions of those chapter, the director or department head is hereby authorized and empowered to order limitations or closure of the harvest activity of any species, generally or with respect to a particular location or body of water, whenever in his/her/their professional opinion(s) and judgment, the harvest or activity is likely to result in a harvest exceeding the harvest goals or would represent a danger to the public.
- (2) Every reasonable effort shall be made to consult with and obtain the approval of the board prior to ordering an emergency closure, but such closure may be ordered without consultation or approval if circumstances require.
- (3) An emergency closure shall become effective immediately upon issuance or at such time or date as the closure order may direct. Such closure shall be communicated to tribal members and other affected parties by the best and swiftest practical need.
- (4) No person shall violate the terms, conditions, or restrictions of an emergency closure order issued pursuant to this section.

7.31 Hunting Hours

No person shall pursue, shoot, kill or take any wildlife, except waterfowl and migratory birds, between ½ hour after sunset of one day and ½ hour before sunrise of the next day. No person shall pursue, shoot, kill or attempt to take any waterfowl or migratory birds between sunset of one day and ½ hour before sunrise of the next day.

- (1) Unless the person has a permit, no person, may bring into the reservation for the purpose of stocking or introduce, any fish or spawn thereof or any wild bird or wild animal of any kind.
- (2) Applications for such permits shall be made in writing with the department.
- (3) Permits for stocking may be issued by the department only after investigation and inspection of the fish, birds or animals as it determines is necessary.
- (4) Permits to import into the reservation fish or spawn thereof may be issued only if the source of the fish or eggs or certified free of such diseases as are designated by the department.
- (5) Fish or spawn thereof imported under a permit are subject to inspection by the department and such inspection may include removal of reasonable samples of fish or eggs for biological examination.

- (6) The department may seize or destroy, or both, any fish or spawn thereof found to be infested with any disease organisms as are designated by the department.
- (7) Nothing in s. 7.32 shall prohibit the department or its duly authorized agents from bringing into the reservation for the purpose of planting, introducing or stocking, or to plant, introduce or stock in this reservation, any fish, bird or wildlife.

7.33 Transportation of Fish and Wildlife

No person shall transport, cause to be transported or deliver for transport into the reservation any fish carcass or wildlife carcass or parts thereof without the written or verbal approval of the department, except that persons traveling through or into the reservation with any fish carcass lawfully acquired in another jurisdiction must be able to document lawful possession.

7.34 Possession and sale of Live Game Mammals, Birds and Furbearers

(1) Definitions

As used in this subsection:

- (a) "Control Temporarily" means to possess an animal or bird for a limited time for one of the following purposes:
 1. Removal or transportation of an animal or bird from one location to a more appropriate location.
 2. Restraint or transportation of an animal or bird for treatment or medical care.
 3. Restraint or transportation of an animal or bird for game consensus, surveys or other purposes authorized by the department.
- (b) "Possess" means to own, restrain, keep in captivity or transport an animal or bird.

(2) Possession

No person may possess any live game mammal or game bird or furbearer unless authorized by the department to control an animal temporarily.

(3) Sale

No person shall sell any live game mammal or game bird or furbearer unless authorized by the department.

(4) Record:

A person who sells any live game mammal or game bird or furbearer shall keep a record of each sale, the name, and address of the purchaser, the type of authorization or license held by the purchaser and its number, if any, the date of the sale and a description of the game mammal or game bird or furbearer. The record shall be kept for 2 years after the sale and shall be open to inspection by the department.

(5) Hunting and Trapping:

A person who hunts or traps any game animal or game bird or furbearer shall kill the animal or bird when it is taken and make it part of the daily bag or shall release the animal or bird.

7.35 Sale of Wild Animal and Fish Carcasses

- (1) No person shall sell, buy, barter, or trade, or offer to sell, buy, barter or trade, or have in possession or under control for the purpose of sale, barter or trade any wild animal carcass or fish carcass or parts thereof except with verbal or written approval of the department. Nothing in this subsection shall prohibit the sale of hides, bones, heads or dried antlers or horns from a legally harvested big game animal or the trading of such parts for use of traditional or religious ceremonies nor shall prohibit the sale of animal, bird and fish carcasses or parts thereof by the department for management or administrative purposes.

No person shall change or alter in any manner any approval or enter other than the correct date of issuance on any approval issued under this chapter.

- (2) s. 7.35 (1) shall not apply to the green hide of any deer, elk, antelope, bison, beaver, muskrat, mink, coyote, red fox, gray fox or otter where the person possessing the hide can document the hide was legally acquired.
- (3) s. 7.35 (1) shall not apply to the sale or purchase of fish in transactions between recognized wholesale dealers and recognized reservation businesses where the fish were raised in captivity or were lawfully acquired by commercial fishing as regulated by the jurisdiction from which the fish originated.

7.36 Game or Wildlife Refuge

No person shall at any time or in any manner hunt or trap within the boundaries of or within 1 mile on the boundaries of any game refuge or wildlife refuge designated by the department, nor have in his possession or under his control therein, any firearm or bow and arrow or crossbow or any kind of animal or bird trap unless authorized by the department.

7.37 Fraud in obtaining Approval

- (1) No person shall make a false statement when obtaining any approval issued under this chapter.
- (2) No person shall obtain an approval under this chapter during the period of time when that approval is revoked by the tribal court.

7.38 Changing Approval

7.39 Breaking Seals of Department

- (1) No person shall break, remove or interfere with any seal or tag issued by the department, which is attached to any animal, carcass, or article unless otherwise authorized by this chapter.
- (2) No person shall meddle or interfere with any animal, carcass, article, or other thing with a seal or tag attached which was issued by the department unless otherwise authorized by this chapter.
- (3) No person shall counterfeit any tag, seal or approval issued by the department or knowingly sell, purchase, barter, trade, ship, deliver, transport or attach to an animal, carcass or thing any counterfeit of a tag, seal or approval issued by the department.
- (4) No person who is not authorized by the department shall sell any department license permit, tag or stamp or any other department approval.

7.40 Assistance in Obtaining Federal Wildlife Permits

The department shall assist tribal members who wish to apply for federal permits to or possess eagle feathers or other wildlife, in part or entirely, from the United States Government.

7.41 Obtaining Multiple Approvals

Unless otherwise permitted by the department, no person shall obtain or attempt to obtain multiple approvals of individual approval types authorized under this chapter.

7.42 Weapon Restrictions

- (1) No person shall possess or hunt with a shotgun having a barrel less than 18 inches in length or having an overall length of less than 26 inches. Barrel length is the distance from the muzzle to the firing pin when the shotgun action is closed.
- (2) No person shall possess or hunt with a rifle having a barrel less than 16 inches in length or having an overall length of less than 26 inches. Barrel length is the distance from the muzzle to the firing pin when the rifle action is closed.
- (3) No person shall possess, unless otherwise permitted, or hunt with a fully automatic firearm. Fully automatic refers to a weapon, which shoots cartridges repeatedly upon a single press of the trigger.
- (4) No person shall possess or hunt with any mechanism designed to silence, muffle or minimize the report of any firearm.
- (5) No shall possess a concealed weapon.
- (6) No person shall hunt with full metal jacket, nonexpanding bullets.
- (7) Except for otherwise provided for herein, it shall be unlawful for any firearm or bow and arrow or crossbow to protrude from any motor vehicle or attached conveyance while on a public highway within the reservation.
- (8) No person shall hunt, take, and attempt to take, kill or attempt to kill any airborne wild bird with a rifle or handgun.

7.43 Retrieval of Game

While hunting no person shall fail to immediately make a reasonable effort to track, find pursue or locate game animals or game birds wounded or killed by the person. Game animals or game birds wounded by a person shall be considered a part of a daily bag unless a reasonable search for the wounded game animal or game bird does not result in its discovery.

7.44 Donation of Harvested Game and Fish

- (1) No person shall donate to another person or persons game animals, game birds or fish or parts thereof except at a residence, locker or storage plant.
- (2) No person shall donate to another person or persons game animals, game birds or fish or parts thereof unless the donor provides a written statement to the recipient of the donated items. The written statement shall provide:
 - (a) The portion of the birds, animals or fish being donated.
 - (b) If applicable, the donor's approval number authorizing harvest and possession of the items to be donated.
 - (c) The date, time location of kill.
 - (d) The date of donation.

- (e) The printed name and signature of the donor.
- (3) The person receiving the donation of meat shall retain the donation statement until the meat is consumed.
- (4) The big game carcass tag and departmental self-locking metal registration seal shall be kept with the major [portion of the meat until consumed.

7.45 Interference with Hunting, Fishing or Trapping

(1) Definition

In this subsection:

- (a) “(Activity associated with lawful hunting, fishing or trapping” means travel, camping or other acts that are preparatory to lawful hunting, fishing or trapping and that are done by a hunter, angler or trapper or by a member of a hunting, fishing or trapping party.

(2) Prohibitions

- (a) No person may interfere or attempt to interfere with the lawful hunting, fishing or trapping with the intent to prevent the taking of a wild animal by doing any of the following:
 - 1. Harassing a wild animal or by engaging in an activity that tends to harass wild animals.
 - 2. Impeding or obstructing a person who is engaged in lawful hunting, fishing or trapping.
 - 3. Impeding or obstructing a person who is engaged in an activity associated with lawful hunting, fishing or trapping.
 - 4. Disturbing the personal property of a person engaged in lawful hunting, fishing or trapping.
 - 5. Disturbing a lawfully placed hunting blind.
- (b) No person may knowingly fail to obey the order of an officer to desist from conduct in violation of s. 7.45 (2) (a) (1) to (5) if the order is based on any of the following:
 - 1. The officer personally observed such conduct by the person.
 - 2. The officer has reasonable grounds to believe that the person has engaged in such conduct that day or that the person intends to engage in such conduct that day.

(3) Exemptions

- (a) This subsection does not apply to actions under s. 7.45 (2) (a) (1) to (5) performed by officers if the sections are authorized by law and are necessary for the performance of their official duties.
- (b) It is an affirmative defense to the prosecution for violation of 7.45 if the defendant’s conduct is protected by his or her right to freedom of speech under the constitution of the tribe, of the United States, or under the Indian Civil Rights Act.

(4) Civil Actions

- (a) A person who is adversely affected by, or who reasonably may be expected to be adversely affected by, conduct that is in violation is s. 7.45 (2) may bring an action as may be appropriate in tribal, state or federal court.
- (b) If the action is brought in tribal court, the tribal court may enter an injunction against conduct in violation of s.7.45 (2) if the court determines any of the following:
 - 1. The defendant is threatening the conduct.

2. The defendant has engaged in the conduct in the past that is reasonable to expect that the defendant will engage in the conduct that will adversely affect the plaintiff in the future.
- (c) The tribal court may award damages to the plaintiff if the defendant's conduct in violation of s.7.45 (2) has adversely affected the plaintiff. The damages awarded may include punitive damages and any special damages. Special damages may include approval fees, travel costs, camping fees, costs for guides, and costs for equipment or supplies to the extent that the plaintiff did not receive the full value of any of these expenditures due to the unlawful conduct of the defendant.

7.46 Law Enforcement Bird and Mammal Decoys

Any violation of this chapter associated with discharge of a firearm or arrow from a bow or bolt or crossbow at a wild mammal or bird shall apply equally to replicas of wild mammals or birds placed for law enforcement purposes by officers. The violation(s) associated with discharge of a firearm or arrow from a bow or bolt from a crossbow at a replica of a wild mammal or bird placed for law enforcement purposes by an officer or officers shall be the same as if the mammal or bird had been alive. Civil recovery values shall not apply to offenses related to or involving shooting at replica birds and mammals placed by officers for law enforcement.

7.47 Destruction of Property, Signs, Fences Prohibited

- (1) No person shall deface, mutilate, shoot at, tear or pull down or destroy any sign on the reservation which gives notice of any hunting, fishing, trapping, boating, camping, swimming or other recreational activity law or regulation, boundary or other legal directive associated with hunting, fishing, trapping, boating, camping, swimming or any other form of outdoor recreation or activity.
- (2) No person who is not authorized by the owner, occupant or lease of the land shall cut, run through, tear out, take down and leave fences down, or leave gates open or in any destroy gates or fences on any lands in the reservation. In addition to the penalties provided herein, any person convicted of such a violation may be required by the convicting court to pay for all damages and costs resulting from such violation.

SECTION 8: BIG GAME HARVEST RREGULATIONS

8.01 General Big Game Provision

It shall be unlawful for any person to hunt, take, harvest, or pursue any big game animal by any method other than prescribed in this chapter.

8.02 Open and Closed Season

- (1) A closed season is hereby established for the hunting of big game except for open seasons specified in s.8.10 or proclamations established pursuant to this chapter.
- (2) Except as otherwise expressly provided by this chapter, no person shall hunt big game on the reservation during a closed season.

8.03 Number of Big Game Permits Available

The number of big game harvest permits available for harvest in each big game unit pursuant to this chapter for each twelve (12) month period commencing January 1 and ending December 31 shall be limited to the number established by the Authority. No person shall hunt on reservation lands or big game units of the reservation in which no harvest permits are made available or are otherwise closed to big game hunting.

8.04 Big Game Permits/Tags

- (1) No person shall hunt big game on any lands of the Pine Ridge Indian Reservation pursuant to this chapter without possessing a valid big game license or permit, or both, approved by the Authority.
- (2) No person shall hunt big game without possessing a valid carcass tag, except as provided in s.8.14 (Group Hunting).
- (3) The Authority shall not issue more than one tag at one time to a person exception for special permits are allowed.
- (4) No big game permits shall be considered valid for any big game unit or reservation lands:
 - (a) Which are shown to be closed.
 - (b) Permits are only valid for stewardship units for which they are issued.
 - (c) On which any big game permit unit or reservation harvest number has been slit, punched through or otherwise crossed out in any fashion.
- (5) Except as provided under s.8.14 (3) (c). any person who kills a big game animal shall immediately validate his big game carcass tag which is authorized for use on the type of big game animal killed and then attach the carcass tag to the antler and horn for males or hind hock for female of the big game animal when the big game animal is brought to a road or into any hunting camp, farmyard, dwelling or place of abode or before the big game animal is paced in or a vehicle.
- (6) No permits may be issued after 4:30 pm on the closing date of any given season.
- (7) No person shall hunt and harvest big game in a unit or on reservation lands that is different than the unit or lands stated on the valid permit.
- (8) No person shall hunt or harvest big game without their valid license(s) and permit(s) and tag(s) in possession.
- (9) No person designated to harvest big game for a senior citizen or disabled person shall fail to deliver the validly tagged carcass to such senior citizen or disabled person.
- (10) No person shall possess a big game animal to which a big game carcass tag has not been attached, except as provided in s.8.04 (11) and s.8.14 (3) © and s.8.04 (5).

8.05 Accompaniment of Big Game

- (1) It shall be unlawful for any big game permittee to transport any big game prior to registration without being present with the carcass. Nor shall anyone knowingly accept for and transport another's big game without the valid license holder present except as provided for in s.8.07 or s.8.09.
- (2) This subsection shall not apply to any authorized enforcement persons who in the course of their duties, transport any such seized big game.

8.06 Accompaniment by Non-licensee

It shall be unlawful for any big game permittee or licensee to be accompanied in the field by a non-licensee or non-permittee carrying a firearm or bow and arrow. A non-license or non-permittee is a person not having a valid tribal hunting license or permit.

8.07 Senior Citizen and Disabled Permits

- (1) No person other than the designated hunter approved by the department or senior or disabled citizen may hunt, harvest, transport or possess any big game with a tribally issued senior or disabled citizen

big game permit. No designated hunter may possess more than one senior or disabled citizen big game permit at any time.

- (2) Senior or disabled citizen big game permits will be considered provided:
 - (a) The applicant meets the age and/or disability requirements established by the department.
 - (b) Completes and submits the appropriate big game application.
 - (c) Designate one person who will possess the license, hunt and harvest. Transport and deliver the carcass to the senior citizen or disabled person.

