



# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

517E0055

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1004** - 01/24/2001

Introduced by: Representatives McCoy, Monroe, and Slaughter and Senators Ham and Madden at the request of Interim Judiciary Committee

1 FOR AN ACT ENTITLED, An Act to require notice to schools if a student commits certain  
2 crimes.

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

4 Section 1. Within ten days after disposition of any judicial proceeding in which a juvenile is  
5 adjudicated or convicted of committing, attempting to commit or conspiring to commit murder,  
6 manslaughter, rape, aggravated assault, riot, robbery, burglary in the first or second degree,  
7 arson, kidnapping, felony sexual contact as defined in § 22-22-7 and § 22-22-19.1, any felony  
8 offense pursuant to chapter 22-14 or any felony offense pursuant to chapter 22-14A, the Unified  
9 Judicial System shall give notice to the chief administrator of the school in which the juvenile is  
10 enrolled. The notice shall include a description of the offense committed and the disposition by  
11 the court and may include a description of the acts constituting the offense.

12 Section 2. The information disclosed pursuant to section 1 of this act is governed by the  
13 federal Family Educational Rights and Privacy Act (FERPA) as implemented in 34 CFR part 99,  
14 as effective on January 1, 2001. The Unified Judicial System shall disclose the information to the

1 chief administrator of a nonpublic school only upon request and upon the execution of an  
2 agreement to follow the provisions of the federal Family Educational Rights and Privacy Act  
3 (FERPA) with regard to the information.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0305

HOUSE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1040** - 01/18/2001

Introduced by: The Committee on Commerce at the request of the Department of  
Commerce and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the applicability of  
2 managed care statutes and managed care mediation requirements and to permit certain  
3 impartial mediation provisions.

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

5 Section 1. That § 58-17C-4 be amended to read as follows:

6 58-17C-4. Sections 58-17C-4 and 58-17C-6 apply to any health carrier who offers a  
7 managed care plan as defined in §§ ~~58-17-91 and 58-18-64~~ § 58-17C-1.

8 Section 2. That § 58-17C-58 be amended to read as follows:

9 58-17C-58. Each managed care plan or utilization review organization shall establish and  
10 maintain a grievance system, approved by the director after consultation with the secretary of  
11 the Department of Health, which may include an impartial mediation provision, to provide  
12 reasonable procedures for the resolution of grievances initiated by any enrollee concerning the  
13 provision of health care services. Mediation ~~shall~~ may be made available to enrollees unless an  
14 enrollee elects to litigate a grievance prior to submission to mediation. No medical malpractice

1 damage claim is subject to arbitration under §§ 58-17C-58 to 58-17C-63, inclusive. Each  
2 managed care plan or utilization review organization shall provide that if a grievance is filed  
3 which requires a review of services authorized to be provided by a practitioner or if a grievance  
4 is filed which requires a review of treatment which has been provided by a practitioner, the  
5 review shall include a similarly licensed peer whose scope of practice includes the services or  
6 treatment being reviewed.

7 Section 3. That § 58-17C-20 be amended to read as follows:

8 58-17C-20. Each managed care entity, as defined in §§ ~~58-18-64 and 58-17-91~~ § 58-17C-1,  
9 shall register with the director prior to engaging in any managed care business in this state. The  
10 registration shall be subject to the provisions of §§ ~~58-18-71 to 58-18-75~~ §§ 58-17C-64 to 58-  
11 17C-68, inclusive, and any applicable rules promulgated pursuant to those sections.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0330

SENATE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1043** - 02/15/2001

Introduced by: The Committee on Commerce at the request of the Department of  
Commerce and Regulation

1 FOR AN ACT ENTITLED, An Act to authorize county commissioners and the state fire  
2 marshal to prohibit open burning.

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

4 Section 1. That chapter 34-29B be amended by adding thereto a NEW SECTION to read  
5 as follows:

6 The state fire marshal, after consultation with the Governor and the affected board of county  
7 commissioners, may prohibit or restrict open burning within a county in order to protect the  
8 public health and safety. This section does not limit or affect the laws of this state relating to the  
9 authority of counties or other local entities to prohibit or restrict open burning.

10 Section 2. That § 7-8-20 be amended by adding thereto a NEW SUBDIVISION to read as  
11 follows:

12 To prohibit or restrict open burning, after consultation with local fire officials and law  
13 enforcement officials, in order to protect the public health and safety.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0108      **SENATE AGRICULTURE AND NATURAL RESOURCES**  
**COMMITTEE ENGROSSED NO. HB 1072 -**  
**02/15/2001**

Introduced by: Representative Duenwald and Senator Diedrich (Larry)

1    FOR AN ACT ENTITLED, An Act to define the theft of certain livestock as grand theft.

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

3        Section 1. That § 22-30A-17 be amended to read as follows:

4        22-30A-17. Theft is grand theft, if:

5        (1)    The value of the property stolen exceeds five hundred dollars;

6        (2)    Repealed by SL 1990, ch 165, § 2.

