

On page 1, line 11, of the Introduced bill, delete "The" and insert "Notwithstanding any provision of this title to the contrary, the"

On page 1, line 14, of the Introduced bill, delete " one" and insert " two"

On page 1, line 14, of the Introduced bill, after "million " insert "five hundred thousand "

On page 1, line 16, of the Introduced bill, delete "The" and insert "Notwithstanding any provision of this title to the contrary, the"

On page 1, line 17, of the Introduced bill, delete " one" and insert " two"

On page 1, line 18, of the Introduced bill, after "million" insert " five hundred thousand"

On page 2, line 2, of the Introduced bill, delete " void and unenforceable" and insert " voidable in a legal action initiated by the attorney general"

On page 2, line 2, of the Introduced bill, after "unenforceable." insert "

The applicability of this section includes any action authorized under this title. "

On page 2, line 3, of the Introduced bill, after "unenforceable." delete "Section 3. That § 41-2-21 be AMENDED:

"

On page 2, line 4, of the Introduced bill, after "AMENDED:" delete "41-2-21. "

On page 2, line 4, of the Introduced bill, after "41-2-21. " delete "The Subject to section 2 of this Act, the Department of Game, Fish and Parks may acquire, by any means or methods as specified in § 41-2-19, any public or private real property especially desirable for purposes of establishing public shooting areas or for the purposes of water conservation or recreation, and may develop and improve the property for such purposes."

On page 2, line 9, of the Introduced bill, after "purposes." delete "Section 4. That § 41-2-22 be AMENDED:

"

On page 2, line 10, of the Introduced bill, after "AMENDED:" delete "41-2-22. "

On page 2, line 10, of the Introduced bill, after "41-2-22. " delete "The Subject to section 2 of this Act, the Department of Game, Fish and Parks may establish and operate controlled hunting areas whenever, in the opinion of the Game, Fish and Parks Commission, the establishment of such the areas is in the best interest of the people of South Dakota this state."

On page 2, line 14, of the Introduced bill, after "state." delete "Section 5. That § 41-2-23 be AMENDED:

"

On page 2, line 15, of the Introduced bill, after "AMENDED:" delete "41-2-23. "

On page 2, line 15, of the Introduced bill, after "41-2-23. " delete "The Subject to section 2 of this Act, the Department of Game, Fish and Parks shall, if directed by the Game, Fish and Parks Commission, expend funds for the improvement of wildlife habitat, access to hunting, and access to fishing or recreation areas on any land, public or private, within the state, notwithstanding the provisions of § 5-14-10. Any land so improved is open to reasonable use by the public."

On page 2, line 20, of the Introduced bill, after "public." delete "Section 6. That § 41-2-24 be AMENDED:

"

On page 2, line 21, of the Introduced bill, after "AMENDED:" delete "41-2-24. "

On page 2, line 21, of the Introduced bill, after "41-2-24. " delete "The Subject to section 2 of this Act, the Department of Game, Fish and Parks shall acquire, by gift, purchase, lease, or condemnation, and shall improve and manage land areas suitable for park purposes in various portions of the state, so that a comprehensive state park system may be established. The department may levy and collect service fees for the use of the facilities in the state parks, upon the conditions as provided in this title. The department may issue its negotiable bonds for such purposes, and in such the amounts, forms, and upon such the conditions as provided in this title. The department may cooperate with the United States, with any agency of the United States, and with any other department or public corporation of this state in such park activities."

On page 3, line 1, of the Introduced bill, after "activities." delete "Section 7. That § 41-2-25 be AMENDED:

"

On page 3, line 2, of the Introduced bill, after "AMENDED:" delete "41-2-25. "

On page 3, line 2, of the Introduced bill, after "41-2-25. " delete "The Subject to section 2 of this Act, the Department of Game, Fish and Parks may make capital improvements that the Game, Fish and

Parks Commission deems necessary or proper for the extension, improvement, or development of state parks and recreation areas, on all land leased by the department. The provisions of § 5-14-10 do not apply to this section."

On page 3, line 7, of the Introduced bill, after "section." delete "Section 8. That § 41-2-31 be AMENDED:

"

On page 3, line 8, of the Introduced bill, after "AMENDED:" delete "41-2-31. "

On page 3, line 8, of the Introduced bill, after "41-2-31. " delete "The Subject to section 2 of this Act, the Department of Game, Fish and Parks may accept, use, and expend any funds directed to it and provided by any agency of the United States government or provided by any other private or public sources."

On page 3, line 11, of the Introduced bill, after "sources." delete "Section 9. That § 41-2-34. 1 be AMENDED:

"

On page 3, line 12, of the Introduced bill, after "AMENDED:" delete "41-2-34. 1. "

On page 3, line 12, of the Introduced bill, after "41-2-34.1. " delete "An amount equal to thirty-five percent of the resident small game license revenue shall must be used for the purpose of restoring the state pheasant and wildlife population. Any land purchased with such funds shall the moneys must be identified as game production areas. Any such A purchase shall must be from a willing seller and shall must be approved by the Governor. A purchase is subject to section 2 of this Act. No acquisition of land made pursuant to this section may be accomplished through the state's power of eminent domain."