8.08 Special Provisions for Disabled Persons

- (1) Waiver of restrictions listed below will be permitted after proof of disability is confirmed:
 - (a) Shoot from a roadway.
 - (b) Shoot from a vehicle that is not moving.

8.09 Special Big Game Permits

- (1) No person shall possess, hunt or harvest any big game for special purposes without possessing any big game for special purposes without possessing a valid permit approved by all the department heads.
- (2) To obtain a special big game permit, one must submit applications to all the department heads containing the following information:
 - (a) Purpose of permit request.
 - (b) Period of requested harvest.
 - (c) Designated hunter's name, address, social security or tribal enrollment number, hunter safety number (if applicable), phone number, height, weight, color of eyes, color of hair and date of birth.
 - (d) Name of person requesting permit, address, phone number, social security or tribal enrollment number.
 - (e) Description of vehicle to be used for transporting big game.

8.10 Big Game Season

- (1) No person shall hunt big game from the close of the specific season to the opening of the next specific season of the following year.
- (2) Each year a regular firearm and bow season may be established by the Authority.

8.11 Permissible Methods

No person shall hunt big game animals except by the use of any firearm or bow and arrow, the use of which is not prohibited by this chapter.

8.12 Firearms Restrictions

- (1) No person shall hunt big game animals:

- (a) With a .22 caliber rim fire rifle, 5mm rim fire rifle or a .17 caliber center fire rifle to include any equivalent or smaller, or with any rifle chambered for factory ammunition, which is factory, rated to produce less than 1,000-foot pounds of energy at the muzzle.
- (b) With a .410 gauge shotgun.
- (c) With any handgun except a handgun which is loaded with .357, .41, .44 magnum caliber handgun chambered or commercially manufactured cartridges which produce a minimum muzzle energy of 100 foot pounds and which has a minimum barrel length of six (6) inches measured from the muzzle to the firing pin with the action closed.
- (d) With any shell, cartridge or ammunition known as a tracer shell, or with incendiary shells or cartridges, or with non-expanding bullets.
- (e) With a shot shell containing shot of any size less than a slug weighing one-half or more.
- (f) With a gun having the capacity to hold more than eight (8) shells in the clip or magazine.
- (g) With a gun capable of being fired as an automatic.
- (h) With a gun having a silencer or sound suppressor device.
- (i) With a rifle with a barrel less than a 16 inch barrel.
- (j) With a shotgun with a barrel less than 18 inches.
- (k) With any altered projectiles.
- (l) With any muzzle-loading rifle which discharges projectiles of a diameter less than .42 inches.

8.13 Bow/Crossbow Restrictions

- (1) No person shall hunt big game:
 - (a) With a bow having a pull strength less than 50 pounds or using an arrow that does not have a broad head;
 - (b) With a crossbow unless the crossbow
 1. Is allowed by special permit by the department head or authority director.
 2. Is fired from the shoulder.
 3. Has a minimum draw weight of 100 pounds.
 4. Has a stock of not less than 30 inches in length.
 5. Is used with arrows or bolts of not less than 14 inches in length with a broad head.
 6. Has a working safety.

8.14 Group Deer Hunting

- (1) As used in this subsection:
 - (a) "Contact" means visual or voice contact without the aid of any mechanical or electronic amplifying device other than hearing aid.
 - (b) "Group Big Game Hunting Party" means two (2) or more persons lawfully hunting big game in a group under this subsection.
 - (c) Any person or a group big game hunting party may kill big game for another person or the group if the following conditions exist:

1. At the time and place of the kill, the person who kills the big game must be in visual or voice contact with the person for whom the big game was killed.
2. The person for whom the big game is killed possesses a current unused big game license and carcass tag valid for the unit or reservation lands in which the big game is killed.
3. A person who kills the big game must ensure that a person of his/her group big game hunting party without delay must attach and validate a carcass tag prior to field dressing and moving the animal. No person killing an animal under this provision shall leave the animal unattended until after it is properly tagged.

8.15 Hunting Hours

Except where otherwise expressly authorized, no pursue, shoot, kill or attempt to take any big game animal between ½ hour after sunset of one day and ½ hour before sunrise of the next day.

8.16 Transportation

- (1) No person shall transport any untagged big game animal in or on any motor vehicle. All big game animals must be properly tagged before transporting.
- (2) Animal to be Exposed During Transport.

No person shall transport an unregistered big game animal in or on a vehicle unless the animal is openly exposed (open to view by a person in a passing vehicle) and placed so that the operator of the vehicle and any other occupants of the vehicle cannot handle the carcass tag.

8.17 Hunting on Certain Lands Prohibited

No person hunting under a tribal big game license and/or permit shall hunt on any designated tribal, federal or state wildlife refuge unless permitted by law with appropriate license required permit.

8.18 Sale of Big Game and Game Parts

- (1) No person shall sell, purchase, barter or trade any big game animal or meat or parts thereof from any big game animal or meat or parts thereof from any big game animal except as provided for under s. 8.13 (3).
- (2) No person shall sell, barter or trade any blood antler in velvet from any big game animal.
- (3) Nothing in this ordinance shall prohibit the sale of hides, bones, heads or dried antlers from a legally harvested big game animal or the trading of such parts for use in traditional or religious ceremonies. Dried antlers that have been naturally shed or dropped by big game animals may be sold, purchased or traded.
- (4) Nothing shall prohibit the sale of big game managed by the tribe or department or authority for managed by the tribe or department or authority for management and financial purposes to further develop their respective programs.
- (5) The skin of any big game animal lawfully killed, when served from the rest of the carcass, is not subject to this subsection; but no person shall have in his possession or under his control the green skin or the big game animal during the period 30 days following the close of the big game animal acquired, under s. 8.04 (11) may keep the green skin of an indefinite period.

8.19 Removal and Retention of Tags

- (1) No person who kills big game pursuant to this chapter shall remove a carcass or registration tags from that big game animal until such time as the carcass is butchered or processed for consumption.
- (2) No person who kills big game animals pursuant to this chapter shall dispose of the carcass tag until all the meat is consumed.
- (3) Any person who receives meat from another as a gift is exempt from the carcass tag provision.

8.20 Antlers Removed or Broken

Any big game animal taken during an open season for hunting male big game animals from which the antlers or horns have been removed, broken, shed or altered prior to registration of the animal with the department so as to make determination of the legality of the big game animal impossible is an illegal big game animal.

8.21 Bow hunting regulations

- (1) No person shall possess a big game animal killed with a firearm during an archery only big game hunting season.
- (2) No person hunting big game under the Authority of an archery big game license and/or permit shall have a firearm in possession, in camp, in his vehicle, or be in control of a firearm.

8.22 Hunting Big Game with Dogs Prohibited.

No person shall hunt big game with the aid of a dog or dogs.

8.23 Evidence of Sex

Prior to registering a big game animal, no person shall possess a big game animal which does not have natural evidence of sex (head or sex organs) attached to the carcass. If the animal is quartered in the field, evidence of sex must remain naturally attached to each hindquarter. When there is an antler point regulation, the head and antlers must be transported with the carcass.

8.24 Hunting with the Aid of Salt

No person shall hunt big game with the aid of salt, provided that it shall be lawful to hunt big game in areas where natural salts of soils occur.

SECTION 9: UPLAND GAME AND UPLAND GAME BIRDS

9.01 General Provision

- (1) "Upland Game Bird" means sharp-tail grouse, prairie chicken, pheasant quail and wild turkey.
- (2) "Upland Game" means tree squirrels and cottontail rabbit.
- (3) No person shall take, pursue, injure or harass any upland game or upland game bird while on or in its nest or den, or remove any eggs or young except as may occur in normal agriculture, horticulture, or wildlife research practices and as may be authorized by the tribe or department or authority.

9.02 Open and Closed Season

- (1) A closed season is hereby established for the hunting of upland game and upland game birds except for open seasons specified in this chapter or in proclamations.
- (2) Except as otherwise expressly provided for by this chapter, no person shall hunt upland game or upland game birds on the reservation during closed season.

9.03 Upland Game and Upland Game Bird Hunting Permits and Tags

- (1) No person shall hunt upland game and upland game birds on any lands of the Pine Ridge Indian Reservation pursuant to this section without possessing a valid small game hunting license approved by the authority.
- (2) The department shall not issue more than one license to a person at a time except as authorized by the department or authority.
- (3) No upland game or upland game bird license shall be considered valid unless:
 - (a) The license or permit is properly signed in ink by the hunter.
 - (b) For which the permit is marked invalid.

9.04 Accompaniment of Upland Game or Upland game Bird

It shall be unlawful for any upland game and/or bird licensee to transport any harvested upland game or upland game bird without being present with the carcass until such time as the carcass reaches the hunter's residence or a processing or storage facility. Nor shall any person knowingly accept for transport another's upland game or upland game bird without the valid license holder present.

9.05 Special Permits

No person shall possess, hunt or take any upland game or upland game bird without possessing a tribal small game license and/or permit or a valid special permit approved by the department head or authority director under s. 8.07.

9.06 Upland Game and Upland Game Bird Season

- (1) No person shall hunt upland game or upland game birds from the close of a season to the opening of a specific season of the following year.
- (2) Each year a regular firearm and bow season for the upland game upland game birds may be established by the authority.

9.07 Permissible Methods

The hunting or taking of upland game birds is restricted to the use of a shotgun, bow and arrow, falconry or rifles, the use of which is not prohibited by this chapter. The hunting or taking of upland game is restricted to the use of shotgun, rifle, or bow and arrow.

9.08 Firearm Restrictions

- (1) No person shall hunt upland game with:
 - (a) A shotgun larger than 10 gauge.
 - (b) A rifle or handgun larger than .22 caliber, including both rim fire and center fire cartridges.

- (c) A handgun with a barrel less than 6 inches in length as measured from the muzzle to the firing pin.
- (d) While possessing shot shell larger than 2 shot or while possessing slugs, except that slugs may be possessed if the person hold a firearm big game hunting permit and a firearm season for big game exist at the time the individual is hunting upland game.
- (e) With any type of shell, cartridge or altered projectile or device, which is not considered a factory load, copy or style.

(2) No person shall hunt upland game birds with:

- (a) A shotgun larger than 10 gauge.
- (b) A rifle or handgun, provided that rifles and handguns are permissible for hunting of wild turkeys and for hunting upland game birds if the upland game bird is not airborne.
- (c) While possessing shot shell larger than 2 shot or while possessing slugs, except that slugs may be possessed if the person hold a firearm big game hunting permit and a firearm season for big game exist at the time the individual is hunting upland game. In addition, slugs may be possessed and may be used for hunting wild turkeys.

9.09 Bow and Arrow Restriction

(1) No person shall hunt upland game or upland game birds:

- (a) With a bow having a pull or draw strength less than 30 pounds.
- (b) Arrows must be at least 24 inches in length and have at least three untrimmed feathers.
- (c) Poison or exploded points of any type.
- (d) Crossbows are prohibited except when authorized for special situations by the department or division director.

9.10 Falconry

Hunting upland game birds using raptors is permitted by persons possessing a federal falconry permit and tribal small game hunting license. All bag limits, seasons and legal hunting hours shall apply.

9.11 Hunting Hours

Except where otherwise expressly authorized, no person shall pursue, shoot, kill, or attempt to take any upland game or upland game bird between ½ hour after sunset of one day and ½ hour before sunrise of the next day.

9.12 Transportation

- (1) No person shall transport any upland game or upland game bird in or on any motor vehicle without possessing the appropriate permit, required license, and/or tagging the upland game and/or bird with a proper transportation tag as may be required by the department.
- (2) No person shall transport any upland game bird in or on any motor vehicle without leaving at least the fully feathered head or one fully feathered wing or a foot attached to each harvested upland game bird.
- (3) Members of the tribe are not required to place a transportation tag on their upland game or upland game bird. This is only required for any person transporting upland game or upland game birds off the reservation.

9.13 Hunting Certain Lands Prohibited

No person shall hunt any designated tribal, federal or state wildlife refuge unless permitted by law and possessing the appropriate license or required permit.

9.14 Sale of Upland Game or Upland Game Birds

No person shall sell, attempt to sell or purchase any upland game or upland game birds.

9.15 Use of Dogs

It shall be lawful to use dogs for the purpose of pursuing upland game or upland game birds.

9.16 Limits

No person shall take more than one daily limit on any one day, nor possess more than one-day limit while in the field or while returning from the field to one's vehicle or camp.

9.17 Use of Devices

No person shall use any electronic or electrically amplified calls while hunting wild turkeys.

9.18 Training of Hunting Dogs

The department may promulgate such rules governing the training of hunting dogs as in its opinion are necessary to safeguard wildlife on the reservation, but such rules shall not be promulgated for the use of dogs for the general hunting of upland game and upland game birds.

SECTION 10: FURBEARERS

10.01 General Provisions

- (1) No person shall take, attempt to take, pursue, harass or injure any furbearer in its den, or remove any young except as may occur during normal agriculture, horticulture or wildlife research practices and as may be authorized by the Authority head.
- (2) Nothing in this chapter shall be constructed to prohibit the taking of such furbearers for scientific purposes or depredation control as may be authorized by the Authority head.

10.02 Open and Closed Seasons

- (1) A closed season is hereby established for the hunting and trapping of furbearers except for open seasons specified in this chapter or in proclamations issued pursuant to this chapter.
- (2) Except as otherwise expressly provided by this section, no person shall hunt, take or trap furbearers during closed seasons.

10.03 Permits and Tags

- (1) No person shall take, hunt or trap furbearers on any lands of the Pine Ridge Indian Reservation pursuant to this section without possessing a valid furbearer's license or required permit approved by the Authority.
- (2) The Authority shall not issue more than one license to one person at one time except as authorized by the Authority head.

- (3) No furbearer's license shall be considered valid unless:
 - (a) The license or permit is properly signed in ink by the hunter or trapper.
 - (b) For which any permit or license is marked invalid.

10.04 Furbearer Season

- (1) No person shall take, hunt or trap any furbearer from the close of a specific season to the opening of a specific season.
- (2) Each year a regular firearm and trapping season for furbearers may be established by the Authority.

10.05 Furbearer Hunting Hours

Except where otherwise expressly authorized, no person shall hunt any furbearers between ½ hour after sunset of one day and ½ hour before sunrise of the next day.

10.06 Methods of Taking

- (1) No person shall:
 - (a) Trap with any leg hold trap larger than a number four and/or any trap containing a tooth style jaw for dry set.
 - (b) Trap with any leg hold trap larger than a number five and/or any trap containing a tooth style jaw for wet sets.
 - (c) Trap within 30 ft of any exposed bait.
 - (d) Trap with the aid of poison, stupefying substances or explosives.
 - (e) Set any trap or snare unless a metal tag is attached, stamped or engraved legibly with the name and address of the owner.
 - (f) Take or attempt to take beaver, mink or muskrat by means other than trapping or snaring.
 - (g) Hunt with the aid of an artificial light except that a light may be used while hunting coyotes, raccoons, foxes or unprotected species while hunting on foot. Alternatively, from a vehicle if a firearm, crossbow or bow is not present.
 - (h) Use any traps to take any wildlife not specified as furbearer.
 - (i) Destroy den, lodge or hut.
 - (j) Possess any trap for the purpose of catching furbearers other than a steel-jawed trap, live trap or snare.
 - (k) Molest or take the traps, snares, or trapped animals of someone else.
 - (l) Operate more than 75 traps or snares in combination.

10.07 Set and Placement Restrictions

- (1) No person trapping furbearers shall:
 - (a) Trap with any leg hold trap larger than number four for dry sets and number five for wet sets.
 - (b) Operate trap sets, which permit the trapped animal to reach water, except during the muskrat, beaver, mink and raccoon trapping seasons.

