

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

237L0848

## HOUSE CONCURRENT RESOLUTION NO. 1019

Introduced by: Representatives Brunner, Boomgarden, Buckingham, Cutler, Davis, Deadrick, Dennert, Dykstra, Elliott, Fryslie, Garnos, Glover, Hackl, Halverson, Hanks, Hargens, Hennies, Hills, Howie, Jensen, Jerke, Klaudt, Koistinen, Krebs, Lange, McCoy, Murschel, Nelson, Novstrup, O'Brien, Pederson (Gordon), Peters, Rausch, Rave, Rhoden, Roberts, Rounds, Sigdestad, Street, Thompson, Tidemann, Tornow, Turbiville, Vehle, Weems, and Willadsen and Senators Duenwald, Abdallah, Broderick, Dempster, Gray, Greenfield, Hundstad, Kooistra, McNenny, Olson (Ed), and Sutton (Dan)

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

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

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

12 WHEREAS, given that all citizens of South Dakota cherish our rich heritage of hunting,



1 fishing, and other outdoor-related activities, it is equally important to express our gratitude in  
2 recognizing the important role of the sportsmen of our state who promote wildlife conservation  
3 and the sound management of our state's natural resources; and

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

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

14 WHEREAS, an improved communication process, including a formal mechanism to hear  
15 and consider complaints and concerns from all parties, would be of enormous help in defusing,  
16 clarifying, and resolving disputes and conflicts related to the management and use of our fish  
17 and wildlife resources that continue to plague South Dakota's landowners, sportsmen, the  
18 Department of Game, Fish and Parks, and the public as a whole; and

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

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

6       (1)    Provide the opportunity for landowners, sportsmen, and members of the general  
7             public to air their complaints and grievances related to the use and management of  
8             the state's fish and wildlife resources;

9       (2)    Provide guidance and recommendations to the secretary and the Game, Fish and  
10            Parks Commission for purposes of implementing the seven communications  
11            improvement strategies identified by the WRIWG;

12       (3)    Monitor progress and offer on-going advice to the secretary and the Game, Fish and  
13            Parks Commission on specific efforts to improve conservation officer  
14            communications through the implementation of the "Eight-Point Conservation  
15            Officer Communications Improvement Plan";

16       (4)    Offer input to the secretary of Game, Fish and Parks as to how the department may  
17            improve accountability when addressing other citizen complaints against agency  
18            employees who may have violated department policies or operating procedures; and

19       (5)    Provide periodic status and progress reports to the House of Representatives and the  
20            Senate, through the respective Agriculture and Natural Resources Committees of  
21            each body, regarding efforts to improve communications and resolve disputes and  
22            complaints between the respective identified parties; and

23       BE IT FURTHER RESOLVED, that we commend the efforts of the West River Issues  
24       Working Group; the staff and Commission of the Department of Game, Fish and Parks; all

- 1 landowners who provide habitat for our wildlife; and our sportsmen, who together, work
- 2 diligently to preserve our hunting and fishing heritage and promote sound stewardship of the
- 3 natural resources of South Dakota.