

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

273L0835

## HOUSE CONCURRENT RESOLUTION NO. 1015

Introduced by: Representatives Brunner and Jensen

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

16 WHEREAS, debate over the open fields doctrine, as it pertains to the entry of conservation



1 officers onto private land, and other issues such as prairie dog infestation, license allocation,  
2 hunter access, land acquisition, aerial hunting, and other concerns has been beneficial in  
3 establishing dialogue and recognizing the importance of the partnerships which are critical to  
4 preserving South Dakota's outdoor heritage for posterity; and

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

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

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

22 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eightieth  
23 Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature  
24 urges the secretary of the Department of Game, Fish and Parks to establish a "Wildlife Issues

1 Resolution Panel" that will serve the following purposes:

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

5 (2) Establish a formal mechanism to investigate, mediate, and resolve disputes and  
6 complaints among landowners, sportsmen, the general public, and state agencies  
7 related to the use and management of the state's fish and wildlife resources;

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

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

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

18 (6) Provide an annual status and progress report to the House of Representatives and the  
19 Senate, through the respective Agriculture and Natural Resources Committees of  
20 each body, regarding efforts to improve communications and resolve disputes  
21 between the respective identified parties; and

22 BE IT FURTHER RESOLVED, that we commend the efforts of the West River Issues  
23 Working Group; the staff and Commission of the Department of Game, Fish and Parks; all  
24 landowners who provide habitat for our wildlife; and our sportsmen, who together, work

- 1 diligently to preserve our hunting and fishing heritage and promote sound stewardship of the
- 2 natural resources of South Dakota.