- (c) Set any trap on any perch more than 3 feet above the ground.
- (d) Set, place or operate any killer trap of the conibear type that is larger than 7" x 7" or any snare regardless of size of the noose unless one half the trap or snare noose is located underwater at all times.
- (e) Set, place or operate any killer trap of the conibear type greater than 6" x 6" or snare regardless of size of the noose within 100 yards of any building devoted to human occupancy without the owner's consent.
- (f) Set, place or operate any snare unless the snare conforms to the following specifications:
 1. The cable or wire maximum diameter is 1/8 inch and minimum diameter is 5/64 inch.
 2. There shall be no more than one noose per snare.
 3. Snares must have mechanical lock and swivel device on the anchor end.
 4. Snare must have stop device that prohibits the restraint loop from closing to diameter less than 1 1/2".
 5. Snares may not be in pastures containing livestock.

10.08 Trapping Hours

No person shall fail to check all dry land sets and remove animals therein at least once every 72 hours.

10.09 Possession Restrictions

- (1) No person shall:
 - (a) Possess the raw pelts of any furbearer beginning on the 6th day after the trapping season is closed until the opening day of the start of the next trapping season unless expressly allowed by the Authority.
 - (b) Possess the skin of any mink, muskrat, bobcat or beaver showing the same has been shot.
 - (c) Possess the skin of any mink, muskrat, bobcat or beaver at any time without a current furbearer or fur dealer license.

10.10 Bobcat Provision

The taking, hunting, trapping, pursuing, selling, purchasing, trading or bartering of bobcats or any attempt of the above shall be as provided for by Authority regulation.

10.11 Use of Dogs

Dogs may be used in pursuant of bobcat, raccoon, coyote and fox while hunting with a valid furbearer's license.

10.12 Harvest of Depredating Animals

With the approval of the Authority, any landowner or tenant may destroy any furbearer, which has been identified as depredating any livestock, poultry or crops. He/she shall not commercialize in, sell, trade, or ship any pelt or parts thereof without possessing a valid tribal furbearer's license or permit.

10.13 Buying or Shipping of Furs or Pelts

- (1) No person shall engage in the business of buying or shipping of furs or pelts on the reservation unless he/she possesses a valid tribal furbearer's license or permit.
- (2) No person shall ship fur unless the outside of the container is marked showing the number and species being shipped, and the name, address and trapping license number of the shipper.

10.14 Records to be kept by Licensed Dealer

- (1) Any person licensed to engage in the business of buying or shipping furs or pelts shall keep a true and accurate record of each purchase and/or shipment of pelts.
- (2) The record shall include:
 - (a) The date of purchase.
 - (b) The name and address of seller.
 - (c) The kind and number of furs involved.
 - (d) The amount of money paid for the furs.
 - (e) Any additional information requested.

10.15 Transportation of Furbearers

No person shall transport any furbearer in or on any motor vehicle without possessing a valid furbearer's license or required permit and/or tags.

10.16 Aerial Hunting

- (1) No person except an authorized agent shall attempt to take, hunt or pursue any furbearer using aircraft without authorization from the Authority.
- (2) The following information shall be provided by any person seeking authorization:
 - (a) The name and address of each person whom will be hunting.
 - (b) A description of the furbearers authorized to be taken, the number of furbearers to be taken, and the harvest area.
 - (c) The reason for the request.
 - (d) Description of aircraft and pilot's name.

10.17 Motor Vehicle Use

No person shall take, hunt, kill, chase, harass or pursue furbearers or attempt the above from any type of motor vehicle with a firearm unless specifically authorized by permit or license issued by the Authority. However, hunting coyote, fox, bobcat, racoon and jackrabbit from a motor vehicle with dogs is permitted.

SECTION 11: MIGRATORY BIRDS

11.01 General Provisions

- (1) No person shall take or injure any migratory bird upon its nest or remove any eggs or young except as may occur in normal agriculture, horticulture or wildlife research practices and as may be authorized by the department and federal regulations.
- (2) Nothing in this section shall be construed to prohibit the taking of such migratory birds for specific purposes with the authorization of the department supervisor or authority director and in accordance with federal regulations.

11.02 Open and Closed Seasons

- (1) A closed season is hereby established for the hunting of migratory birds except for open seasons specified by proclamation.
- (2) Except as otherwise expressly provided by this chapter, no person shall hunt migratory birds on any reservation lands during a closed season.

11.03 Firearm Restrictions

- (1) No person shall hunt migratory birds with:
 - (a) A shotgun larger than 10 gauge.
 - (b) A shotgun capable of holding more than 3 shells, unless it is plugged with a piece filler, which is capable of being removed without disassembling the gun.
 - (c) A rifle of any type.
 - (d) A shotgun with a barrel length less than 18 inches.
 - (e) A handgun of any type.

11.04 Bait Restrictions

- (1) No person shall hunt migratory birds with the aid of bait other than grain crops left in the field due to normal agricultural practices. A baited area is considered to be baited for 10 days after the removal of bait.
- (2) No person shall use electronic calls or devices of any type to hunt migratory birds.

11.05 Hazing

No person shall drive, rally or chase with any motorized conveyance or any sailboat to put them in the range of hunters.

11.06 Live Decoys

No person shall hunt migratory birds with aid of live decoys. All live, tame or captive ducks and geese shall be removed for a period of 10 consecutive days prior to hunting and confined within an enclosure, which substantially reduces the audibility of their calls and totally conceals such birds from the sight of migratory waterfowl when requested by the department.

11.07 Permits and Tags

No person shall pursue, take, hunt or possess any migratory bird on the reservation without possessing a tribal small game hunting license, permit and/or tag.

11.08 Hunting Seasons, Bag Limits and Shooting Hours

- (1) The establishment of migratory bird hunting seasons and bag limits shall be set in compliance with the Migratory Bird Treaty Act. In addition to any regulations provided for in this subsection, all rules and regulations provided for in 50 CFR 20, Migratory Bird Hunting, will be enforced.
- (2) The department and authority are responsible for the establishing migratory bird seasons in compliance with the Migratory Bird Treaty Act. If recommended tribal seasons, limits or taking activities, or vary from state seasons, limits or taking activities, or vary from the Central Flyway recommendations for the hunting of migratory birds, the department or authority or designated representative is responsible by law to submit a proposal to the U.S. Fish & Wildlife Service,

Migratory Bird Management Office, Washington D.C. to request the variance or special migratory bird hunting season. This proposal should include, but not limited to the following:

- (a) The requested hunting season dates and other details regarding regulations to be observed.
 - (b) Harvest anticipated under the requested regulations.
 - (c) Methods that will be employed to measure or monitor harvest.
 - (d) Steps that will be taken to limit the level of harvest.
 - (e) Tribal capabilities to establish and enforce migratory bird hunting regulations.
- (3) Upon completion of a special migratory bird-hunting season, the department or authority or its designated representative is required by law to submit a final report to the Migratory Bird Management Office, Washington, D.C., describing the number of migratory birds harvested per species and any problems incurred by the special season.
 - (4) If the tribe does not set a migratory bird-hunting season different from the state or Central Flyway Council, then no proposal is required.
 - (5) Except where otherwise expressly authorized person shall pursue, shoot, kill or attempt to take any migratory bird between sunset of one day and ½ hour before sunrise of the next day.

11.09 Raptors, Bald & Golden Eagles, Other Protected Species

- (1) It shall be unlawful for any person to take, attempt to take, kill, hunt, sell, purchase, possess, pursue, shoot at, disturb, destroy any raptor, golden or bald eagle, owl, falcon or other species of protected migratory birds or its nest or eggs thereof on any land of the Pine Ridge Indian Reservation.
- (2) Any enrolled member of the Oglala Sioux Tribe requesting or desiring any eagle, raptors or protected migratory birds, or parts thereof, for ceremonial or religious purposes must make or properly complete an application for submission to the U.S. Fish & Wildlife Service, Law Enforcement Division.

11.10 Transportation

- (1) No person hunting migratory game birds shall have in his possession the carcass of any migratory game bird unless the fully feathered head or one fully feathered wing area attached naturally to the carcass.
- (2) The fully feathered head or fully feathered wing must remain naturally attached to all migratory game birds being transported from the field to the person's permanent abode or a preservation facility.

11.11 Live Birds

It shall be unlawful to possess a live migratory bird or birds at any time. All migratory birds must be immediately killed once possession is gained. Persons who raise captive birds may maintain these birds by permit issued through the department, a hatchery, game farm or state and/or federal agency.

11.12 Open Water Hunting

No person shall hunt migratory birds in open water from any blind, which may include any boat, canoe, raft, contrivance or similar device. It shall not be unlawful to hunt in any open water where a person can stand on the

bottom without the aid of a blind and in this circumstance may hunt with the aid of a securely anchored boat, canoe, raft or similar device.

11.13 Moving Boats

- (1) No person shall hunt migratory birds from any moving boat unless it is propelled by paddles, oars or pole, and it is not in the open water of lakes, ponds and reservoirs.
- (2) No hunter who kills or cripples any migratory game bird shall fail to make a reasonable effort to retrieve such bird. A hunter who cripples a bird, which falls or moves into open water may immediately pursue the bird into open water and shoot from a boat propelled by paddle, oars or pole.
- (3) If a motorboat is used to use pursue a crippled migratory bird into open water, the boat must be shut off and all forward movement of the boat must cease before loading and shooting at the crippled migratory bird.

11.14 Vehicle Use

No person shall take migratory game birds from or with the aid or use of any vehicle except for qualified disabled persons issued a permit by the department.

11.15 Decoys

- (1) No person hunting migratory birds shall place decoys beyond 200 feet from the cover in which the person is located.
- (2) No person hunting migratory birds on tribal trust lands or allotted lands Shall:
 - (a) Place decoys in the water prior to one hour before opening of waterfowl hunting time.
 - (b) Leave decoys in the water more than 20 minutes after the close of waterfowl hunting time.

11.15 Shot Restrictions

- (1) For the purpose of this section "Non-toxic Shot" shall mean steel shot and copper or nickel plated steel shot with plating not exceeding .0002 inches or 1% or less of shot by weight.
- (2) No person shall hunt waterfowl, coots or gallinules except with non-toxic shot.
- (3) No person shall hunt waterfowl, coots or gallinules, while in the possession or control of any type of lead shot.

11.17 Blind Restrictions

- (1) No person hunting waterfowl or coots on tribal trust or allotted lands shall:
 - (a) Establish a waterfowl hunting blind on such property, including the bed of any navigable lake, reservoir, and pond or stream prior to 7 days before the waterfowl-hunting season or leave it established beyond 7 days after the close of the waterfowl-hunting season.
 - (b) Establish a waterfowl hunting blind of wooden or partially wooden construction unless the blind bears the name (in lettering one inch square or larger) of the person who constructed the blind.

11.18 Method Restrictions

No person shall take or attempt to take migratory game birds with a trap, net, swivel gun, punt gun, battery gun, fishhook, poison, drug, explosives, stupefying agent, or from a sink box (a low floating device having a depression affording a person a means of concealment beneath the surface of the water).

11.19 Tagging

- (1) No person shall give, put or leave any migratory game birds at any place or in the custody of another unless the birds are tagged by the hunter with the following information:
 - (a) The hunter's signature.
 - (b) The hunter's address.
 - (c) The total number of birds involved, by species.
- (2) No person shall receive or have in custody any migratory game birds belonging to another person unless such birds are properly tagged as described in s. 11.19 (1).

11.20 Shipment

- (1) No person shall ship migratory game birds unless the package is marked on the outside with:
 - (a) The name and address of the person sending the birds.
 - (b) The name and address of the person to whom the birds are being sent.
 - (c) The number of birds, by species, contained in the package.

SECTION 12: FISHING

12.01 General Provision

- (1) No person shall take, attempt to take or injure any fish in any waters, upon its nest, or remove any eggs as may occur in normal recreational or fisheries research practices, or as may be authorized by the department or authority.
- (2) Nothing in this chapter shall be construed to prohibit the taking of such fish for scientific purposes with the authorization of the department or authority.

12.02 Open and Closed Season

A closed season is hereby established for the fishing except for the open season, species, and creel or bag limits specified by this chapter or by the proclamation.

12.03 Fishing Permits and Tags

- (1) On tribal trust and allotted trust lands no person shall fish, take or attempt to take any fish pursuant to this chapter without possessing a valid tribal fishing permit, license or required tags issued by the department.
- (2) The department shall not issue more than one license to a person at a time except as authorized by the department.
- (3) No fishing license or permit shall be considered valid unless:
 - (a) The license is endorsed by the angler in ink.
 - (b) For which any permit or license is marked as invalid.

- (4) No tribal fishing license or permit shall be required for persons less than 16 years old to fish on tribal trust and allotted trust land.

12.04 Seasons, Creels Limits and Size Limits

- (1) The following terms shall mean:
 - (a) **Daily Limits:** The number of fish that may be taken from midnight to midnight, except no person may possess more than one day's limit of fish with the head, skin and fins attached while on the water, ice or actively engaged in fishing.
 - (b) **Possession Limit:** The number of fish a person may have under his/her control such as in a portable cooler, a home freezer, or registered in his or her name in a commercial cold storage locker.
- (2) No person shall take, or attempt to take, catch or fish for any species of fish in excess of the established daily or possession creel or bag limit.
- (3) No person shall take, or attempt to take, kill or possess any fish under or over the specified length limits.

12.05 Fishing Restricted to Authorized Methods

- (1) No person shall catch or attempt to catch, take or kill fish by any method except prescribed by this section.
- (2) It shall be unlawful to take or attempt to take by any means other than rod, lines and baited fishhooks except as provided by this chapter.

12.06 Firearm Restrictions in Fishing Areas

No person shall discharge a firearm into or within 200 yards of reservation lakes, reservoirs or public use areas, except for the purpose of hunting migratory game birds during established seasons.

12.07 Trespass

No person may fish on private waters without permission from the owner or occupant. No person may fish on tribal, state, or federal refuge waters or protected waters without possessing the required license, permit, tags, or unlawfully fish in those designated waters.

12.08 Hook and Line Limitations

- (1) A maximum of two lines and three hooks per line is allowed for fishing open waters.
- (2) A maximum of four lines is allowed for fishing through ice.
- (3) Only one end of each line may be equipped with hooks. An artificial lure constitutes one hook, regardless of number of gang hooks attached.

12.09 Bait

- (1) No person may possess carp, buffalo, carpsuckers, goldfish of game fish (except cleanings) as bait for hook and line fishing.
- (2) Licensed anglers may take bait (baitfish, frogs, salamanders, crayfish, freshwater shrimp, snakes, lizards, clams, and snails) for noncommercial purposes and as provided below:

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- (a) Limit: 12 dozen of any species.
- (b) Seines, Nets and Traps: Any licensed angler taking bait may use a seine up to 30 feet long, 6 feet deep, and with a mesh 3/8 inch square or less; a dip net up to 30 inches in diameter and with a mesh 3/8 inch square or less; a left net up to 4 feet square or less; or a trap net no longer than 12 inches in diameter, 36 inches long and with a rigid entrances no wider than one inch.
- (c) Trap Marking Required: Bait traps must be clearly marked with the owners name and address.
- (d) Lost Traps: Traps lost or stolen must be reported with in 10 days of knowledge of the loss to the department.
- (e) Trap Setting: Traps should be set so that not more than half of the stream is blocked.
- (f) Trap Checking: To prevent loss of baitfish or other gill-breathing animals, traps must be checked and empties at least once every 48 hours.
- (g) Game Fish Released: Game fish and endangered or threatened species must be released or returned to the water from which they were taken.
- (h) Non-Game Fish Destroyed: All other fish excluding baitfish, taken in bait traps or seines must be destroyed and buried or disposed of in a manner conforming with tribal health, pollution and refuse laws.

