

Committee: Senate Local Government

Friday, January 20, 2023 10:00 AM

Roll Call

Present: Sen. Deibert, Sen. Frye-Mueller, Sen. Steve Kolbeck, Sen. Larson,
Sen. Pischke, Sen. Mehlhaff, and Sen. Reed

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Reed

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 18TH

Moved by: Pischke
Second by: Mehlhaff
Action: Prevailed by voice vote

SB 56 : revise requirements to relocate a county seat.

Presented by: Senator Ryan Maher
Proponents: Robert Berndt, Chair Dewey County, Eagle Butte (Handout(s) #1)
Brandy Meier, Dewey County, Timber Lake
Mary Ducheneaux, Dewey County, Timber Lake
Opponents: Carl Petersen, self, Parade
OJ Semans, Four Direction Advocacy Group, Rosebud
Kellen Returns From Scout, Great Plains Tribal Chairman's Association, Rapid
City
Senator Shawn Bordeaux

MOTION: AMEND SB 56

56A

On page 1, line 4, of the Introduced bill, delete " forty" and insert " twenty"
Moved by: Pischke
Second by: Mehlhaff
Action: Prevailed by voice vote

MOTION: DEFER SB 56 TO THE 41ST LEGISLATIVE DAY

Moved by: Deibert
Second by: Larson
Action: Failed by Majority Members Elect (2-5-0-0)

Voting Yes: Deibert and Larson

Voting No: Frye-Mueller, Steve Kolbeck, Pischke, Mehlhaff, and Reed

MOTION: AMEND THE PENDING AMENDMENT

56D

On page 1, line 4, of the Introduced bill, delete " forty" and insert " twenty"

On page 1, line 19, of the Introduced bill, after "12-12-1." delete "Section 2. That chapter 7-6 be amended with a NEW SECTION:

"

On page 1, line 20, of the Introduced bill, after "SECTION:" delete "The petition required to relocate a county seat under § 7-6-4 must contain:

- (1) The municipality proposed for relocation; and
- (2) A statement that addresses the:
 - (a) Proposed timeline for relocation; and
 - (b) Estimated cost to the county for relocating county buildings, facilities, and employees, that are required by law to be at the county seat."

On page 2, line 1, of the Introduced bill, after "seat." delete "Section 3. That § 7-6-5 be AMENDED:"

On page 2, line 2, of the Introduced bill, after "AMENDED:" delete "7-6-5. The board of county commissioners shall prescribe the form of the ballots to be used at said the election for the change of relocating the county seat shall be in such form as the board of county commissioners shall prescribe, and such. The ballots shall must be separate from the ballots cast and used for the election of state, county, and other officers and shall must be received and deposited in a separate ballot box. If the proposition question to change relocate the county seat is ratified approved by two-thirds three-fourths of the votes cast, then the municipality specified in the petition shall be the county seat. The votes cast shall must be returned, canvassed, and certified as provided by law for the return of votes at any the general election."

On page 2, line 11, of the Introduced bill, after "election." delete "Section 4. That § 7-6-6 be AMENDED:"

On page 2, line 12, of the Introduced bill, after "AMENDED:" delete "7-6-6. If, upon a canvass of the votes cast as provided in § 7-6-5 any municipality shall not have received the vote as required by the Constitution, the question of the change of the location of relocating the county seat shall is not approved by three-fourths of the votes cast, the question may not again be submitted before the expiration of for four years from the date of the election."

On page 2, line 17, of the Introduced bill, after "election." delete "Section 5. That § 7-6-7 be AMENDED:"

On page 2, line 18, of the Introduced bill, after "AMENDED:" delete "7-6-7. It shall be the duty of the If the question to relocate the county seat is approved by the voters as specified in § 7-6-5, the county officers whose offices are required by law to be kept at the county seat, to shall remove their respective offices, files, records, office fixtures, furniture, and all other property pertaining to their offices to the county seat designated by the voters within thirty days one year after such county seat shall have been designated by the voters under the provisions of the date of an election held under this chapter or the end of any recount, certiorari proceeding, or election contest, whichever is latest."

Moved by: Pischke
 Second by: Steve Kolbeck
 Action: Prevailed by voice vote

MOTION: DO PASS SB 56 AS AMENDED

Moved by: Pischke
 Second by: Steve Kolbeck
 Action: Prevailed by Majority Members Elect (7-0-0-0)

Voting Yes: Deibert, Frye-Mueller, Steve Kolbeck, Larson, Pischke, Mehlhaff, and Reed

MOTION: ADJOURN

Moved by: Mehlhaff
 Second by: Pischke
 Action: Prevailed by voice vote

Susan Gullickson, Committee Secretary

/s/ TIM REED
Tim Reed, Chair