7        (3)    Property of any value is taken from the person of another; ~~or~~

8        (4)    In the case of theft by receiving stolen property, the receiver is a dealer in stolen  
9        property, the value of the property stolen exceeds five hundred dollars in value; or

10       (5)    The property stolen is cattle, horses, mules, sheep, buffalo, swine, or captive  
11       nondomestic elk.

12       Theft in all other cases is petty theft. Grand theft is a Class 4 felony. Petty theft is divided  
13       into two degrees. Petty theft of one hundred dollars or more is in the first degree and is a Class  
14       1 misdemeanor. Petty theft is in the first degree and is a Class 1 misdemeanor if the theft is of

1 money or property of any value less than five hundred dollars belonging to a resident or patient  
2 of a hospital, nursing facility, chemical dependency facility, assisted living center, development  
3 center, human services center, or any residential facility for the mentally ill, mentally retarded,  
4 or developmentally disabled and if the theft is committed by an employee of the facility.  
5 Otherwise petty theft of less than one hundred dollars is in the second degree and is a Class 2  
6 misdemeanor.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

316E0498

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1158** - 02/02/2001

Introduced by: Representatives Broderick, Abdallah, Brown (Richard), Eccarius, Flowers, Gillespie, Hennies (Thomas), Madsen, and Teupel and Senators Albers and Apa

1 FOR AN ACT ENTITLED, An Act to reallocate a certain portion of state aid to education.

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

3 Section 1. Notwithstanding the provisions of chapter 13-13, if a student is enrolled pursuant  
4 to § 13-28-43, and the nonresident school district in which the student is enrolled does not  
5 receive state aid to general education, the Department of Education and Cultural Affairs shall  
6 pay state aid to education to the nonresident district in which the student is enrolled. For each  
7 student, the amount of state aid paid shall be the per student allocation as defined in subdivision  
8 13-13-10.1(4). The payment shall be prorated per the number of days the student was enrolled  
9 in the nonresident district compared to the number of days the nonresident district was in session.

10 The payment shall be made in the succeeding fiscal year.

11 Section 2. That chapter 13-28 be amended by adding thereto a NEW SECTION to read as  
12 follows:

13 Notwithstanding the provisions of § 13-28-40, any student who enrolls in another school  
14 district pursuant to the provisions contained in §§ 13-28-40 to 13-28-47, inclusive, from a

1 district that does not receive state aid pursuant to chapter 13-13 in the succeeding fiscal year  
2 remains the financial obligation of the resident district. For each student, the resident district shall  
3 pay tuition to the nonresident district in the succeeding fiscal year per the following calculation:

4 (1) Multiply the nonresident district's adjusted average daily membership calculated  
5 pursuant to subdivision 13-13-10.1(2) by the per student allocation as defined in  
6 subdivision 13-13-10.1(4);

7 (2) Divide the result of (1) by the nonresident district's average daily membership  
8 calculated pursuant to subdivision 13-13-10.1(1);

9 (3) Multiply the result of (2) by the number of days the student was enrolled in the  
10 nonresident district;

11 (4) Divide the result of (3) by the number of days the nonresident district was in session.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

572E0206

## HOUSE ENGROSSED NO. **HB 1169** - 02/13/2001

Introduced by: Representatives Jaspers, Begalka, Duenwald, Flowers, Hanson (Gary), Hargens, Jensen, Juhnke, and Pederson (Gordon) and Senators Diedrich (Larry), Dennert, Drake, Duxbury, Greenfield, Hainje, and Symens

1 FOR AN ACT ENTITLED, An Act to establish a civil remedy for the destruction of certain field  
2 crop products, animals, and organisms.

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

4 Section 1. No person other than the owner may, willfully and knowingly, damage or destroy  
5 any field crop, animal, or organism product that is grown for personal or commercial purposes,  
6 or for testing or research purposes, in the context of a product development program in  
7 conjunction or coordination with a private research facility or a university or any federal, state,  
8 or local government agency. Any person who violates this provision is liable for twice the value  
9 of the crop, animal, or organism damaged or destroyed. However, this section does not apply  
10 to crops, animals, or organism damaged or destroyed by emergency vehicles and personnel  
11 acting in a reasonable and prudent manner.

12 Section 2. In awarding damages under this Act, the court shall consider the market value of  
13 the crop, animal, or organism prior to damage or destruction, and production, research, testing,  
14 replacement, and development costs directly related to the crop, animal, or organism that has

1 been damaged or destroyed as part of the value.