12.10 Bait Wholesalers and Retailers License

- (1) A tribal bait dealer's license shall be issued by the department and will prescribe rules and regulations for the handling and care of bait. All dealers are required to possess the requisite license or permit to sell, trap, seine or net bait, each permit or license will:
 - (a) Include the name, address, and location of the dealer.
 - (b) Specify the type and amount to be possessed.
 - (c) Specify if purchased, trapped, seined, or netted and where the bait was purchased, trapped seined or netted.
 - (d) A permit shall be valid for no more than 12 continuous months from the date issued.
- (2) It shall be unlawful to possess more than 12 dozen minnows or bait species without maintaining a tribal bait dealer's license.
- (3) Tribal members under the age of 16 years old may possess no more than 2,000 minnows and may sell less than \$500.00 worth annually without a bait dealer's license.

12.11 Hoop Nets, Traps, and Setlines

- (1) No person shall set any hoop nets, traps, or setlines except enrolled members of the Oglala Sioux Tribe.
- (2) Restriction:
 - (a) License: No enrolled member of the Oglala Sioux Tribe shall set, check, pull, or operate any hoop net, trap, or setline without possessing a valid tribal license or permit issued by the director.
 - (b) Tags: Each hoop net, trap, or setline must be marked by a metal tag with the enrolled member's name, address, and telephone number.
 - (c) Size and Construction of Hoop Nets and Traps: Hoop nets must not be more than 18 feet long nor more than 4 feet wide. No leads or wings are permitted. Only hoop nets constructed of fabric mesh with twine size number 15 or larger and slat catfish traps constructed of wood or

synthetic slats with at least two 1 ¼ inch openings in each end are allowed. Wire fish traps are prohibited.

- (d) **Species:** Hoop nets, traps and setlines may be used to take channel catfish, flathead catfish, and non-game fish in reservation waters. It is prohibited to take blue catfish, game fish or endangered or threatened fish. Any blue catfish, game fish, or endangered or threatened fish must be released in the water from where they were caught.
- (e) **Baitfish:** Only prepared or cut bait, worms, frogs, crayfish, and toads may be used on setlines. Whole baitfish (minnows) are prohibited.
- (f) **Checking:** Hoop nets and setlines must be checked at least every 72 hours.
- (g) **Catfish Minimum Length:** all catfish less than 12 inches long taken by hoop nets, traps, or setlines must be immediately returned to the water.
- (h) **Limit:** Unlimited numbers of channel catfish, flathead catfish and non-game fish may be taken from the reservation waters.
- (i) **Sale of Fish:** Legal fish taken by hoop net, trap, setlines from reservation waters may be sold, bartered or traded.
- (j) **Unauthorized Use:** No enrolled member may use or tend hoop nets, traps, or setlines of another enrolled member unless so licensed.
- (k) **Setlines Restrictions:** No enrolled member may use a setline that operates by reel or other mechanical device or that has more than 20 hooks attached.

12.12 Gill Netting

It is unlawful to take any fish or attempt to take any fish with the use or aid of a gill net.

12.13 Spearing

- (1) No person may take fish with a spear, legal spear gun or bow and arrow except enrolled members of the Oglala Sioux Tribe.
- (2) Fish may be taken with spear, legal spear gun (a muscle loaded device propelling a spear attached to lanyard no more than 20 feet long), and a bow and arrow (crossbows are illegal). Arrows may have only one point, which must be barbed and attached to the bow by a line. Daily and possession limits are the same as and in combination with hook and line limits.
- (3) Non-game fish and catfish may be taken between sunrise and sunset from January 1 - December 31.
- (4) All species of fish, except endangered or threatened fish may be speared from sunrise to sunset during the season established by authority proclamation.

12.14 Landing Aids

Landing nets, gaffs, and similar devices may be used as an aid in landing fish.

12.15 Artificial Lights

Artificial lights may be used as an aid in taking fish by legal methods.

12.16 Unattended Lines

Each line must be under the direct supervision and within the unaided observation of the user.

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12.17 Ice Houses

Each fish house, shanty or other shelter of a permanent construction must display on the outside the name and address of the owner in letters at least two inches high. The door must permit entry except when occupied and locked from the outside.

12.18 Ice Holes

No person shall fish through the ice if the fishing holes more than 8 inches in diameter.

12.19 Transportation

- (1) No person shall transport dressed fish from waters of the reservation to his or her residence unless those fish can be readily counted. Mobile recreational vehicles, trailers, or tents do not qualify as residences.
- (2) Any dressed fish transported, if frozen must be packed individually. Two fillets will be counted as one fish.
- (3) A person may carry or transport only his or her own lawfully possessed fish.
- (4) No person may possess a fish carcass or a fish fillet while the fishing or prior to returning to his or her permanent residence unless at least one square inch of skin with scales intact is attached naturally to the fish carcass or to each fillet.
- (5) At least one square inch of skin with scales shall be left naturally attached to each fillet being transported to a person's permanent abode or to a processing facility.

12.20 Interference

No person may intentionally interfere with other persons lawfully engaged in taking or attempting to take fish, or engage in an activity specifically intended to harass or prevent the lawful taking of fish.

12.21 Restrictions

- (1) No person shall:
 - (a) Leave, deposit, place or throw away on the waters, ice, shores of the water or upon tribal trust land allotted trust land, any cans, bottles, debris, refuse, fish offal, fish carcasses, fish parts or solid waste material.
 - (b) Empty receptacles containing fish bait into reservation waters.
 - (c) Transport or introduce fish or fish eggs into reservation waters.
 - (d) Release fish, reptiles, amphibians or crustaceans not native to the reservation into reservation waters without written authorization from the department.
 - (e) Possess, under control, or maintain trammel nets, gill nets, or seines except legal minnow seines.
 - (f) Possess spear on or near lakes or streams except during legal hours in open seasons.
 - (g) Lend his or her license to another person or aid someone in securing a license fraudulently.
 - (h) Use explosives, electrical devices, poisons, or stupefying drugs to take fish.
 - (i) Shoot fish, frogs or turtles with a firearm.

- (j) No person fishing by hook and line who catches a fish in other than the mouth of the fish shall fail to return the fish immediately to the water from which it was caught.
- (k) Any person catching a game fish by hook and line and not immediately returning the fish to the water shall consider the fish as part of the daily bag and shall not return the fish or any other fish of the same species to the water at a later time during one fishing period.
- (l) No person shall use a snag hook for the purposes of taking or attempting to take fish.

12.22 Frogs

- (1) A valid tribal fishing license is required to take, catch or kill bullfrogs, except for those persons exempt by law from having such license.
- (2) No person shall catch, take or kill bullfrogs except by hand, dip net, or by hook and line.

SECTION 13: BOATING

13.01 Definitions

In this section:

- (1) "Associated Equipment" means any systems, part or component of a boat originally manufactures or any similar system, part or component; any accessory or equipment for, or appurtenance to, a boat.
- (2) "Boat" or "Vessel" means very description of watercraft, other than a seaplane used on the water, used or capable of being used as a means of transportation.
- (3) "Certificates or Numbers" means the certificate of number card, certification sticker or decal and identification number issued by the department under the federally approved numbering system unless the context indicates otherwise.
- (4) "Intoxicant" means any alcohol beverage, controlled substance, other drug, or any combination thereof.
- (5) "Mooring" when used as a noun means a mooring anchor and mooring buoy together with attached chains, cables, ropes and pennants and related equipment, unless the term is qualified or restriction.
- (6) "Mooring Anchor" means any anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable water, which is designed to be attached by chain, cable, rope or other mechanism to mooring buoy and which is designated to be left in position permanently or on a seasonal basis.
- (7) "Mooring Buoy" means any float or marker, which is attached to a mooring anchor and either is suitable for attachment to a boat through the use of a pennant or other device or facilitates the attachment of the boat to the mooring anchor.
- (8) "Motorboat" means any boat equipped with the propulsion machinery, whether or not the machinery is the principal source of propulsion.
- (9) "Non-motorized Boat" means any boat which is not a motorboat but which is designed and constructed to be used as a boat for transportation of a person or persons on the water. The term includes, but is not limited to, any canoe, sailboat, inflatable boat or similar device, rowboat, raft and dinghy, which is not a motorboat.
- (10) "Watercraft" means any contrivance used or designed for navigation on water.

13.02 Capacity Plates on Boats

- (1) Every vessel designed to carry two or more persons and to be propelled by machinery, as its principal source of power or designed to be propelled by oars shall affixed permanently thereto a manufacturer's capacity plate.
- (2) The department may by ruled exempt from the requirements of s. 13.02 (1) vessels which it finds to be of such unconventional design or construction that the information on capacity plates would not assist in promoting safety or is not reasonably obtained.
- (3) No person shall operate a motorboat propelled by an outboard motor when the total weight of the person and the outboard motor exceeds the manufactures recommended weight capacity. The motorboat shall have affix permanently thereto a manufacturer's capacity plate.
- (4) No person shall operate a motorboat propelled by an outboard motor when the horsepower of the outboard motor exceeds the maximum recommended horsepower rating as indicated on the capacity plate.
- (5) No person shall operate a vessel describe in s. 13.02 (1) when the total weight of persons, gear and other aboard exceeds the maximum weight recommended on the vessel's capacity plate.

13.03 Authority Issued Boat Decal Required

- (1) No person shall operate any boat that has been issued an annual boat permit in decal form from the Authority.
- (2) All non-motorized boats will be required to have an updated boat permit, which shall be given free of charge.
- (3) All motorized boats will be required to have an updated boat permit and must pay appropriate permit costs.
- (4) All registered owners of permitted boats, must sign a document that provides he/she has read and understands s. 13 of this code.
- (5) All boat permits must be attached to a visible part of the watercraft.

13.04 Lighting Equipment

- (1) When lights required:
 - (a) No person shall operate any motorboat at any time from sunset to sunrise unless such motorboat carries the lighting equipment required by this subsection and unless such equipment is lighted when and as required by this subsection.
 - (b) No owner shall give permission for the operation of a motor boat at any time from sunset to sunrise unless such motorboat is equipped as required by this subsection.
- (2) Lights Required:

All motorboats when under way at any time from sunset to sunrise shall carry a minimum of one lamp aft showing a bright white light all around the horizon.
- (3) Sailboats without Motors and Rowboats

Every boat propelled by muscular power and every sailboat not equipped with a motor, when under way at any time from sunset to sunrise, shall carry ready at hand a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

(4) Moored, Anchored or Drifting Boats

Any moored, anchored or drifting boat or any other fixed and floating structure outside designated mooring areas or beyond 150 feet from the shoreline is required to be lighted from sunset to sunrise by a white light visible all around the horizon.

(5) Performance Specifications for Lamps

Every white light prescribed by this section shall be such character as to be visible at a distance of at least 2 miles on a dark night with clear atmosphere. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one mile on a dark night with clear atmosphere.

13.05 Other Equipment

(1) When Equipment is Required

No person shall operate any boat on the water of this reservation unless such boat is equipped as required by this section and the rules of the department issued pursuant thereto.

(2) Mufflers Requirement and Noise Level Standards:

- (a) The engine of every motorboat propelled by an internal combustion engine shall be equipped with a muffler, which is so constructed and kept in constant operation that it prevents excessive or unusual noise at all times while the engine is operating.
- (b) No person may operate a motorboat powered by an engine manufactured on January 1, 1975, and before January 1, 1978, on the waters of this reservation in such a manner as to exceed a noise level of 86 measured on an "A" weighted decibel scale measured at a distance of not less than 25 meters from the motorboat.
- (c) No person may operate a motorboat powered by an engine manufactured on January 1, 1978, and before January 1, 1982, on the waters of this reservation in such a manner as to exceed a noise level of 84 measured on an "A" weighted decibel scale measured at a distance of not less than 25 meters from the motorboat.
- (d) No person may operate a motorboat powered by an engine manufactured on or after January 1, 1982, on the waters of this reservation in such a manner as to exceed a noise level of 82 measured on an "A" weighted decibel scale measured at a distance of not less than 25 meters from the motorboat.
- (e) The Authority may promulgate by the rule exemptions from compliance with this subsection for certain types of boats such as airboats for specific uses and for specific operation.
- (f) This subsection does not apply to an authorized agent of the federal, state, municipal or tribal government when operating a motorboat necessary to carry out his or her official duty of enforcement, search and rescue, firefighting or research program.

(3) Personal Flotation Devices

- (a) No person shall operate any boat under 16 feet in length and any canoe or kayak unless it is equipped with at least one approved personal flotation device (PFD) of type I, II, III, IV and/or V for each person on board or being attended by the boat.

1. Type I, II, and III shall be readily available for use.
2. Type IV shall be immediately available for use.
3. Type V must be worn when the boat is moving.

(b) "Approved Personal Flotation Device" is one which meets the safety standards established by the U.S. Coast Guard has a Coast Guard approved stamped or sewn on it, and is in good condition (not ripped, not damaged or not serviceable).

(c) No person shall operate any boat 16 feet or longer unless it is equipped with at least one PDF of Type I, II, III, IV, and/or V for each person on board or being attended by the boat.

1. Type I, II, and III shall be readily available for use.
2. Type IV shall be immediately available for use.
3. Type V must be worn when the boat is moving.

(4) Fire Extinguishers

Every Motorboat, except outboards of open construction, shall be provided with such number size and type of fire extinguishers, capable or promptly and effectively extinguishing burning gasoline as prescribed by the rules of the department. Such fire extinguishers shall be at all times kept in condition for immediate and effective use and shall be so placed as to be readily accessible. "Open constructing," means construction, which will not permit entrapment of explosive or flammable gasses or vapors.

(5) Backfire Flame Arresters

Every boat equipped with an inboard motor using gasoline as a fuel shall have the carburetors of every inboard gasoline motor fitted with an efficient device for arresting backfire flames. The device shall meet the specifications prescribed by federal regulations.

(6) Bilge, Engine and Fuel Compartment Ventilators

Every boat, except open boats, using as fuel and liquid of a volatile nature, shall be provided with an efficient natural or mechanical ventilation system, which is capable of removing resulting flammable or explosive gases.

(7) Battery Cover

- (a) Every motorboat equipped with storage batteries shall be provided with suitable supports and secured against shifting with the motion of the boat.
- (b) Storage batteries shall be equipped with non-conductive shielding means to prevent accidental shorting of battery terminals.

(8) Authority may Promulgate Rules

The Authority shall promulgate such rules modifying or supplementing the associated equipment requirements of s. 13.05 as are necessary to keep those requirements in conformity with federal regulations.

13.06 Motorboat Prohibited

On lakes 30 acres or less having public access, motorboats may not be operated in excess of slow-no-wake speed, except when such lakes serve as thoroughfares between two or more navigable lakes. The department by the rule

may modify or waive this requirement for particular lakes; it finds that public safety is not impaired by such modification or waiver.

13.07 Patrol Boats

- (1) The operator of a duly authorized patrol boat, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, need not comply with the tribal regulations fixing maximum speed limits when a siren is being sounded and if due regard is given to the safety of other persons in the vicinity. If a light is used in conjunction with a siren it shall be the oscillating or flashing type and be fitted with a blue lens.
- (2) Upon the approach of a duly authorized patrol boat giving an audio or visual signal the operator of a boat giving an audio or visual signal the operator of a boat shall reduce the boat speed to that speed necessary to maintain steering control and yield the right of way to the patrol boat until it has passed.
- (3) No person operating a boat may refuse to stop after being requested or signaled to do so by an officer.

13.08 Traffic Rules

- (1) Meeting; Overtaking; Right of Way
 - (a) Every person operating a boat shall comply with the following traffic rules while operating on waters on the reservation.
 1. When two motorboats are approaching each other "head to head" or so nearly as to involve risk of collision, each boat shall bear to the right and pass the other boat on its left side.
 2. When two motorboats are approaching each other obliquely or at right angles, the boat that has the other on its right shall yield the right of way to the other.
 3. When a motorboat and a boat propelled entirely by sail or muscular power are proceeding in such a direction as to involve risk of collision
 4. A boat may overtake and pass another boat on either side if it can be done with safety but the boat doing the overtaking shall yield the right of way to the boat being overtaken.
 5. A boat granted the right of way should maintain her course and speed, unless to do so would probably result in a collision.

