

Minutes: Senate Local Government

Wednesday, March 05, 2025 10:00 AM

Roll Call

Present: Sen. Nelson, Sen. Rohl, Sen. Schoenfish, Sen. Smith, Sen. Wheeler, Sen. Duhamel, and Sen. Reed

The meeting was called to order by Senator Reed

MOTION: TO APPROVE THE MINUTES OF MONDAY, MARCH 03RD

Moved by: Duhamel
Second by: Rohl
Action: Prevailed by voice vote

HB 1155 : revise the annual reporting period for public safety answering points.

Presented by: Representative Jeff Bathke

MOTION: TO TABLE HB 1155

Moved by: Rohl
Second by: Duhamel
Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Nelson, Rohl, Smith, Wheeler, Duhamel, and Reed

Excused: Schoenfish

HB 1142 : amend the bond requirement for certain municipal officers.

MOTION: TO TABLE HB 1142

Moved by: Smith
Second by: Duhamel
Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Nelson, Rohl, Smith, Wheeler, Duhamel, and Reed

Excused: Schoenfish

HB 1143 : repeal the requirement for an oath or undertaking by an officer of a third class municipality.

Presented by: Senator Helene Duhamel

Proponents: Representative Trish Ladner
Nathan Sanderson, South Dakota Retailers Association, Pierre
Jeremiah M. Murphy, South Dakota Stockgrowers Association, Rapid City
Matthew M. Bogue, South Dakota Farm Bureau Federation, Huron
Angela Ehlers, South Dakota Association of Conservation Districts, Pierre
Mike Houdyshell, Department of Revenue
Representative Travis Ismay
Paul Lepisto, SD Division of the Izaak Walton League of America, Pierre

MOTION: AMEND HB 1143

1143A

On page 1, line 1, of the Introduced bill, delete "repeal the requirement for an oath or undertaking by an officer of a third class municipality" and insert "require that the director of equalization adjust certain agricultural land values"

On the Introduced bill, delete everything after the enacting clause and insert:

"

Section 1. That § 10-6-130 be AMENDED:

10-6-130. All soils ~~must be~~ are divided into classes based on soil classification standards developed by the United States Department of Agriculture, Natural Resources Conservation Service. All agricultural land must be categorized as either cropland or noncropland. Soil types with land capability class I, II, and III must be categorized as cropland and soil types with land capability classes V, VI, VII, and VIII must be categorized as noncropland. Soil types with land capability class IV may be categorized by the director of equalization as either cropland or as noncropland. The director of equalization ~~must shall~~ notify the department by November ~~±~~ first of each year of any changes to the categorization of the land capability class IV soil types. Beginning with the 2023 assessment year, the total acres of class IV soil types classified as noncropland in a county may increase a maximum of twenty percent over the total acres of class IV soil types classified as noncropland in the county in the previous assessment year. The department shall provide each county with soil ratings for all soil types present in the county. The director of equalization shall implement the soil ratings and utilize the ratings as the basis for determining the value of each soil type in the county.

The director may make an adjustment to a parcel pursuant to § 10-6-131.

Nothing in this section prohibits the department from categorizing soil types with land capability class I, II or III as noncropland if one or more of the adjustment factors contained in § 10-6-131 affects the productivity of the soil type, and the reasonable, probable use of the soil type that is physically practical, appropriately supported, financially feasible, and that results in the highest sustainable use of the land, is not harvesting crops or plants produced.

Section 2. That § 10-6-131 be AMENDED:

10-6-131. Before July first each year, the secretary of revenue shall annually provide each director the agricultural income value for each county as computed pursuant to § 10-6-127. The director shall annually determine the assessed value of agricultural land. The director may adjust the assessed value of agricultural land to the extent that one or more of the following factors negatively affect the productivity of the land:

- (1) Location;
- (2) Size;
- (3) Soil survey statistics;
- (4) Terrain;
- (5) Topographical condition;

- (6) Climate;
- (7) Accessibility; or
- (8) Surface obstructions, including shelterbelts.

If the director determines that one or more of the factors provided in this section negatively affects the productivity of the land, the director shall adjust the assessed value of the land.

The director shall document each adjustment by using data from sources reasonably related to the adjustment being made. In addition, the director may use data from comparable sales of agricultural land to document the adjustment concerning productivity for any of the factors listed in this section.

