

2022 South Dakota Legislature

Senate Bill 175**AMENDMENT 175A FOR THE INTRODUCED BILL**

1 **An Act to ~~make an appropriation to address property acquisition by~~ the Department**
2 **of Game, Fish and Parks ~~for building a shooting range in western South~~**
3 **~~Dakota, make an appropriation therefor,~~ and ~~to~~ declare an emergency.**

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

5 **Section 1.** There is hereby appropriated from the general fund the sum of \$2,500,000 and
6 appropriated the sum of \$2,500,000 in other fund expenditure authority to the Department
7 of Game, Fish and Parks for the purpose of building a shooting range to serve western South
8 Dakota.

9 **Section 2.** The secretary of the Department of Game, Fish, and Parks may accept any gift,
10 contribution, or other source of money for the purpose of section 1. Any money received
11 under this section is appropriated to the Department of Game, Fish and Parks for purposes of
12 section 1.

13 **Section 3.** The secretary of the Department of Game, Fish and Parks shall approve vouchers
14 and the state auditor shall draw warrants to pay expenditures authorized by this Act.

15 **Section 4.** Any amounts appropriated in this Act not lawfully expended or obligated shall
16 revert in accordance with the procedures prescribed in chapter 4-8.

17 **Section 5.** Whereas, this Act is necessary for the support of the state government and its
18 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
19 full force and effect from and after its passage and approval.

20 **Section 6. That § 41-2-19 be AMENDED:**

21 **41-2-19.** The Department of Game, Fish and Parks may, on behalf and in the
22 name of the state, acquire public or private property by gift, grant, devise, purchase,

1 lease, or condemnation proceedings, and may manage, control, and improve the property
2 for the purpose of exercising the powers granted in this title.

3 Real property may not be accepted, received, or administered by the department
4 until the attorney general certifies that the real property is free from any legal obligations,
5 and the real property may not be accepted, received, or administered without specific
6 approval by the Legislature.

7 **Section 7. That § 41-2-20 be AMENDED:**

8 **41-2-20.** Any personal property or buildings or fixtures on real estate, acquired
9 pursuant to § 41-2-19, may be sold by the Game, Fish and Parks Commission if the
10 commission determines it to be obsolete or no longer useful and obtains the specific
11 approval of the Legislature. The property ~~shall~~must be sold according to procedures
12 prescribed by the commissioner of the Bureau of Administration.

13 **Section 8. That § 41-2-21 be AMENDED:**

14 **41-2-21.** The Department of Game, Fish and Parks may acquire by any means or
15 methods as specified in § 41-2-19 any public or private real property especially desirable
16 for purposes of establishing public shooting areas or for the purposes of water
17 conservation or recreation and may develop and improve the property for such purposes.

18 Real property may not be accepted, received, or administered by the department
19 until the attorney general certifies that the real property is free from any legal obligations,
20 and the real property may not be accepted, received, or administered without specific
21 approval by the Legislature.

22 **Section 9. That § 41-2-29.1 be AMENDED:**

23 **41-2-29.1.** The Department of Game, Fish and Parks shall sell real property owned
24 by the state and held by the department if such real property is no longer needed for
25 game, fish, or parks purposes. ~~Such,~~ and the department obtains the specific approval of
26 the Legislature. The sale may be made only by the following procedure:

- 27 (1) At the full value established by a qualified appraiser employed by the department;
28 (2) For cash at public auction;
29 (3) Five days after the last of at least two publications of notice of the sale in at least
30 three daily newspapers of the state. The publications shall disclose all details
31 relative to the sale;

- 1 (4) Money received shall be deposited with the state treasurer and credited to the
2 game, fish and parks fund;
- 3 (5) Conveyance shall be made in the name of the State of South Dakota acting by and
4 through the Department of Game, Fish and Parks and executed in the manner
5 provided by § 5-2-11.

6 **Section 10. That § 41-2-29.2 be AMENDED:**

7 **41-2-29.2.** The Department of Game, Fish and Parks, in addition to or as an
8 alternative to the requirements and methods specified in § 41-2-29.1, may trade or
9 exchange real property owned by the state and held by the department if the real property
10 is no longer needed for game, fish or parks purposes or if real property more suitable to
11 department purposes may be obtained by an exchange. The exchange may be made only
12 for other real property of equal value as determined by a qualified appraiser employed by
13 the department. Conveyance shall be made in the name of the State of South Dakota
14 acting by and through the Department of Game, Fish and Parks and executed in the
15 manner provided by § 5-2-11.

16 Real property may not be accepted, received, or administered by the department
17 until the attorney general certifies that the real property is free from any legal obligations,
18 and the real property may not be traded, accepted, received, or administered without
19 specific approval by the Legislature.