13.09 Speed Restriction

- (1) Speed to be Reasonable and Prudent

No person shall operate a motorboat at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a motorboat shall be so controlled as to avoid colliding with any object lawfully in or on the water or with any person, boat or other conveyance in or on the water in compliance with legal requirements and exercising due care.
- (2) In addition to complying with s. 13.09 (1), no person may operate a motorboat at a speed in excess of the posted notice as established by regulatory markers.
- (3) Prohibited Operation

No person may operate a motorboat within 100 feet of any dock, raft pier or buoyed restricted area on any lake or reservoir in access of slow no wake.

13.10 Accidents and Accident Report

(1) Duty to Render Aid

Insofar as he or she can do without serious danger to his own boat or to persons on board, the operator of a boat involved in a boating accident shall stop his/her boat and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from minimize any danger caused by the accident and shall give his/her name and address and identification of his/her boat any person injured and to the owner of any property damage in the accident.

(2) Duty to Report

- (a) If a boating accident results in death or injury to any person, the disappearance of any person from a boat under circumstances indicating death or injury, or property damage, every operator of a boat involved in an accident shall, without delay and by the quickest means available, give notice of the accident to a law enforcement officer and shall file a written report with the department on the form prescribed by it. The department shall adopt rules necessary to keep accident reporting requirements in conformity with rules adopted by the U.S. Coast Guard.
- (b) If the operator of a boat is physically incapable of making the report required by s. 13.10 (2) (a) and there was another occupant in the time of the accident capable of making his/her report, shall make such a report.

(3) Definitions

The following terms shall mean:

- (a) "Boating Accident" means a collision accident or other casualty involving a boat.
- (b) "Injury" means any injury of a physical nature resulting in a medical treatment, disability for more than 24 hours or loss of consciousness.
- (c) "Total Property Damage" means the sum total cost of putting the property damaged in the condition it was in before the accident, if repaired thereof is practical, and of not practical, the sum total cost of replacing the property.

(4) Report Confidential

No report required by s. 13.10 (2) (a) or (b) to be filled with the Authority shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the Authority shall furnish upon demand of any person who has or claims to have made such a report, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Authority solely to prove a compliance or a failure to comply with the requirements that such a report be made.

(5) Transmitted of Information to Tribal, State and Federal Authorities

If any request for information available on the basis of reports filed pursuant to s. 13.10 (2) (a) or (b) is duly made by an authorized official or agency of the U.S. Government, or of the reservation or state which registered the boat involved or the state or reservation where the accident occurred the department shall compile and furnish such information in accordance with such request.

(6) Coroners and Medical Examiners to Report; Required Blood Specimen

- (a) Every coroner or medical examiner shall on or before the 10th day of each month report in writing to the department the death of any person within his/her jurisdiction during the preceding calendar month the result of an accident involving a boat and the circumstances of the accident.
- (b) In case of death involving a boat in which the person died within 6 hours of the time pf the accident, a blood specimen of at least 10 cc. shall be withdrawn from the body of the decedent

within 12 hours after his/her death, by the coroner or medical examiner or by a qualified person at the direction of the physician. All morticians shall obtain a release from the coroner or medical examiner prior to proceeding with the embalming any body coming under scope of s. 13.10 (6) (b). The blood so drawn shall be forwarded to a laboratory approved by the tribal health officer for analysis of the alcohol content of the blood specimen. The coroner or medical examiner causes the blood to be withdrawn shall be notified of the results of each analysis made and shall forward the results of each analysis to the state health officer. The department shall reimburse coroners and medical examiners for the cost incurred in submitting reports and taking blood specimens and laboratories for the cost incurred in analyzing blood specimens under this subsection.

13.11 Distress Flag Signal

- (1) The display on a boat or by a person of an orange flag approximately 18 by 30 inches in size shall indicate that such boat or person is in of help.
 - (a) Insofar as is possible without serious danger to his own boat or persons on board, the operator of the boat observing such distress signal shall render to the boat or person displaying the signal such assistance as may be practicable and necessary to save the boat or person or to minimize any danger to them.
 - (b) No person shall display a flag like described in s. 13.16 (1) unless such person is in need of assistance to prevent bodily injury or destruction.

13.12 Prohibited Operation

(1) Negligent Operation

No person may operate or use any boat or manipulate any water skies, aquaplane or similar device upon the waters of this reservation in a careless, negligent or reckless manner so as to endanger his life, property or person or the life, property or person of another.

(2) Operation by Incapacitated Person

- (a) No person in charge or control of a boat shall authorize or knowingly permit the boat to be operated by any person who by reason of physical or mental disability is incapable of operating such boat under the prevailing circumstances.
- (b) No person under the age of 10 years of age may operate a motorboat. Persons at least 10 years of age and less than 12 years of age may operate a motorboat only if they are accompanied in the boat by a parent or guardian or a person at least 18 years of age designated by a parent or guardian, or in possession of a boating educating course completion certificate. Violations of this subsection done with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian.

(3) Creating Hazardous Wake or Wash

An operator of a motorboat is liable for any damage caused to the persons or property of another by the wake or wash from such motorboat unless the negligence of such other person was the primary cause of the damage.

(4) Operating in a Circulating Course

No person may operate a motorboat repeatedly in a circuitous course around any other boat, or around any person who is swimming, if such circuitous course is within 200 feet of such boat or swimmer,

nor shall any boat or water skier operator or approach closer than 100 feet to any skin diver's flag or any swimmer unless the boat is part of the skin diving operation or is accompanying the swimmer, or unless physical conditions make compliance impossible.

(5) Riding on Decks and Gunwales

No person operating a motorboat shall allow any person to ride or sit on the gunwales, tops of seat backs or sides or on the decking over the bow of the boat while under way, unless such person is inboard of guards or railings provided on the boat to prevent passengers from being lost overboard. Nothing in this subsection shall be construed to prohibit entry upon the decking over the bow of the boat for the purpose of anchoring, mooring or casting off or other necessary purposes.

(6) Restricted Areas

No person shall operate a boat within a water area that has been clearly marked by buoys or some other distinguishing device as a bather or swimming area. This subsection does not apply in the case of an emergency or to patrol or rescue crafts.

(7) Anchoring in Traffic Lanes

No person may anchor, place, affix or abandon unattached boat, raft, float or similar structure in the traveled portion of any river channel or in any traffic lanes established and legally marked, so as to prevent, impede or interfere with the safe passage of any other boat through the same.

(8) Overloading

No boat shall be loaded with passengers or cargo beyond its safe carrying capacity, taking into consideration weather and other existing operating conditions.

(9) Overpowering

No boat shall be equipped with any motor or other propulsion machinery beyond its safe power capacity, taking into consideration the type and construction of such watercraft and other existing operating conditions.

(10) Unnecessarily Sounding Whistles

No person shall unnecessarily sound a horn, whistle or other sound producing device on any boat while at anchor or under way. The use of a siren on any except duly authorized patrol boats on patrol or rescue duty is prohibited.

(11) Molesting or Destroying Aids to Navigation and Regulatory Markers

No unauthorized person shall move, remove, molest, tamper with, destroy or attempt to destroy, or moor or fasten a boat except to mooring buoys to any navigation aids or regulatory markers, signs or other devices established and maintained to aid boaters.

(12) Operating within 180 feet of Swimmer or Angler

No person shall operate a motorboat beyond slow, no-wake speed within 100 feet of any person swimming in any reservation water or within 100 feet of any angler fishing on the shores of reservation waters.

13.13 Intoxicated Boating

(1) Operating

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- (a) No person may engage in the operation of a motorboat while under the influence of an intoxicant to a degree, which renders him/her incapable of safe motorboat operation.
 - (b) No person may engage in the operation of a motorboat while the person has a blood alcohol concentration of 0.1% or more by weight of alcohol in his/her blood. No person may engage in the operation of a motorboat while the person has 0.1 grams or more of alcohol in 210 liters of his/her breath.
 - (c) A person may be charged with a tribal prosecutor may proceed upon a complaint based upon a violation of paragraph (a) and (b) or both for acts arising out of the same incident of occurrence. If a person is charged with violation of both paragraphs (a) and (b), the offenses shall be joined. If the person is found guilty of both paragraphs (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for the purposes of sentencing. Paragraph (a) and (b) each require proof of a fact for conviction, which the other does not require.
- (4) In an action under paragraph (a) the defendant a defense if it appears by a preponderance of the evidence that the injury would have occurred even if the defendant was not under the influence of an intoxicant. In an action under paragraph (b), the defendant has a defense if it appears by the preponderance of the evidence that the injury would have occurred even if he or she did not have a blood alcohol in his/her blood. In an action under paragraph (b), the defendant has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if he/she did not have 0.1 grams or more of alcohol in 210 liters of his /her breath.

13.14 Implied Consent

Any person who engages in the operation of a motorboat upon the waters of this reservation is deemed to have given consent to provide one or more samples of his/her breath, blood or urine for the purpose of authorized analysis. Any person who engages in the operation of a motorboat upon the waters of this reservation of deemed to have given consent to submit to one or more chemical tests of his/her breath, blood or urine for the purpose of authorized analysis.

13.15 Officer's Action After Arrest For Violating Intoxicated Boating Law

A person arrested for a violation of the intoxicated boating law may not be released until 8 hours have elapsed from the time of his/her arrest or unless a chemical test administered shows that there is 0.05% or less by weight of alcohol in 210 liters of the persons breath, but a person may be released to his /her attorney, spouse, relative or other responsible adult at any time after arrest.

13.16 Water Skiing

(1)(1) Prohibited at Certain Times

- (a) Except as provided in paragraph (c), no person may operate a motorboat towing a person on water skies, aquaplane or similar device unless there is in the boat a competent person in addition to the operator in the position to observe the progress of the person being towed. An observer shall be considered competent if he/she can in fact observe the person being towed and relay any signals to the operator.
- (b) No person may engage in water skiing, aquaplaning or similar activity at any time from sunset to sunrise.
- (c) Paragraph (b) doe not apply to duly authorized water ski tournaments, competitions, exhibitions or trials therefore, where adequate lighting is provided.

(1) Careful and Prudent Operations

A person operating a motorboat having in tow a person on water-skis. Aquaplane or similar device shall operate such boat in a careful and prudent manner and at a reasonable distance from persons and property so to not endanger the life or property of any person.

(2) Restriction

No boat-towing persons engaged in water skiing, aquaplaning or similar activity on any lake shall engage in such activity within 100 feet of any occupied anchored boat or marked swimming area or public boat landing, except where pickup and drop areas are established and marked with regulatory markers.

(3) Intoxicated Operators

No person may use water skis, an aquaplane or a similar device while under the influence of an intoxicant to a degree which renders him/her incapable of safely operating such device, or under the combined influence of an intoxicant and any drug to a degree which renders him/her incapable of using water skis, an aquaplane or a similar device.

13.17 Skin Diving

No person may engage in underwater diving or swimming with the use of swimming fins or skin diving in waters other than marked swimming areas or within 150 feet of shoreline, and no person may engage in underwater diving or swimming with the use of self-contained underwater breathing apparatus in waters other than marked swimming area, unless the location of such diving or swimming is distinctly marked by a diver's flag, not less than 12 inches high and 15 inches long, displaying one diagonal white stripe 3 inches wide on a red background, and of a height above the water so as to be clearly apparent at a distance of 100 yards under normal conditions, as to designed and displayed as to visible from any point

SECTION 14: GUIDING OR GUIDES FOR HIRE

14.01 General Provisions

- (1) No person except enrolled members of the Oglala Sioux Tribe shall provide fee-guiding services for hunting or fishing on any lands of the Pine Ridge Indian Reservation.
- (2) No member shall provided fee guiding services for the purposes of harvesting or attempting to harvest any fish or wildlife on any lands of the Pine Ridge Indian Reservation without proper authorization from the Authority.
- (3) No fee guide shall provide services that will allow clients to knowingly or unknowingly take or attempt to take, kill, pursue or harass any fish or wildlife species during closed season or in violation of any provisions of this chapter.

14.02 License Requirements

- (1) No person shall act as a fee guide for the purpose of hunting or fishing on any lands of the Pine Ridge Indian Reservation without possessing a valid permit or license issued by the Authority.
- (2) Person applying for a fee-guiding permit or license must pass a creditability examination designed to test the guides hunting skills, regulation knowledge and familiarization of reservation lands.
- (3) License or permits will be sold annually in a form prescribed by the Authority.

14.03 Seasons and Limits

Except as otherwise provided, fee guides will operate or provide services within the seasons and limits established by the Authority proclamation.

14.04 Responsibility and Liability

- (1) Any person offering fee guiding services on any land of the Pine Ridge Indian Reservation are responsible for:
 - (a) Ensuring each client has a valid license and permit for the taking of fish or wildlife.
 - (b) Ensuring each client does not exceed bag limits or season dates as established by proclamation.
 - (c) Ensuring each client understands the rules and regulations prescribed by proclamation and complies with those rules, and regulations while under the direction of a guide and while afield.
 - (d) Reporting any accidents or damage caused by their clients while hunting, fishing or recreating on the Pine Ridge Indian Reservation.
- (2) Any fee guide may be liable for:
 - (a) Any physical damages he/she or their clients may knowingly commit to any person or property.
 - (b) Knowingly allow any violation of rules or regulations pursuant to this chapter.
 - (c) Knowingly being party to a violation or assisting in commission of a violation.
 - (d) Damages caused by the guide or clients who go afield under the influence of alcohol or drugs.

SECTION 15: TIMBER HARVEST

15.01 General Provisions

- (1) No person shall remove any timber from any tribal trust or allotted trust lands of the Pine Ridge Indian Reservation without authorization.
- (2) This shall not prohibit the removal of any timber by a landowner or by a person who has the owner's permission to take such timber from said land.

15.02 Permits

- (1) Any person taking, cutting or harvesting any timber on tribal trust or allotted trust lands must possess a permit issued by a tribal council designated department. The following information is needed for permit application:
 - (a) His/Her name and address.
 - (b) Location of removal areas.
 - (c) Type of timber to be removed.
 - (d) Amount of timber to be removed.
 - (e) Purpose and need for timber.
 - (f) Dates removal will began and end.
 - (g) Proof of ownership of allotted lands.
- (2) Permittee must have permit in possession when and/or transporting timber.

- (3) Allotted trust land owners may collect, cut and harvest dry timber on their land without possessing a tribal permit.

15.03 Responsibility and Liability

- (1) Any person removing any timber for their use or sale may be held responsible for knowingly causing physical damage to an area that exceeds normal harvesting or cutting practices such as:
 - (a) Cutting any timber not authorized by permit.
 - (b) Cutting any timber, which has nests or dens of birds or mammals greater than one foot in diameter?
 - (c) Causing environmental damages, such as erosion to soil from vehicle use.
 - (d) Failure to remove any cut timber.
 - (e) Cutting any timber not marked or identified for harvest when applicable.
 - (f) Causing a fire from careless use of equipment or careless behavior.

15.04 Restriction

- (1) When cut, green and dry timber stumps must be left six to eight inches in height.
- (2) Splash must be piled and spaced twelve to sixteen feet apart.
- (3) Spark resisters are required on chainsaws when cutting timber.

SECTION 16: SUBSISTENCE LICENSING

16.01 Members of the Oglala Sioux Tribe that depend upon hunting big game as part of their livelihood shall be provided s subsistence hunting license and permit which are proportioned to surplus numbers in existing herds. The specific intent of this section is to supplement those families with inadequate income and diets.

16.02 General Provisions

- (1) The Subsistence Licensee shall adhere to all sections of this chapter.
- (2) Subsistence Licensees shall be given to those selected households free of charge.
- (3) The number of Subsistence Licensees will be proportioned by the surplus number of big game in each management unit.
- (4) Subsistence Licenses will be distributed annually prior to or during established seasons.
- (5) Elderly permits will be considered a form of Subsistence License and shall be distributed on a first apply basis with priority given to those not receiving one the previous season.
- (6) If no members of the household or elderly issued a Subsistence Licenses is physically capably of hunting the big game, a Oglala Sioux tribal member of the households choice will be allowed to hunt on their behalf with Authority approval.
- (7) It shall be unlawful to:
 - (a) Hunt with the usage of a Subsistence License without expressed authorization from the intended licensee and Authority.

