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Indicates New Matter

COMMITTEE REPORT

March 10, 2010

**S. 975**

Introduced by Senator Campsen

S. Printed 3/10/10--H.

Read the first time February 16, 2010.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (S. 975) to amend Section 50‑11‑65 of the 1976 Code, relating to the training of bird dogs, to define “training birds”, to provide for the use of training, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

JEFF D. DUNCAN for Committee.

**A** **BILL**

TO AMEND SECTION 50‑11‑65 OF THE 1976 CODE, RELATING TO THE TRAINING OF BIRD DOGS, TO DEFINE “TRAINING BIRDS”, TO PROVIDE FOR THE USE OF TRAINING BIRDS DURING THE CLOSED SEASON, AND TO PROVIDE THAT TRAINING MUST HAVE MINIMAL DISTURBANCE ON WILD BIRDS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 50‑11‑65 of the 1976 Code is amended to read:

“Section 50‑11‑65. (A) For purposes of this section, ‘training birds’ means pen raised quail, chukar, pheasant, Hungarian partridge, or any other upland game birds approved by the Department of Natural Resources and identified in the Bird Dog Trainer’s License required pursuant to subsection (B).

(B) Persons engaged in the business of training bird dogs in return for money, goods, or services may obtain a Bird Dog Trainer’s License entitling them to the privileges provided in this section.

~~(B)~~(C) The applicant for the license shall provide proof of ownership in or a recorded leasehold instrument for a tract of land to be designated as a bird dog training area. The applicant also shall provide a county or highway map designating the location of the property together with a tax map, aerial photograph, or plat designating the property boundaries. The bird dog training area may not exceed fifty acres for each licensee.

~~(C)~~(D) The boundaries of the area must be posted every one hundred fifty feet or less with signs designating the area as follows: ‘Private Bird Dog Training’.

~~(D)~~(E) The application and the license must list the trainer and not more than two assistants, all of whom must have hunting licenses. Upon receiving a training license, the trainer and his two assistants may ~~take pen‑raised quail during the closed season for training dogs~~ train dogs by taking training birds as provided in the license required pursuant to subsection (B). No person, trainer, or assistant~~,~~ may be listed on more than one license.

~~(E)~~(F) The licensee shall maintain records showing the number of training birds purchased or raised, released for bird dog training, and harvested as part of the training program, together with other records the department may require as a condition of the license. A copy of these records must be open for inspection by agents of the department at reasonable times and must be furnished to the department in an annual report before issuance of the next year’s license. The fee for the license is fifty dollars, and the license expires annually June thirtieth.

~~(F)~~(G) The trainer and his assistants shall make reasonable efforts to minimize the disturbance of wild ~~quail~~ birds during training. ~~Birds~~ Training birds released pursuant to this section must be banded, and recovery or recall pens may be used if the trainer is issued a permit for the pens. Unbanded ~~quail~~ birds taken in recall pens must be released immediately.

~~(G)~~(H) A person possessing a hunting license may train bird dogs on private land at any time during the year. However, outside the established ~~quail~~ hunting season for the birds identified in subsection (A), only weapons capable of firing blank ammunition may be used unless feral pigeons have been released and are being used in the training.

~~(H)~~(I) A person violating subsection ~~(C),~~ (D), (E), (F), ~~or~~ (G), or (H) is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days. A trainer or assistant trainer who violates one or more of these subsections must have his privileges provided under this section suspended for two years from the date of conviction.”

SECTION 2. This act takes effect upon approval by the Governor.

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