

RESOLUTION IN SUPPORT OF EMINENT DOMAIN REFORM (#23-17)

WHEREAS, the Fifth Amendment to the United States Constitution states that “Nor shall private property be taken for *public use*, without just compensation.” *U.S. Const. Amend. V. (emphasis added)*.

WHEREAS, the South Dakota State Constitution provides that “Private property shall not be taken *public use*, or damaged, without just compensation[.]” *SD CONST Art. 6 § 13 (emphasis added)*.

WHEREAS, the omission of “private use” from these laws implies a complete prohibition on the taking of private property for non-public purposes.

WHEREAS, on July 6, 2023, hundreds of citizens held a rally in Pierre in support of revisions to the South Dakota eminent domain law, culminating with approximately 2,000 signatures in support of eminent domain reform.

WHEREAS, the Spink County Board of Commissioners is in support of the Constitutional rights of property owners.

NOW THEREFORE BE IT RESOLVED, that the Board of Spink County Commissioners is in support of the Governor and Legislature revising South Dakota law to eliminate the taking of private property for non-public use.



Dated at Redfield, South Dakota, this 25th day of July 2023.

Motion was made by Johnson, seconded by Knox, to approve and adopt the resolution. Roll call vote: Knox-aye; Johnson-aye; Albrecht-nay; Siebrecht-aye; Smith-aye. Resolution adopted.



Suzanne Smith, Chair
Spink County Board of Commissioners

ATTEST:



Theresa Hodges, Auditor
Spink County, South Dakota