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- (b) Hunt on behalf of a subsistence Licensee and not provide the taken big game to the intended recipient.
- (c) Provide false information that renders a person(s) eligible for a Subsistence License.

16.03 Eligibility

- (1) Household heads or elderly applying for license must be a member of the Oglala Sioux Tribe and currently residing on the Pine Ridge Indian Reservation.
- (2) Applicants shall not have been in violation of this chapter from the previous season.
- (3) Low income status of applicants must be documented with the Authority.

16.04 Distribution

- (1) A flexible system for the application and fair distribution of Subsistence License will be determined through Authority proclamation.
- (2) Records of Subsistence License distribution will be maintained by the Authority.
- (3) Review of the distribution system will be conducted annually and needed alteration will be recommended to the Board.

SECTION 17: RECREATION

17.01 Purpose

The purpose of this section is to govern the conduct of visitors to tribal recreation areas and tribal camping areas and to provide for the protection of the natural resources of the Pine Ridge Indian Reservation.

17.02 Applicability

Except when the context provides otherwise, this section shall apply to all fishing areas, recreation areas and camping areas designated as such by the Oglala Sioux Parks and Recreation Authority and occurring on tribal trust and allotted trust lands within the exterior boundaries of the Pine Ridge Indian Reservation. These areas shall include, but not limited to.....

17.03 Definitions

In this section, the following terms shall mean:

- (1) "Adult Group" means a group made up of adult members (18 years of age and older) of an established organization. Adult groups may include families.
- (2) "All-terrain vehicles" means a engine driven device which has a net weight of 500 pounds or less, which has a width of 46 inches or less, which is equipped with a seat designated to be straddled by the operator and which is designed to travel on 3 or more low pressure tires. A low pressure tire is a tire which ha a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and a which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacture.
- (3) "Authority" means the Oglala Sioux Parks and Recreation Authority.
- (4) "Bathing Beach" means any water area or adjacent land area designated as a swim area by standard regulatory markers or posted notice.

- (5) "Bicycle" means every device propelled by the feet acting upon pedals and having one or more wheels.
- (6) "Camp" or "Camping" means the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purpose.
- (7) "Camper day" means the period beginning at 7:00 am and ending at 3:00 pm the following day.
- (8) "Camping area" means the lands and waters designated by the Authority for the purposes of day and overnight camping.
- (9) "Camping party" means any individual, family or unorganized group occupying a campsite. An unorganized group may not exceed five persons who are 7 years of age or older.
- (10) "Camping unit" means any single shelter except sleeping bags and hammocks used for a camp by a camping party except those used exclusively for dining purposes.
- (11) "Camping" means a segment of a campground or a camping area, which is designated for camping use by a camping unit or camping party.
- (12) "Family" means a parent or parents with their un-emancipated children and not more than two guests.
- (13) "Family campground" means any tract of land designated for camping families or group of 5 persons or less.
- (14) "Fishing area" means any lake, stream or reservoir containing fish and associated shorelines occurring within recreation areas designated in section 17.02.
- (15) "Group campground" means a campground designated for use by juvenile or adult groups.
- (16) "Juvenile group" means a group made up of juvenile members of an established organization and under the leadership of at least one competent, mature adult for each 10 juveniles in the group and using any number of camping units or occupying a group campground.
- (17) "Off road motorcycle" means a motor vehicle not more than 45 inches in overall width designed to travel on not more than 2 wheels in contact with the ground transporting a maximum of 2 people, having an unaltered U.S. Forrester Service approved spark arrestor muffler emitting a sound level not to exceed 102 decibels (dba) measured at a distance of 20 inches from the exhaust outlet at an engine speed one half of redline. The Microphone shall be at an angle of 45+ 10 degrees from vertical plane through the exhaust system centerline.
- (18) "Picnic area" means the lands and waters designated as such by the Authority for the purpose of camping, recreating, boating, observing wildlife, picnicking, fishing and for the purposes as may be approved by the Authority.
- (19) "Snowmobile" means any engine driven vehicle of a type, which utilizes sled type runners. Or skis, or an endless belt tread or any combination of these or similar means of contact with surface upon which it is operating, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.
- (20) "Vehicle" means any motor vehicle, trailer, semi trailer, snowmobile or mobile home.

(1) Recreation and Camping Areas:

- (a) No person may destroy, molest, deface, remove or attempt to remove any natural growth or natural or archaeological feature; or any tribal or private property on recreation and camping areas except for picking of edible fruits and nuts.
- (b) The Authority may close, by posted notice, any recreation area or camping area. No person may enter or be in any building installation or area that may be locked or closed to public use or contrary to a posted notice without written or verbal permission from the Authority.

(2) Closing Hours

- (a) No person may enter or be within the boundaries of any recreation area, camping area, campground, picnic area, beach or posted parking area between the hour of 11:00 pm and the following 6:00 am except:
 - 1. Campers in or en route to campsites.
 - 2. Hunters entering the area during established hunting seasons, provided such entry is no earlier than one hour prior to the opening of hunting hours.
- (b) Paragraph (a) does not apply to any person who for the sole purpose of fishing:
 - 1. Enters any of the location listed in paragraph (a) prior to 11:00 pm or:
 - 2. Uses boat launch facilities and boat launching parking lots.
- (c) Paragraph (a) does not apply to those areas where the Authority has posted other opening and closing hours or where the Authority has waived these hours and established different hours for special events and programs.

(3) Personal Conduct

(a) Disorderly Conduct

No person may engage in violent, abusive, indecent, profane, boisterous, unreasonable loud or otherwise disorderly conduct, or conduct which tends to cause or provoke a disturbance or create a breach of the peace.

(b) Evictions

The Authority or any designated law enforcement officer may expel any person or persons from areas identified in section 17.02 for violation of any tribal law, proclamation, federal law, applicable state law or posted rule or regulation.

(c) Refuse

- 1. No person may dispose of any waste material in any manner except by burning in a designated fire pit or by placing in receptacles or other locations provided for such purpose.
- 2. No person may dispose of any waste material in any waste disposal receptacle or location if such refuse or material is generated from a permanent or seasonal residence or business or other commercial operation.
- 3. Refuse shall be packed out from those areas where waste disposal receptacles are not provided. Charcoal residue shall be left in a grate or fire place until cool, or placed in receptacle provided for the purpose.

(d) Noise

No person may operate any sound truck, loudspeaker, generator, air-conditioner or other device that produces excessive, loud or unusual noises without first obtaining permission from the Authority.

(e) Soliciting

No person may peddle or solicit business of any nature, or distribute handbills or other advertising matter, or post unauthorized signs on any lands, structures or property identified in section 17.02 or use such lands, structures or property identified in section 17.02 for commercial operations, for soliciting or conducting business, peddling or providing services within or without such lands, structures or property unless first authorized by the Authority.

(f) Property

No person may destroy, molest, and attempt to remove or remove the property of others.

17.05

Vehicles

(1) Traffic and Parking

- (a) No person shall operate any vehicle at a speed in excess of 25 miles per hour or contrary to posted regulatory signs.
- (b) No person shall fail to stop at recreation area or camping area entrance stations when authority signs order such stops.
- (c) No person may operate or park any vehicle which is required to be registered by law on land identified in section 17.02 except:
 - 1. On maintained roadways.
 - 2. In posted parked areas and boat ramps.
 - 3. As otherwise specifically authorized by tribal law or Authority.
- (d) No person may park, stop or leave standing, whether attended or unattended any vehicle or watercraft:
 - 1. In any manner so as to block, obstruct or limit the use of any road, trail, waterway or;
 - 2. Outside of any area provided for such purposes when it is practical to use such areas, or;
 - 3. Contrary to posted notice.
- (e) Any vehicle or watercraft in violation of paragraph (d) may be towed off the property and stored at the owner's expense.

(2) Abandoned Vehicles

No person may leave any vehicle unattended without prior Authority approval for more than 48 hours under such circumstances as to cause the vehicle to reasonable appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance.

(3) Recreational Vehicle Operation

(a) Posted Notices

Except as provided no vehicle may be operated on lands and waters identified in section 17.02 unless its use is specifically authorized by posted notice.

(b) Speed Limits

No person operating a vehicle may violate the posted speed limit.

(c) **Bicycles**

Bicycles may be operated unless their use is prohibited by posted notice.

(d) **Operate on Designated Roadways and Trails**

No person shall operate a motor vehicle off of designated roadways and trails.

17.06 Animals

- (1) No person may allow a dog, cat or other pet in any building or on any bathing beach, picnic area or playground.
- (2) Dogs, cats and other pets shall be kept on a leash not more than 8 feet long and under control at all times in all campgrounds and other areas so posted.
- (3) No person may allow his/her dog, cat or other pet to interfere in any manner with the enjoyment of the area by others.
- (4) Nothing in section 17.06 shall prohibit or restrict the use of dogs for hunting purposes in any area, which is open to hunting.
- (5) Nothing in section 17.06 shall prohibit the use of a Seeing Eye dog by the blind.
- (6) No person may ride a horse in a careless, negligent or reckless manner so as to endanger the life, property or persons of others on any lands identified in section 17.02.

17.07 Fires

- (1) No person may start, tend or maintain any fire on the ground or burn any refuse except in fire rings in areas identified in section 17.02.
- (2) No person may leave any fire unattended, or throw away any matches, cigarettes, cigars or pipe ashes or any embers without first extinguishing them, or start, tend or use in any manner any fire contrary to posted notice.

17.09 Beaches

- (1) No person may use any soap, detergent or shampoo on any designated bathing beach or in the water adjacent to any designated bathing areas.
- (2) No person may disturb or molest a bathing beach boundary buoy or marker.
- (3) No floating device, except U.S. Coast Guard approved life jackets and vests of proper size properly worn and secured, is permitted in or upon the water at any supervised beach except in areas specifically set aside and posted for their use.

17.10 Firearms and Hunting

- (1) No person may take, catch, kill, hunt, trap or pursue any wild animal or bird, or discharge any firearm, or have in possession or under control any firearm or air gun unless it is unloaded and enclosed in a carrying case, or any bow, slingshot or spring load device designed for shooting a projectile unless the same is unstrung and enclosed in a carrying case while on any lands and waters identified in section 17.02 or other special use areas designated by the Authority by posted notice prohibiting the discharge of firearms in these areas.

- (2) Noting in paragraph (1) shall prohibit the use of these weapons on designated target ranges within the areas identified in section 17.02.
- (3) The Authority may authorize hunting in part or all of the areas identified in section 17.02 if hunting would not be incompatible with other recreational uses of these areas and could be conducted in a manner that would not jeopardize human safety or property.

17.11 Camping

(1) General

- (a) Camping is prohibited except in designated camping areas.
- (b) No person may camp in designated areas without a permit and the payment of the prescribed fees except as may be otherwise authorized by the Authority.
- (c) A camping permit shall be obtained prior to setting up camp, unless otherwise posted.
- (d) No camping party shall move from its assigned campsite to another site without prior approval, unless otherwise posted.
- (e) All camping permits expire at 3:00 pm on the last day of the permit period.
- (f) No camping party may start setting up or taking down its camping unit between the hours of 11:00 am and the following 6:00 pm.
- (g) Violation of any tribal law or proclamation by a member of a camping party is cause for revocation of the camping permit.
- (h) No person may obtain a camping permit for use by a camping party of which the person is not a member except that parents and group leaders may obtain camping permits for use by juveniles or adult groups.

(2) Family Camping

- (a) No more than one camping party may occupy a single campsite.
- (b) No person may camp and no camping unit shall remain for a period greater than 21 days in any 4-week period from May 1st to Labor Day. After 21 days the camping unit and camping party shall be removed from the property for at least 7 days before being eligible to return.
- (c) Extensions within the 21-day limit may be granted on camping permits. Extensions shall be obtained prior to 10:00 am on the expiration date of the permit.
- (d) No person may park any motor vehicle outside the parking area designated at each campsite.
- (e) During the period from May 1st through Labor Day a campsite shall be occupied by a camping unit on the first night of the permit period and no campsite than 48 hours.
- (f) No more than one recreation trailer, pickup truck camper or motor home may occupy a campsite. Pickup may be left unoccupied by the camping party for more campers or motor homes pulling a trailer shall be treated as a single unit.

SECTION 18: PROCLAMATION HAS FORCE OF LAW

18.01 General Provisions

Any proclamation issued by the Authority shall have full force of law. Any person violating a provision of such order or proclamation shall be subject to penalties and/or imprisonment. In addition to any civil forfeiture or fine and/or imprisonment, the violator shall be subject to forfeiture of his/her license, permit, and loss of privileges for one year, and confiscation of paraphernalia used in connection with the violation.

18.02 Proclamation to be Published

Each proclamation issued by the Authority pursuant to this chapter shall be published at least once in a local newspaper(s). The department and/or Authority shall post said proclamations in public places.

18.03 Emergency Openings and Closures of Seasons

- (1) Any season established by proclamation may be closed, modified, altered, or a closed season may be opened after investigations and recommendations by the department and/or the Authority finds:
 - (a) That a species of fish or wildlife for which an open seasons exists are in danger of depletion or extinction, or when necessary for the proper protection during critical periods, the department or authority may close a season for proper protection of said species.
 - (b) That any species of fish or wildlife have become sufficient in numbers or have overpopulated an area and are causing depredation problems, the department or Authority may open or extend a season to control said depredating species.
 - (c) That due to environmental or climatic conditions, a hunting season may create a hazard to life or property (i.e., Fire), the department or Authority may close or postpone a season and reopen a season at a later date upon reasonable notice through local media.

