



2022 South Dakota Legislature

House Bill 1090

Introduced by: **Representative Pischke**

1 **An Act to require an annual report on nonmeandered waters.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 41-23-19 be AMENDED:**

4 **41-23-19.** ~~Before June 2, 2019, but after April 1, 2019~~On or before September
 5 first of each year, the department shall deliver ~~a report,~~ to the Executive Board of the
 6 Legislative Research Council ~~which, a report that includes the following, for the preceding~~
 7 July first through June thirtieth:

- 8 (1) An estimate of the number of acres of nonmeandered lakes open for public
 9 recreation and the number of acres of nonmeandered lakes marked pursuant to
 10 § 41-23-5;
- 11 (2) ~~For the agreements contemplated pursuant to negotiations under~~ § 41-23-3, a
 12 statistical summary ~~relative to~~ regarding the number of:
- 13 (a) Agreements reached with landowners;
- 14 (b) Negotiations in progress;
- 15 (c) Failed negotiations; and
- 16 (d) ~~Number of inquiries~~Inquiries from landowners to commence negotiations;
- 17 (3) An analysis of the agreements ~~pursuant to~~ under § 41-23-3 compared to voluntary
 18 ~~walk-in~~walk-in access programs for landowners;
- 19 (4) A ~~listing~~list of transportation lanes set pursuant to § 41-23-17; and
- 20 (5) A summary of complaints, prosecutions, convictions, ~~or~~ and other ~~resolution~~
 21 resolutions of violations on nonmeandered waters, pursuant to ~~§§~~ § 41-23-6 and
 22 or 41-23-18.

23 Following receipt and public dissemination of the report, the executive board or a
 24 ~~designated committee of~~ designated by the executive board shall hold one or more public
 25 hearings, ~~which shall occur before September 3, 2019,~~ to discuss the report and ~~solicit~~

- 1 ~~input~~ receive testimony from landowners, recreational users, and ~~the general public~~ other
- 2 persons.