On page 3, line 19, of the Introduced bill, after "domain." delete "Section 10. That § 41-2-34. 2 be AMENDED:

"

On page 3, line 20, of the Introduced bill, after "AMENDED:" delete "41-2-34. 2. "

On page 3, line 20, of the Introduced bill, after "41-2-34.2. " delete "The Game, Fish and Parks Commission shall impose a surcharge in the amount of six dollars on each classification of hunting licenses issued by the Department of Game, Fish and Parks, with the exception of licenses to take fur-bearing animals, one-day small game licenses, predator/varmint licenses, migratory bird certification permits, youth deer licenses, youth small game licenses, and mentored youth big game licenses authorized by § 41-6-81. Of the revenue from the surcharge for each such license, one dollar shall must be deposited in the animal damage control fund established pursuant to § 40-36-10; and five dollars shall must be deposited in a special fund known as the South Dakota sportsmen's access and landowner depredation fund, which is hereby established.

Money in the fund is continuously appropriated for the purposes set forth in this section.

Fifty percent of the money in the South Dakota sportsmen's access and landowner depredation fund shall must be available to landowners, pursuant to procedures and amounts to be established in rules promulgated by the commission, pursuant to chapter 1-26, for purposes of providing hunting access on the landowners' land and for wildlife depredation and damage management programs. Fifty percent of the money in the South Dakota sportsmen's access and landowner depredation fund shall must be available for purposes of acquiring free public hunting access by lease agreement. Expenditures under this section are subject to section 2 of this Act."

On page 4, line 9, of the Introduced bill, after "Act." delete "Section 11. That § 41-2-35 be AMENDED:

"

On page 4, line 10, of the Introduced bill, after "AMENDED:" delete "41-2-35. "

On page 4, line 10, of the Introduced bill, after "41-2-35. " delete "All moneys in the Department of Game, Fish and ParksMoneys in the game, fish and parks fund are hereby annually appropriated to must be budgeted through the general appropriation bill and may be used, together with any moneys otherwise appropriated, to pay the necessary expenses of effectuating the purposes of this title. The use of moneys referenced in this section is subject to section 2 of this Act."

On page 4, line 15, of the Introduced bill, after "Act." delete "Section 12. That § 41-4-1 be AMENDED:

"

On page 4, line 16, of the Introduced bill, after "AMENDED:" delete "41-4-1. "

On page 4, line 16, of the Introduced bill, after "41-4-1. " delete "The Department of Game, Fish and Parks may acquire or condemn private property, if the property is necessary to carry out the purposes and intent of this title. If the Game, Fish and Parks Commission deems it necessary to take or condemn any private property for such purposes, the commission shall by proper must, by resolution, declare such the necessity, stating the purpose and extent of the action. The commission shall

communicate the resolution to the attorney general, and thereupon the proceedings to take or condemn the property shall must be conducted as provided by the laws of this state law, in the name of the state as plaintiff. Any acquisition or condemnation under this section is subject to section 2 of this Act."

On page 4, line 25, of the Introduced bill, after "Act." delete "Section 13. That § 41-4-1. 1 be AMENDED:

"

On page 4, line 26, of the Introduced bill, after "AMENDED:" delete "41-4-1. 1. "

On page 4, line 26, of the Introduced bill, after "41-4-1.1. " delete "Before the Department of Game, Fish and Parks purchases any land pursuant to § 41-2-19, 41-2-21, 41-2-24, 41-4-1, or 41-4-3, the department shall notify the owners of any land, which is located adjacent to the land sought to be purchased by the department, that the department is seeking to purchase such land. The notification shall be by publishing department shall publish notice of the same intended purchase once in each legal newspaper of the county in which the property to be purchased is located. The notification shall be made notice must be published at least thirty days prior to the date of action by the Game, Fish and Parks Commission authorizing the intended purchase. The notice shall must include the time and location of the meeting at which the commission's action is expected and instructions for presenting oral and written comments to the commission. Any purchase under this section is subject to section 2 of this Act."

On page 5, line 6, of the Introduced bill, after "Act." delete "Section 14. That § 41-4-2 be AMENDED:

"

On page 5, line 7, of the Introduced bill, after "AMENDED:" delete "41-4-2. "

On page 5, line 7, of the Introduced bill, after "41-4-2. " delete "Payment for lands acquired by eminent domain, including the cost and expenses of condemnation proceedings, shall must be paid out of the Department of Game, Fish and Parks department of game, fish and parks fund, and such any part of suchthe fund as may be necessary is hereby appropriated for such the stated purposes, and the. The state auditor shall issue warrants upon the state treasurer against such the fund, upon vouchers duly approved by the Game, Fish and Parks Commission. Any payment under this section is subject to section 2 of this Act."