CHAPTER 36
FISH, WILDLIFE AND RECREATION CODE
UNIFORM DEPOSIT AND BAIL SCHEDULE

SECTION 7: GENERAL RULES AND REGULATIONS

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
7.01 (1)	\$20.00	\$4.00	\$12.50	\$15.00	Add Required License Cost	\$51.50 + License
7.01 (4)	\$20.00	\$4.00	\$12.50	-	Add Required License Cost	\$36.50 + License
7.01 (5)	\$10.00	\$2.00	\$12.50	-	-	\$24.50
7.01 (6)	\$25.00	\$5.00	\$12.50	\$18.75	Add Required License Cost	\$61.25 + License
7.03 (1)	\$25.00	\$5.00	\$12.50	\$18.75	Add Required License Cost	\$61.25 + License
7.03 (2)	\$20.00	\$4.00	\$12.50	\$15.00	-	\$51.50
7.04	\$15.00	\$3.00	\$12.50	-	Add Required License Cost	\$30.50 + License
7.05 (1)	\$500.00	\$100.00	\$12.50	\$375.00	-	\$987.50
7.05 (2)	\$500.00	\$100.00	\$12.50	\$375.00	-	\$987.50
7.05 (3)	\$250.00	\$50.00	\$12.50	\$187.50	-	\$500.00
7.08 (1)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
7.09 (1)	\$50.00	\$10.00	\$12.50	\$37.50	Add Required License Cost	\$110.00 + License
7.10 (1)	\$50.00	\$10.00	\$12.50	\$37.50	Add Required License Cost	\$110.00 + License
7.11	\$25.00	\$5.00	\$12.50	\$18.75	Add Required License Cost	\$61.25 + License
7.12	\$35.00	\$7.00	\$12.50	\$26.25	Add Required License Cost	\$80.75 + License
7.13 (1)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50
7.13 (2)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50
7.15	\$60.00	\$12.00	\$12.50	\$45.00	-	\$129.00
7.16 (1)(a)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
7.16 (2)(a)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
7.16 (3)(a)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
7.16 (3)(b)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
7.16 (3)(b)(4)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
7.17	\$35.00	\$	\$12.50	\$26.25	-	\$80.75
7.18	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
7.19	\$200.00	\$40.00	\$12.50	-	-	\$252.50
7.20	\$400.00	\$80.00	\$25.00	-	-	\$505.00
7.21	\$100.00	\$20.00	\$25.00	-	-	\$145.00
7.22 (1)(a)	\$20.00	\$4.00	\$25.00	\$15.00	Add Required License Cost	\$49.00 + License
7.22 (1)(b)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
7.22 (1)(c)	\$20.00	\$4.00	\$25.00	\$15.00	Add Required License Cost	\$64.00 + License
7.22 (1)(d)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
7.22 (1)(e)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
7.22 (2)(a)3(a)	\$30.00	\$6.00	\$25.00	-	-	\$61.00
7.22 (2)(a)3(b)	\$20.00	\$4.00	\$25.00	\$26.25	-	\$49.00
7.22 (2)(a)3(c)	\$35.00	\$7.00	\$25.00	\$18.75	-	\$93.25
7.22 (2)(a)3(d)	\$25.00	\$5.00	\$25.00	\$18.75	-	\$73.75
7.22 (2)(a)3(e)	\$25.00	\$5.00	\$25.00	-	Add Required License Cost	\$73.75
7.22 (3)(a)	\$20.00	\$4.00	\$25.00	\$15.00	-	\$64.00
7.22 (3)(b)	\$20.00	\$4.00	\$25.00	\$15.00	-	\$64.00
7.22 (3)(c)	\$20.00	\$4.00	\$25.00	\$15.00	-	\$64.00
7.23	\$250.00	\$50.00	\$25.00	\$187.50	-	\$512.50
7.24	\$40.00	\$8.00	\$25.00	\$30.00	-	\$103.00

7.25	\$25.00	\$5.00	\$25.00	-	-	\$55.00
7.26	\$500.00	\$100.00	\$25.00	\$375.00	-	\$1000.00
	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
7.32 (1)	\$100.00	\$20.00	\$25.00	\$75.0	-	\$220.00
7.34 (2)	\$35.00	\$7.00	\$25.00	\$28.25	-	\$93.25
7.34 (3)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
7.35 (1)	\$30.00	\$6.00	\$25.00	-	-	\$61.00
7.36	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
7.37 (1)	\$25.00	\$5.00	\$25.00	\$18.75	-	\$73.75
7.37 (2)	\$25.00	\$5.00	\$25.00	\$18.75	-	\$73.75
7.38	\$25.00	\$5.00	\$25.00	\$18.75	-	\$73.75
7.39 (1)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
7.39 (2)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
7.39 (3)	\$65.00	\$13.00	\$25.00	\$48.75	-	\$151.75
7.39 (4)	\$100.00	\$20.00	\$25.00	\$75.00	-	\$220.00
7.41	\$25	\$5.00	\$12.50	\$18.75	-	\$61.25
7.42 (1)	\$250.00	\$50.00	\$12.50	\$187.50	-	\$500.00
7.42 (2)	\$250.00	\$50.00	\$12.50	\$187.50	-	\$500.00
7.42 (3)	\$400.00	\$80.00	\$12.50	\$300.00	-	\$792.50
7.42 (4)	\$400.00	\$80.00	\$12.50	\$300.00	-	\$792.50
7.42 (5) ³	\$250.00	\$50.00	\$12.50	\$187.50	-	\$500.00
7.42 (6)	\$250.00	\$50.00	\$12.50	\$187.50	-	\$500.00
7.42 (7)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
7.42 (8)	\$60.00	\$12.00	\$12.50	\$45.00	-	\$130.00

7.43	\$125.00	\$25.00	\$12.50	\$93.75	-	\$125.00
7.44 (1)	\$10.00	\$2.00	\$12.50	-	-	\$24.50
7.44 (2)	\$10.00	\$2.00	\$12.50	-	-	\$24.50
7.44 (3)	\$5.00	\$1.00	\$12.50	-	-	\$18.50
	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
7.44 (4)	\$5.00	\$1.00	\$12.50	-	-	\$18.50
7.45 (2) (a)	\$20.00	\$4.00	\$12.50	\$15.00	-	\$51.50
7.45 (2) (b)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
7.47 (1)	\$100.00	\$20.00	\$12.50	\$75.00	-	\$207.50
7.47 (2)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00

SECTION 8: BIG GAME HARVEST REGULATIONS

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
8.02 (2)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
8.04 (1)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
8.04 (2)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
8.04 (5)	\$75.00	\$15.00	\$12.50	\$56.25	-	\$158.75
8.04 (7)	\$75.00	\$15.00	\$12.50	\$56.25	Add Required License Cost	\$158.75 + License
8.04 (8)	\$75.00	\$15.00	\$12.50	\$56.25	Add Required License Cost	\$158.75 + License
8.04 (9)	\$15.00	\$3.00	\$12.50	\$11.25	-	\$41.75
8.04 (10)	\$125.00	\$25.00	\$12.50	\$93.75	-	\$256.25
8.04 (11)	\$20.00	\$4.00	\$12.50	\$15.00	-	\$51.50
8.05 (1)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
8.06	\$45.00	\$9.00	\$12.50	-	-	\$66.50

8.07 (1)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
8.09 (1)	\$25.00	\$5.00	\$12.50	\$18.75	Add Required License Cost	\$61.25 + License
8.10 (1)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
8.12 (1) (a)	\$60.00	\$12.00	\$12.50	\$45.00	-	\$129.50
8.12 (1) (b)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (c)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
8.12 (1) (d)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (e)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (f)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (g)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (h)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (i)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (j)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (k)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.12 (1) (l)	\$60.00	\$12.00	\$25.00	\$45.00	-	\$142.00
8.13 (1) (a)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
8.13 (1) (b)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
8.15	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
8.16 (1)	\$65.00	\$13.00	\$25.00	\$48.75	-	\$151.75
8.16 (2)	\$30.00	\$6.00	\$25.00	\$22.50	-	\$83.50
8.17	\$125.00	\$25.00	\$25.00	\$93.75	Add Required License Cost	\$268.75 + license
8.18 (1)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
8.18 (2)	\$65.00	\$13.00	\$25.00	-	-	\$103.00
8.19 (1)	\$25.00	\$5.00	\$25.00	-	-	\$55.00

8.19 (2)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
8.21 (1)	\$65.00	\$13.00	\$25.00	\$45.75	-	\$151.75
8.21 (2)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
8.22	\$75.00	\$15.00	\$25.00	\$56.25	-	\$171.25
8.23	\$20.00	\$4.00	\$25.00	\$15.00	-	\$64.00
8.24	\$30.00	\$6.00	\$25.00	\$22.50	-	\$83.50

SECTION 9: UPLAND GAME AND UPLAND GAME BIRDS

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
9.01 (3)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
9.02 (2)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
9.03 (1)	\$40.00	\$8.00	\$25.00	\$30.00	Add Required License Cost	\$103.00 + License
9.04 (1)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
9.05	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
9.06 (1)	\$25.00	\$5.00	\$12.50	\$18.75	Add Required License Cost	\$61.25 + License
9.08 (1) (a)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
9.08 (1) (b)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
9.08 (1) (c)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
9.08 (1) (d)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
9.08 (1) (e)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
9.09 (1) (a)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
9.09 (1) (b)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
9.09 (1) (c)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
9.09 (1) (d)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75

9.11	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
9.12 (1)	\$30.00	\$6.00	\$12.50	\$22.50	-	\$71.00
9.12 (2)	\$30.00	\$6.00	\$12.50	\$22.50	-	\$71.00
9.13	\$75.00	\$15.00	\$12.50	\$56.25	-	\$158.75
9.14	\$20.00	\$4.00	\$12.50	\$15.00	-	\$51.50
9.15	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
9.16	\$30.00	\$6.00	\$12.50	\$22.50	-	\$71.00
9.17	\$20.00	\$4.00	\$12.50	\$22.50	-	\$51.50

SECTION 10: FURBEARERS

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
10.01 (1)	\$35.00	\$7.00	\$12.50	\$18.75	Add Required License Cost	\$80.75 + License
10.02 (2)	\$35.00	\$7.00	\$12.50	\$26.25	Add Required License Cost	\$80.75 + License
10.03 (1)	\$35.00	\$7.00	\$12.50	\$26.50	Add Required License Cost	\$80.75 + License
10.03 (2)	\$45.00	\$9.00	\$12.50	\$33.75	-	\$100.25
10.03 (3)	\$35.00	\$7.00	\$12.50	\$26.25	Add Required License Cost	\$80.75 + License
10.04 (1)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
10.05	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
10.06 (1) (a)	\$45.00	\$9.00	\$12.50	\$33.75	-	\$100.25
10.06 (1) (b)	\$45.00	\$9.00	\$12.50	\$33.75	-	\$100.25
10.06 (1) (c)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
10.06 (1) (d)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
10.06 (1) (e)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
10.06 (1) (f)	\$45.00	\$9.00	\$25.00	\$33.75	-	\$112.75

10.06 (1) (g)	\$45.00	\$9.00	\$25.00	\$33.75	-	\$112.75
10.06 (1) (h)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
10.06 (1) (i)	\$20.00	\$14.00	\$25.00	\$22.50	-	\$161.50
10.06 (1) (j)	\$30.00	\$6.00	\$25.00	\$22.50	-	\$83.50
10.06 (1) (k)	\$40.00	\$8.00	\$25.00	-	-	\$73.10
10.06 (1) (l)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
10.07 (1) (a)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
10.07 (1) (b)	\$30.00	\$6.00	\$25.00	\$22.50	-	\$83.50
10.07 (1) (c)	\$20.00	\$4.00	\$25.00	\$15.00	-	\$67.50
10.07 (1) (d)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
10.07 (1) (e)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
10.07 (1) (f)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
10.08 (1)	\$20.00	\$4.00	\$25.00	\$15.00	-	\$64.00
10.09 (1) (a)	\$40.00	\$8.00	\$25.00	-	Add Required License Cost	\$73.00 + License
10.09 (1) (b)	\$40.00	\$8.00	\$25.00	\$30.00	Add Required License Cost	\$73.00 + License
10.11	\$40.00	\$8.00	\$25.00	\$30.00	-	\$73.00
10.13 (1)	\$150.00	\$30.00	\$25.00	\$112.50	Add Required License Cost	\$317.50 + License
10.13 (2)	\$50.00	\$10.00	\$25.00	\$37.50	-	\$122.50
10.15	\$35.00	\$7.00	\$25.00	\$26.25	Add Required License Cost	\$93.25 + License
10.16 (1)	\$30.00	\$16.00	\$25.00	\$60.00	Add Required License Cost	\$181.00 + License
10.17	\$30.00	\$6.00	\$25.00	\$22.50	-	\$83.50

SECTION 11: MIGRATORY BIRDS

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution Add Required License Cost	Total
11.01 (1)	\$35.00	\$7.00	\$25.00	26.25		\$93.25 + License
11.02 (2)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
11.03 (1) (a-e)	\$30.00	\$6.00	\$25.00	\$22.50	-	\$83.50
11.04 (1)	\$35.00	\$7.00	\$25.00	\$26.25	-	\$93.25
11.04 (2)	\$25.00	\$5.00	\$25.00	\$18.75	-	\$73.75
11.05	\$45.00	\$9.00	\$12.50	\$33.75	-	\$100.25
11.06	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.07 (1)	\$30.00	\$6.00	\$12.50	\$22.50	-	\$71.00
11.08 (5)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50
11.09 (1)	\$60.00	\$12.00	\$12.50	\$45.00	-	\$129.50
11.10 (1)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25

11.10 (2)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
11.11	\$10.00	\$2.00	\$12.50	\$7.50	-	\$32.00
11.12	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.13 (1)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.13 (2)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.14	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.15 (1)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
11.15 (2) (a-b)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
11.16 (2)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50
11.16 (3)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50
11.17 (1) (a)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.17 (1) (b)	\$35.00	\$7.00	\$12.50	\$26.25	-	\$80.75
11.18	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
11.19 (1) (a-c)	\$30.00	\$6.00	\$12.50	\$22.50	-	\$71.00
11.19 (2)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
11.20 (1) (a-c)	\$15.00	\$3.00	\$12.50	\$11.25	-	\$41.75

SECTION 12: FISHING

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
12.01 (1)	\$20.00	\$4.00	\$12.50	\$15.00	Add Required License Cost	\$51.50 + License
12.03 (3)	\$20.00	\$4.00	\$12.50	\$15.00	Add Required License Cost	\$51.50 + License
12.04 (2)	\$25.00	\$5.00	\$12.50	\$15.00	Add Required License Cost	\$62.50 + License

12.04 (3)	\$25.00	\$7.00	\$12.50	\$15.00	License Cost Add Required	\$62.50 + License
12.05 (1)	\$30.00	\$6.00	\$12.50	\$22.50	License Cost Add Required	\$71.00 + License
12.05 (2)	\$30.00	\$6.00	\$12.50	\$22.50	License Cost	\$71.00 + License
12.06	\$70.00	\$14.00	\$12.50	\$52.50	-	\$149.00

SECTION 13: BOATING

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution Add Required	Total
13.03 (1)	\$35.00	\$7.00	\$12.50	-	License Cost	\$54.50 + License
13.03 (2)	\$10.00	\$2.00	\$12.50	-	-	\$24.50
13.03 (3)	\$35.00	\$7.00	\$12.50	-	Add Required License Cost	\$54.50 + License
13.03 (5)	\$10.00	\$2.00	\$12.50	-	-	\$24.50
13.04 (1) (a)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.04 (1) (b)	\$35.00	\$7.00	\$12.50	-	-	\$54.50
13.04 (1) (c)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
13.04 (2) (a)	\$25.00	\$5.00	\$12.50	-	-	\$42.50

13.04 (3)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.04 (4)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.04 (5)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (2) (a)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (2) (b)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (2) (c)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (2) (d)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (3) (a) (1-3)	\$20.00	\$5.00	\$12.50	-	-	\$37.50
13.05 (3) (b)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (3) (c) (1-3)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.05 (4)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
13.05 (5)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
13.05 (6)	\$250.00	\$50.00	\$12.50	\$200.00	-	\$512.50
13.05 (7) (a)	\$250.00	\$50.00	\$12.50	\$200.00	-	\$512.50
13.05 (7) (b)	\$250.00	\$50.00	\$12.50	\$200.00	-	\$512.50
13.06	\$25.00	\$5.00	\$12.50	-	-	\$42.50
	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
13.07 (3)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
13.09 (1)	\$30.00	\$6.00	\$12.50	-	-	\$48.50
13.09 (2)	\$30.00	\$6.00	\$12.50	-	-	\$48.50
13.09 (3)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
13.10 (1)	\$250.00	\$50.00	\$12.50	\$10.00	-	\$322.50
13.10 (2) (a-b)	\$30.00	\$6.00	\$12.50	\$20.00	-	\$68.50
13.11 (b)	\$20.00	\$5.00	\$12.50	-	-	\$37.50

13.12 (1)	\$30.00	\$6.00	\$12.50	-	-	\$48.50
13.12 (2) (a-b)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
13.12 (3)	\$50.00	\$5.00	\$12.50	-	-	\$72.50
13.12 (4)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
13.12 (5)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
13.12 (6)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
13.12 (7)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
13.12 (8)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
13.12 (9)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
13.12 (10)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
13.12 (11)	\$20.00	\$4.00	\$25.00	-	-	\$49.00
13.12 (12)	\$50.00	\$10.00	\$25.00	-	-	\$85.00
13.13 (1) (a)	\$75.00	\$15.00	\$25.00	-	-	\$115.00
13.13 (1) (b)	\$75.00	\$15.00	\$25.00	-	-	\$115.00
13.16 (1) (a)	\$50.00	\$10.00	\$25.00	-	-	\$85.00
13.16 (1) (b)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
13.16 (3)	\$25.00	\$5.00	\$25.00	-	-	\$55.00

