§ 11-1903. Shooting preserves.

1. The department may, in its discretion, issue to an owner or lessee of wholly enclosed lands or an entire island a shooting preserve license permitting him or her to purchase, possess, rear and transport, and to release and take by shooting therein, domestic game birds legally possessed or acquired. No birds may be held for propagation after April 15 unless the owner or lessee also has a domestic game bird breeder's license as provided for in section 11-1901 of this title. In the case of leased lands, the applicant shall furnish with his or her application evidence of a written lease executed by each lessor covering the premises to be licensed. The license shall expire on April 15 every fifth year. The department shall prescribe and furnish forms for application for such license. Applicants shall pay, and the department shall be entitled to receive, fees according to the type of license issued as follows:

a. Class A license, two hundred dollars. This license shall allow the holder thereof to operate a commercial club or membership shooting preserve with a minimum of one hundred acres and charge a daily fee for hunting or charge a fee for each bird killed or a combination thereof. Birds may be killed by the licensee for his or her own use and may be sold dead or alive.

b. Class B license, sixty dollars. This license shall allow the holder thereof to operate a shooting preserve with use restricted to the licensee, his or her family and invitees, provided no fees are charged for the privilege of hunting or for birds shot. Birds may be killed by the licensee for his or her own use but no live birds, or their eggs, or carcasses may be sold unless the licensee holds a Class A game bird breeder's license.

3. The department may revoke the license of any licensee convicted of a violation of this section, and no license shall be issued to him or her for the ensuing two years. The licensee, unless he or she shall waive such right, shall have an opportunity to be heard. Notice of hearing shall be given by mailing the same in writing to the licensee at

the address contained in his or her license. Attendance of witnesses may be compelled by subpoena. Revocation shall be deemed an administrative act reviewable by the supreme court as such.

5. The boundaries of a shooting preserve shall be posted with appropriate signs in accordance with section 11-2111.

7. Domestic game birds may not be killed, by shooting, on the premises specified in the application for the license, except under the following conditions:

a. Birds shall be marked as provided in subdivision 5 of section 11-1901 of this title. Birds so marked, which have escaped, may be recaptured by the licensee. Escaped birds may be recaptured only on the premises of the licensee.

b. Ducks, geese, brant and swans liberated under this section may be taken only under rules and regulations made by the department or adopted by the federal department of the interior; provided, however, that any federal regulations shall be provided by department press release and any other means that the department determines to be appropriate and effective, including posting on the department's public website.

c. On the premises described in the application for the license, the licensee may kill domestic game birds by shooting from September 1 through April 15 and in any manner, other than by shooting, at any time, or any person may take domestic game birds by shooting from September 1 through April 15 with the consent of the licensee.

8. The holder of a shooting preserve license shall keep records and make reports as required by and upon forms furnished by the department. The reports shall be subscribed by the licensee, and shall contain an affirmation that the statements therein are made subject to the penalties of perjury. The records shall be continuous and current and shall be kept on the licensed premises, and the licensee shall allow any representative of the department to enter upon the premises to inspect his operations and records. Records must be retained for a period of

three years.

9. On the premises described in the application for the license, the licensee may take any unprotected wild birds, or any predatory wildlife except protected birds, disturbing domestic game. Such birds or wildlife may be taken at any time and in any manner, except that no trap of the leg-gripping type, having teeth in the jaws or having a greater spread of jaws than six inches, shall be used for such purpose, nor shall a trap be set so that any wildlife when caught shall be suspended. Carcasses of such birds or wildlife shall be immediately buried or cremated, except that carcasses of unprotected wildlife, and of protected wildlife other than birds if taken during their respective open seasons, may be possessed, transported, bought and sold to the extent permitted by section 11-0917.

10. a. Carcasses and parts of domestic game birds shall be accompanied by a form provided by the department pursuant to section 11-1721 of this article. No domestic game birds so killed shall be possessed or transported without such form. Only an authorized person as provided in the rules and regulations of the department shall have in his or her possession such form.

b. Domestic game bird carcasses and parts shall be identified as required by section 11-1721 of this article.

11. Notwithstanding any provision in this section to the contrary, any person may conduct a field trial on the grounds of a shooting preserve at any time under the provisions of section 11-0927.