On page 5, line 14, of the Introduced bill, after "Act." delete "Section 15. That § 41-4-3 be AMENDED:

"

On page 5, line 15, of the Introduced bill, after "AMENDED:" delete "41-4-3. "

On page 5, line 15, of the Introduced bill, after "41-4-3. " delete "Three dollars received from the sale of each nonresident small game license shall must be placed in a fund to be known as the land acquisition and development fund. The moneys from this fund shall must be used for the following purposes:

- (1) To acquire, subject to the section 2 of this Act, by purchase or lease, real property to be used primarily for game production. Such The real property shall must remain open for public hunting;
- (2) To pay the salary and any necessary expenses of any employee of the Department of Game, Fish and Parks engaged in the acquisition of such the real property;
- (3) For improving and maintaining game production areas, subject to the section 2 of this Act; and
- (4) For the payment of taxes on public shooting areas.

Not more than twenty-five percent of the land acquisition and development fund, after the payment of taxes, may be used for the administration of the fund or for improving and maintaining game production areas."

On page 5, line 29, of the Introduced bill, after "areas." delete "Section 16. That § 41-4-10 be AMENDED:

"

On page 5, line 30, of the Introduced bill, after "AMENDED:" delete "41-4-10. "

On page 5, line 30, of the Introduced bill, after "41-4-10. " delete "The Department of Game, Fish and Parks may acquire by gift or lease, from willing landowners, the right to maintain unused, terminated, or abandoned section-line rights-of-way as game production areas. This section does not apply to section lines where roads have never been developed. No such interest acquired by the department may prevent a roadway from being reopened to public travel.

Every political subdivision of the state east of the Missouri River, having highways or roadways under its jurisdiction, may notify the Department of Game, Fish and Parks of any of its developed rights-of-way that are not being maintained as public highways or roads, and shall cooperate with the department in acquiring and maintaining such the rights-of-way for use as game production areas. Any acquisition under this section is subject to section 2 of this Act."

On page 6, line 10, of the Introduced bill, after "Act." delete "Section 17. That § 41-17-4 be AMENDED:
"

On page 6, line 11, of the Introduced bill, after "AMENDED:" delete "41-17-4. "

On page 6, line 11, of the Introduced bill, after "41-17-4. " delete "The Department of Game, Fish and Parks may, with the approval of the Governor and commissioner of human resources and administration, purchase, construct, or otherwise acquire, or contract for the feasibility survey, construction, completion, equipping, or furnishing, of any recreational or parks facility within any state park or state recreation area, if the Game, Fish and Parks Commission deems the facility to be necessary and feasible. Any purchase, construction, acquisition, or contract under this section is subject to section 2 of this Act."

On page 6, line 18, of the Introduced bill, after "Act." delete "Section 18. That § 41-17-14 be AMENDED:
"

On page 6, line 19, of the Introduced bill, after "AMENDED:" delete "41-17-14. "

On page 6, line 19, of the Introduced bill, after "41-17-14. " delete "The total net receipts from license fees under § 41-17-13 shall must be deposited in the parks and recreation fund established by § 41-17-21 and be used by the Game, Fish and Parks Commission, subject to section 2 of this Act, for operating and maintaining the existing state park system as defined in § 41-17-1. 1, in such a manner as to advance and promote that advances and promotes the tourist industry in South Dakota this state. No portion of the moneys raised by these fees may be used to purchase land for park sites."

On page 6, line 26, of the Introduced bill, after "sites." delete "Section 19. That § 41-17-14. 1 be AMENDED:
"

On page 6, line 27, of the Introduced bill, after "AMENDED:" delete "41-17-14. 1. "

On page 6, line 27, of the Introduced bill, after "41-17-14.1. " delete "The Department of Game, Fish and Parks may issue permits for camping in the state park system. The camping permits shall must be issued according to rules adopted pursuant to § 41-17-1. 1. Fees collected for camping permits shall must be deposited in the parks and recreation fund established by § 41-17-21. The funds shall must be used, subject to section 2 of this Act, for development, capital improvement, operating, and maintaining the state park system, as defined in § 41-17-1. 1. No portion of the moneys raised by these fees may be used to purchase land for park sites."

On page 7, line 3, of the Introduced bill, after "sites." delete "Section 20. That § 41-17-15 be AMENDED:
"

On page 7, line 4, of the Introduced bill, after "AMENDED:" delete "41-17-15. "

On page 7, line 4, of the Introduced bill, after "41-17-15. " delete "All income realized from the collection of park service fees established by rules adopted pursuant to § 41-17-1. 1 shall must be deposited in the parks and recreation fund established by § 41-17-21. The income shall may, subject to section 2 of this Act, be expended by the Department of Game, Fish and Parks only for the improvement and development of the state parks, or in payment of any revenue bond issued under the provisions of this chapter."

On page 7, line 10, of the Introduced bill, after "chapter." delete "Section 21. That § 41-2-35. 1 be REPEALED.
"

On page 7, line 11, of the Introduced bill, after "REPEALED." delete "Notwithstanding any other provisions of law, all funds received by the Department of Game, Fish and Parks shall be set forth in an informational budget as described in § 4-7-7. 2 and be annually reviewed by the Legislature. Nothing in this section affects department control over expenditures of any portion of dedicated revenues received by the department."