If the actual use of agricultural land varies from the land use category specified by soil classification standards, or if any factors listed in this section exist that affect the productivity of the land, the property owner may request an examination of the land by the director on a form prescribed by the department. The director shall determine whether to adjust the assessed value of the agricultural land pursuant to the factors listed in this section.

The director shall document all supporting evidence for the adjustment determination. The director shall provide any adjustment documentation to the department upon request. The director ~~must~~ shall keep the adjustment documentation in the director's office for the life of the adjustment.

For the purposes of this section, ~~the term~~ "shelterbelt" means field shelterbelts, farmstead windbreaks, wildlife tree plantings, living snow fences, and other tree plantings made specifically for conservation purposes, but excluding trees planted for ornamental or commercial purposes.

"

MOTION: DO PASS HB 1143 AS AMENDED

Moved by: Rohl
 Second by: Nelson
 Action: Prevailed by Majority Members Elect (6-0-1-0)

Voting Yes: Nelson, Rohl, Smith, Wheeler, Duhamel, and Reed

Excused: Schoenfish

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED HB 1143 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

HB 1218 : prohibit counties, municipalities, and townships from imposing firearm restrictions on certain employees, officers, and volunteers.

Presented by: Representative Aaron Aylward
 Proponents: Brian Gosch, National Rifle Association of America, Fairfax, VA
 Representative Travis Ismay
 Senator Mykala Voita
 Opponents: Sara Rankin, South Dakota Municipal League, Fort Pierre (Handout(s) 1)
 Doug Abraham, South Dakota Municipal League, FORT PIERRE
 Sam Matson, South Dakota Association of County Officials, Pierre
 Steve Harding, City of Pierre
 Jenna R. Severyn, South Dakota Police Chiefs Association, Fort Pierre

Representative Jeff Bathke
Greg Sattizahn, Unified Judicial System

MOTION: AMEND HB 1218

1218M

On page 1, after line 23, of the House Engrossed bill, insert: "
Section 2. That a NEW SECTION be added to chapter 7-18:

Notwithstanding section 1 of this Act or § 7-18A-36, a county may, by any method or means, prohibit or restrict an individual from lawfully carrying a dangerous weapon, as defined in § 22-1-2, within a building or facility at which an event is occurring, provided metal detectors are utilized to screen for any dangerous weapons and armed security personnel are posted at each public entrance."

On page 2, after line 19, of the House Engrossed bill, insert: "
Section 4. That a NEW SECTION be added to chapter 8-4:

Notwithstanding section 3 of this Act or § 8-5-13, a township may, by any method or means, prohibit or restrict an individual from lawfully carrying a dangerous weapon, as defined in § 22-1-2, within a building or facility at which an event is occurring, provided metal detectors are utilized to screen for any dangerous weapons and armed security personnel are posted at each public entrance."

On page 3, after line 6, of the House Engrossed bill, insert: "
Section 6. That a NEW SECTION be added to chapter 9-14:

Notwithstanding section 5 of this Act or § 9-19-20, a municipality may, by any method or means, prohibit or restrict an individual from lawfully carrying a dangerous weapon, as defined in § 22-1-2, within a building or facility at which an event is occurring, provided metal detectors are utilized to screen for any dangerous weapons and armed security personnel are posted at each public entrance."

Moved by: Smith
Second by: Rohl
Action: Prevailed by voice vote

MOTION: AMEND HB 1218

1218N

On page 1, line 13, of the House Engrossed bill, delete " portion of a building being used to provide court services" and insert " county courthouse, as defined in § 22-14-22"
On page 2, line 9, of the House Engrossed bill, delete " portion of a building being used to provide court services" and insert " county courthouse, as defined in § 22-14-22"
On page 2, line 29, of the House Engrossed bill, delete " portion of a building being used to provide court services" and insert " county courthouse, as defined in § 22-14-22"

Moved by: Wheeler
Second by: Smith
Action: Prevailed by voice vote

MOTION: DO PASS HB 1218 AS AMENDED

Moved by: Wheeler

Second by: Nelson

Action: Prevailed by Majority Members Elect (5-2-0-0)

Voting Yes: Nelson, Rohl, Schoenfish, Wheeler, and Duhamel

Voting No: Smith and Reed

MOTION: ADJOURN

Moved by: Rohl

Second by: Wheeler

Action: Prevailed by voice vote

Anne Reisch, Committee Secretary

/s/ TIM S. REED
Tim S. Reed, Chair