

## HOUSE CONCURRENT RESOLUTION NO. 1019

A CONCURRENT RESOLUTION, Setting forth certain legislative policy recommendations to the secretary of the Department of Game, Fish and Parks regarding ongoing efforts to improve communications and to resolve complaints among landowners, sportsmen, and the department.

WHEREAS, the citizens of South Dakota have long recognized the important role that our farmers and ranchers play in the conservation and stewardship of the land, water, and wildlife resources of our state; and

WHEREAS, it is important for this legislative body to express our gratitude and support of South Dakota's landowners for their contribution toward preserving the state's outdoor heritage by providing food, water, and shelter for wildlife and for their gracious efforts to open their private lands to host those who hunt, fish, trap, and pursue many other outdoor activities; and

WHEREAS, given that all citizens of South Dakota cherish our rich heritage of hunting, fishing, and other outdoor-related activities, it is equally important to express our gratitude in recognizing the important role of the sportsmen of our state who promote wildlife conservation and the sound management of our state's natural resources; and

WHEREAS, debate over the open fields doctrine, as it pertains to the entry of conservation officers onto private land has been beneficial in establishing dialogue and recognizing the importance of the partnerships which are critical to preserving South Dakota's outdoor heritage for posterity; and

WHEREAS, in April 2004, the secretary of Game, Fish and Parks formed the West River Issues Working Group (WRIWG) to identify important issues and concerns related to the management of wildlife resources in western South Dakota. The WRIWG subsequently delivered a final report to the Game, Fish and Parks Commission in December 2004, including a list of seven recommendations to improve communication among landowners, sportsmen, and the Department of Game, Fish and Parks; and

WHEREAS, an improved communication process, including a formal mechanism to hear and consider complaints and concerns from all parties, would be of enormous help in defusing, clarifying, and resolving disputes and conflicts related to the management and use of our fish and

wildlife resources that continue to plague South Dakota's landowners, sportsmen, the Department of Game, Fish and Parks, and the public as a whole; and

WHEREAS, it is incumbent upon this legislative body to consider these issues and offer guidance and support to the secretary of Game, Fish and Parks, the Game, Fish and Parks Commission, and all other involved interests who are working in cooperation to seek improvements in communication between landowners, Game, Fish and Parks, and the public and to provide opportunities and methods for resolving disputes and complaints among the interested parties:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eightieth Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature urges the secretary of the Department of Game, Fish and Parks to establish a "Wildlife Issues Panel" representing landowners, sportsmen, legislators, and the Game, Fish and Parks Commission. The panel will serve the following purposes:

- (1) Provide the opportunity for landowners, sportsmen, and members of the general public to air their complaints and grievances related to the use and management of the state's fish and wildlife resources;
- (2) Provide guidance and recommendations to the secretary and the Game, Fish and Parks Commission for purposes of implementing the seven communications improvement strategies identified by the WRIWG;
- (3) Monitor progress and offer on-going advice to the secretary and the Game, Fish and Parks Commission on specific efforts to improve conservation officer communications through the implementation of the "Eight-Point Conservation Officer Communications Improvement Plan";
- (4) Offer input to the secretary of Game, Fish and Parks as to how the department may improve accountability when addressing other citizen complaints against agency employees who may have violated department policies or operating procedures; and
- (5) Provide periodic status and progress reports to the House of Representatives and the Senate, through the respective Agriculture and Natural Resources Committees of each body, regarding efforts to improve communications and resolve disputes and complaints between the respective identified parties; and

BE IT FURTHER RESOLVED, that we commend the efforts of the West River Issues Working Group; the staff and Commission of the Department of Game, Fish and Parks; all landowners who provide habitat for our wildlife; and our sportsmen, who together, work diligently to preserve our hunting and fishing heritage and promote sound stewardship of the natural resources of South Dakota.

Adopted by the House of Representatives,  
Concurred in by the Senate,

March 01, 2005  
March 03, 2005

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Matthew Michels  
Speaker of the House

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Karen Gerdes  
Chief Clerk of the House

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Dennis Daugaard  
President of the Senate

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Patricia Adam  
Secretary of the Senate