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
13.16 (4)	\$50.00	\$10.00	\$25.00	-	-	\$85.00
13.17 (1)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
13.17 (3)	\$25.00	\$5.00	\$25.00	-	-	\$55.00
13.18	\$300.00	\$60.00	\$25.00	\$200.00	-	\$585.00

SECTION 14: GUIDING OR GUIDES FOR HIRE

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
14.01(1)	\$100.00	\$20.00	\$25.00	\$75.00	Add Required License Cost	\$220.00 + License
14.01 (2)	\$100.00	\$20.00	\$25.00	\$75.00	Add Required License Cost	\$220.00 + License
14.01 (3)	\$100.00	\$20.00	\$25.00	\$75.00	-	\$220.00
14.02 (1)	\$100.00	\$20.00	\$25.00	\$75.00	-	\$220.00
14.04 (1) (a)	\$75.00	\$15.00	\$25.00	\$56.25	Add Required License Cost	\$171.25 + License
14.04 (1) (b)	\$75.00	\$15.00	\$25.00	\$56.25	Add Required License Cost	\$171.25 + License
14.04 (1) (c)	\$75.00	\$15.00	\$25.00	\$56.25	-	\$171.25
14.04 (1) (d)	\$100.00	\$20.00	\$25.00	\$56.25	-	\$220.25
14.04 (2) (a)	\$150.00	\$30.00	\$25.00	\$112.50	-	\$317.50
14.04 (2) (b)	\$150.00	\$30.00	\$25.00	\$112.50	-	\$317.50
14.04 (2) (c)	\$150.00	\$30.00	\$25.00	\$112.50	-	\$317.50
14.04 (2) (d)	\$150.00	\$30.00	\$25.00	\$112.50	-	\$317.50

SECTION 15: TIMBER HARVEST

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
15.01(1)	\$35.00	\$7.00	\$12.50	\$26.25	Add Required License Cost	\$80.75 + License
15.03 (1) (a)	\$35.00	\$7.00	\$12.50	\$26.25	Add Required License Cost	\$80.75 + License
15.01 (1) (b)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50

15.01 (1) (c)	\$35.00	\$8.00	\$12.50	\$30.00	-	\$85.50
15.03 (1) (d)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
15.03 (1) (e)	\$30.00	\$6.00	\$12.50	\$22.50	-	\$71.00
15.03 (1) (f)	\$70.00	\$14.00	\$12.50	\$52.50	-	\$149.00
15.04 (1)	\$35.00	\$8.00	\$12.50	\$30.00	-	\$80.75
15.04 (2)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
15.04 (3)	\$40.00	\$8.00	\$12.50	\$30.00	-	\$90.50

SECTION 16: SUBSISTENCE LICENSING

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
16.02 (7) (a)	\$45.00	\$9.00	\$12.50	\$33.75	-	\$100.25
16.02 (7) (b)	\$100.00	\$25.00	\$12.50	\$75.00	-	\$212.50
16.02 (7) (c)	\$45.00	\$9.00	\$12.50	\$33.75	-	\$100.25

SECTION 17: RECREATION

	Forfeiture	Penalty Assessment	Court Cost	Natural Resources Assessment	Natural Resources Restitution	Total
17.04 (1) (a)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
17.04 (1) (b)	\$20.00	\$4.00	\$12.50	\$15.00	-	\$51.50

17.04 (2) (a)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
17.04 (3) (a)	\$40.00	\$8.00	\$12.50	-	-	\$60.50
17.04 (3) (c) (1)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
17.04 (3) (c) (2)	\$50.00	\$10.00	\$12.50	\$37.50	-	\$110.00
17.04 (3) (d)	\$20.00	\$4.00	\$12.50	\$15.00	-	\$51.50
17.04 (3) (e)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
17.04 (3) (f)	\$45.00	\$9.00	\$12.50	-	-	\$66.50
17.05 (1) (a)	\$20.00	\$4.00	\$12.50	-	-	\$36.50
17.05 (1) (b)	\$25.00	\$5.00	\$12.50	-	-	\$42.50
17.05 (1) (c)	\$25.00	\$5.00	\$12.50	\$18.75	-	\$61.25
17.05 (1) (d)	\$20.00	\$4.00	\$12.50	-	-	\$36.50

Chapter 36
FISH, WILDLIFE AND RECREATION CODE
CRIMINAL PENALTIES

SECTION 7: GENERAL RULES AND REGULATIONS

	Minimum Incarceration		Minimum / Maximum Fine
7.01 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$60.00 Fine
7.01 (5)	0 to 10 days in Jail	and/or	\$0.00 to \$60.00 Fine
7.01 (6)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.03 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.03 (2)	0 to 10 days in Jai	and/or	\$0.00 to \$50.00 Fine
7.04 (1)	0 to 10 days in Jai	and/or	\$0.00 to \$50.00 Fine
7.05 (1)	0 to 30 days in Jail	and/or	\$50.00 to \$200.00 Fine
7.05 (2)	0 to 30 days in Jail	and/or	\$50.00 to \$200.00 Fine
7.05 (3)	0 to 30 days in Jail	and/or	\$50.00 to \$200.00 Fine
7.05 (4)	0 to 20 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.07 (1)	0 to 10 days in Jai	and/or	\$0.00 to \$60.00 Fine
7.08 (1)	0 to 10 days in Jai	and/or	\$0.00 to \$60.00 Fine
7.09 (1)	0 to 10 days in Jai	and/or	\$0.00 to \$60.00 Fine
7.10 (1)	0 to 10 days in Jai	and/or	\$0.00 to \$60.00 Fine
7.11 (1)	0 to 20 days in Jail	and/or	\$0.00 to \$80.00 Fine
7.12 (1)	0 to 20 days in Jail	and/or	\$0.00 to \$80.00 Fine
7.13 (1)	0 to 20 days in Jail	and/or	\$100.00 TO \$200.00 Fine
7.13 (2)	0 to 20 days in Jail	and/or	\$100.00 TO \$200.00 Fine
7.13 (2)	0 to 20 days in Jail	and/or	\$100.00 TO \$200.00 Fine
7.14	0 to 30 days in Jail	and/or	\$0.00 to \$250.00 Fine
7.15	0 to 30 days in Jail	and/or	\$0.00 to \$250.00 Fine
7.16 (1)	0 to 10 days in Jai Minimum Incarceration	and/or	\$0.00 to \$50.00 Fine Minimum / Maximum Fine

7.16 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.16 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.17	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.18	0 to 30 days in Jail	and/or	\$150.00 to \$250.00 Fine
7.19	20 to 30 days in Jail	and/or	\$150.00 to \$250.00 Fine
7.20	30 to 60 days in Jail	and/or	\$150.00 to \$250.00 Fine
7.21	40 to 60 days in Jail	and/or	\$250.00 to \$500.00 Fine
7.22 (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.22 (b)	15 to 30 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.22 (c)	15 to 30 days in Jail	and/or	\$50.00 to \$100.00 Fine
7.22 (d)	0 to 10 days in Jail	and/or	\$50.00 to \$100.00 Fine
7.22 (e)	15 to 30 days in Jail	and/or	\$150.00 to \$250.00 Fine
7.22 (2) (b)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.22 (2) (c)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.22 (2) (d)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.22 (2) (e)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.22 (2) (f)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.22 (3) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$60.00 Fine
7.22 (3) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$60.00 Fine
7.22 (3) (c)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.23	30 to 60 days in Jail	and/or	\$500.00 Fine
7.24	0 to 15 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.25	0 to 15 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.26	30 to 60 days in Jail	and/or	\$500.00 to \$1000.00 Fine
7.27	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine

	Minimum Incarceration		Minimum / Maximum Fine
7.28	30 to 60 days in Jail	and/or	\$200.00 to \$500.00 Fine
7.29 (2)	0 to 15 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.30	0 to 15 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.31	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.32 (1)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.33	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.34 (2)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.34 (3)	15 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.35 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.36	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.37 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.37 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.38	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.39 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.39 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.39 (3)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.39 (4)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.41	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.42 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.42 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.42 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.42 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.42 (5)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.42 (6)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine

7.42 (7)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.42 (8)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
	Minimum Incarceration		Minimum / Maximum Fine
7.43	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.44 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.44 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.45 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.45 (2) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.45 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
7.46	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
7.47 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
7.47 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine

SECTION 8: BIG GAME HARVEST REGULATIONS

	Minimum Incarceration		Minimum / Maximum Fine
8.03	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (7)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (8)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (9)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (10)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.04 (12)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.05	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.06	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

8.07 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.09	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.10	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

8.11	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (e)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (f)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (g)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (h)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (i)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (j)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (k)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.12 (1) (l)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (b) (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (b) (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (b) (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (b) (4)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (b) (5)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.13 (1) (b) (6)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.15	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

8.16 (1)	0 to 30 days in jail	and/or	\$0.00 to \$100.00 Fine
8.16 (2)	0 to 30 days in jail	and/or	\$0.00 to \$100.00 Fine

	Minimum Incarceration		Minimum / Maximum Fine
8.17	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
8.18 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
8.18 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
8.18 (5)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
8.19 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
8.19 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
8.20	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.21 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.21 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.22	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.23	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
8.24	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

SECTION 9: UPLAND GAME AND UPLAND GAME BIRDS

	Minimum Incarceration		Minimum / Maximum Fine
9.01 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.02 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
9.03 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.04	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

9.05	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.06 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.07	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (1) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (1) (d)	0 to 10 days in Jail Minimum Incarceration	and/or	\$0.00 to \$50.00 Fine Minimum / Maximum Fine
9.08 (1) (e)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (2) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.08 (2) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.09 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.09 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.09 (1) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.09 (1) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.11	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.12 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.12 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.13	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
9.14	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
9.15	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.16	0 to 30 days in Jail	and/or	\$0.00 to \$50.00 Fine
9.17	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

SECTION 10: FURBEARER

	Minimum Incarceration		Minimum / Maximum Fine
10.01 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.02 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.03 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.04 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.05	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.06 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (e)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (f)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (g)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (h)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (i)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (j)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine

10.06 (1) (k)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.06 (1) (l)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.07 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.07 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.07 (1) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.07 (1) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.07 (1) (e)	0 to 10 days in jail	and/or	\$0.00 to \$100.00 Fine
10.07 (1) (f)	0 to 10 days in jail	and/or	\$0.00 to \$100.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

10.08 (1)	0 to 15 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.09 (1) (a)	0 to 15 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.09 (1) (b)	0 to 15 days in Jail	and/or	\$0.00 to \$100.00 Fine
10.12	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.13 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.13 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.15	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
10.16	0 to 30 days in Jail	and/or	\$0.00 to \$500.00 Fine
10.17 (1) (e)	0 to 30 days in Jail	and/or	\$0.00 to \$250.00 Fine

SECTION 11: MIGRATORY BIRDS

Minimum Incarceration

Minimum / Maximum Fine

11.02 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
11.02 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
11.03 (a)	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine

11.03 (b)	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine
11.03 (c)	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine
11.03 (d)	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine
11.03 (e)	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine
11.04 (1)	0 to 15 days in Jail	and/or	\$0.00 to \$50.00 Fine
11.04 (2)	0 to 15 days in Jail	and/or	\$0.00 to \$500.00 Fine
11.05	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine
11.06	0 to 15 days in Jail	and/or	\$0.00 to \$75.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

11.07	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
11.09	30 to 90 days in Jail	and/or	\$500.00 to \$1000.00 Fine
11.10 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$250.00 Fine
11.10 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$250.00 Fine
11.11	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
11.12	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
11.13 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
11.13 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
11.13 (3)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
11.14	0 to 30 days in Jail	and/or	\$0.00 to \$250.00 Fine
11.15	0 to 15 days in Jail	and/or	\$0.00 to \$50.00 Fine
11.16	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
11.17	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
11.18	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

11.19	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
11.20	0 to 30 days in Jail	and/or	\$0.00 to \$50.00 Fine

SECTION 12: FISHING

	Minimum Incarceration		Minimum / Maximum Fine
12.01	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.03	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.04 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.04 (3)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.05 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.05 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.06	0 to 60 days in Jail	and/or	\$0.00 to \$200.00 Fine
12.07	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.08 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.08 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.08 (3)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine

12.09 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.09 (2) (a)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.10 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.11 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (e)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (f)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (g)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (h)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (i)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine
12.11 (2) (j)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

12.12	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.13 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.13 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.13 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
12.18 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.19 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.19 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.20	0 to 20 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (b)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (c)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine

12.21 (1) (d)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (e)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (f)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (g)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (h)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (i)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (j)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (k)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.21 (1) (l)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
12.22 (1)	0 to 15 days in Jail	and/or	\$0.00 to \$25.00 Fine
12.22 (2)	0 to 15 days in jail	and/or	\$0.00 to \$25.00 Fine

SECTION 13: BOATING

	Minimum Incarceration		Minimum / Maximum Fine
13.02 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.02 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.02 (5)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.03 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.03 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.03 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.03 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.03 (5)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

13.04 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.04 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.04 (2) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.04 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.04 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
13.04 (5)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
13.05 (2) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (2) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (2) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (3) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (3) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (3) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.05 (4)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine
13.05 (5)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine
13.05 (6)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine
13.05 (7)	0 to 10 days in jail	and/or	\$0.00 to \$50.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

13.06	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.07 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.09 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.09 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.09 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.10 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.10 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.10 (2) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

13.10 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.11 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
13.12 (2) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
13.12 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (4)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (5)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (6)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (7)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (8)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (9)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (10)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.12 (11)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

13.13 (1) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
13.13 (1) (b)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
13.14	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
13.16 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.16 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.16 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

13.16 (4)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
13.17 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.17 (3)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
13.18	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine

SECTION 14: GUIDING OR GUIDES FOR HIRE

	Minimum Incarceration		Minimum / Maximum Fine
14.01 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.01 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.01 (3)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.02 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.02 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
14.02 (3)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
14.03	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
14.04 (1) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.04 (1) (b)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.04 (1) (c)	0 to 30 days in Jail	and/or	\$0.00 to \$200.00 Fine
14.04 (1) (d)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
14.04 (2) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
14.04 (2) (b)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
	Minimum Incarceration		Minimum / Maximum Fine
14.04 (2) (c)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine
14.04 (2) (d)	0 to 30 days in Jail	and/or	\$0.00 to \$150.00 Fine

SECTION 15: TIMBER HARVEST

	Minimum Incarceration		Minimum / Maximum Fine
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15.01 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine
15.03 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine
15.03 (1) (a-e)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine
15.03 (1) (f)	0 to 45 days in Jail	and/or	\$0.00 to \$100.00 Fine
15.04 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine
15.04 (2)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine
15.04 (3)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine

SECTION 16: SUBSISTENCE LICENSING

	Minimum Incarceration		Minimum / Maximum Fine
16.02 (7) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
16.02 (7) (b)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
16.02 (7) (c)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine

SECTION 17: RECREATION

	Minimum Incarceration		Minimum / Maximum Fine
17.04 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.04 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine

17.04 (2) (a)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.04 (3) (a)	0 to 30 days in Jail	and/or	\$0.00 to \$60.00 Fine
17.04 (3) (c) (1)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
17.04 (3) (c) (2)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
17.04 (3) (d)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.04 (3) (e)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.04 (3) (f)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (1) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (1) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (1) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (1) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (3) (a)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (3) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.05 (3) (c)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.06 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.06 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.06 (3)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.06 (6)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.07 (1)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.07 (2)	0 to 10 days in Jail	and/or	\$0.00 to \$50.00 Fine
17.08 (1)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine

Minimum Incarceration

Minimum / Maximum Fine

17.08 (2)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.08 (3)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine

17.09 (1)	0 to 30 days in Jail	and/or	\$0.00 to \$100.00 Fine
17.10 (1) (b)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.10 (1) (d)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.10 (1) (f)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.10 (1) (h)	0 to 5 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.10 (2) (b)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.10 (2) (d)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine
17.10 (2) (g)	0 to 10 days in Jail	and/or	\$0.00 to \$25.00 Fine