2 Section 3. Damages available under this Act are limited to twice the market value of the  
3 crop, animal, or organism prior to damage or destruction plus twice the actual damages involving  
4 production, research, testing, replacement, and development costs directly related to the crop,  
5 animal, or organism that has been damaged or destroyed.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

265E0257

HOUSE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1185** - 02/06/2001

Introduced by: Representative Derby and Senator McCracken

1 FOR AN ACT ENTITLED, An Act to provide certain protections for structured settlements.

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

3 Section 1. Terms used in this Act mean:

4 (1) "Annuity issuer," an insurer that has issued a contract to fund periodic payments  
5 under a structured settlement;

6 (2) "Dependents," a payee's spouse and any minor child and any other person for whom  
7 the payee is legally obligated to provide support, including alimony;

8 (3) "Discounted present value," the present value of future payments determined by  
9 discounting such payments to the present using the most recently published applicable  
10 federal rate for determining the present value of an annuity, as issued by the United  
11 States Internal Revenue Service;

12 (4) "Gross advance amount," the sum payable to the payee or for the payee's account as  
13 consideration for a transfer of structured settlement payment rights before any  
14 reductions for transfer expenses or other deductions to be made from such  
15 consideration;

- 1 (5) "Independent professional advice," advice of an attorney, certified public accountant,  
2 actuary, or other licensed professional advisor;
- 3 (6) "Interested parties," with respect to any structured settlement, the payee, any  
4 beneficiary irrevocably designated under the annuity contract to receive payments  
5 following the payee's death, the annuity issuer, the structured settlement obligor, and  
6 any other party that has continuing rights or obligations under such structured  
7 settlement;
- 8 (7) "Net advance amount," the gross advance amount less the aggregate amount of the  
9 actual and estimated transfer expenses required to be disclosed under subdivision (5)  
10 of section 2 of this Act;
- 11 (8) "Payee," an individual who is receiving tax free payments under a structured  
12 settlement and proposes to make a transfer of payment rights thereunder;
- 13 (9) "Periodic payments," includes both recurring payments and scheduled future lump  
14 sum payments;
- 15 (10) "Qualified assignment agreement," an agreement providing for a qualified assignment  
16 within the meaning of section 130 of the United States Internal Revenue Code, United  
17 States Code Title 26, as of January 1, 2001;
- 18 (11) "Responsible administrative authority," with respect to a structured settlement, any  
19 governmental authority vested by law with exclusive jurisdiction over the settled claim  
20 resolved by such structured settlement;
- 21 (12) "Settled claim," the original tort claim or workers' compensation claim resolved by a  
22 structured settlement;
- 23 (13) "Structured settlement," an arrangement for periodic payment of damages for  
24 personal injuries or sickness established by settlement or judgment in resolution of a

- 1 tort claim or for periodic payments in settlement of a workers' compensation claim;
- 2 (14) "Structured settlement agreement," the agreement, judgment, stipulation, or release  
3 embodying the terms of a structured settlement;
- 4 (15) "Structured settlement obligor," with respect to any structured settlement, the party  
5 that has the continuing obligation to make periodic payments to the payee under a  
6 structured settlement agreement or a qualified assignment agreement;
- 7 (16) "Structured settlement payment rights," rights to receive periodic payments under a  
8 structured settlement, whether from the structured settlement obligor or the annuity  
9 issuer, if at least one of the following applies:
- 10 (a) The payee is domiciled in, or the domicile or principal place of business of the  
11 structured settlement obligor or the annuity issuer is located in, this state; or
- 12 (b) The structured settlement agreement was approved by a court or responsible  
13 administrative authority in this state; or
- 14 (c) The structured settlement agreement is expressly governed by the laws of this  
15 state;
- 16 (17) "Terms of the structured settlement," include, with respect to any structured  
17 settlement, the terms of the structured settlement agreement, the annuity contract, any  
18 qualified assignment agreement, and any order or other approval of any court or  
19 responsible administrative authority or other government authority that authorized or  
20 approved such structured settlement;
- 21 (18) "Transfer," any sale, assignment, pledge, hypothecation, or other alienation or  
22 encumbrance of structured settlement payment rights made by a payee for  
23 consideration. The term, transfer, does not include the creation of perfection of a  
24 security interest in structured settlement payment rights under a blanket security

1 agreement entered into with an insured depository institution, in the absence of any  
2 action to redirect the structured settlement payments to such insured depository  
3 institution, or an agent or successor in interest thereof, or otherwise to enforce such  
4 blanket security interest against the structured settlement payment rights;

5 (19) "Transfer agreement," the agreement providing for a transfer of structured settlement  
6 payment rights;

7 (20) "Transfer expenses," any expenses of a transfer that are required under the transfer  
8 agreement to be paid by the payee or deducted from the gross advance amount,  
9 including court filing fees, attorneys fees, escrow fees, lien recordation fees, judgment  
10 and lien search fees, finders' fees, commissions, and other payments to a broker or  
11 other intermediary. Transfer expenses do not include preexisting obligations of the  
12 payee payable for the payee's account from the proceeds of a transfer;

13 (21) "Transferee," a party acquiring or proposing to acquire structured settlement payment  
14 rights through a transfer.

15 Section 2. Not less than three days before the date on which a payee signs a transfer  
16 agreement, the transferee shall provide to the payee a separate disclosure statement, in bold type  
17 no smaller than 14 points, setting forth the following information:

18 (1) The amounts and due dates of the structured settlement payments to be transferred;

19 (2) The aggregate amount of such payments;

20 (3) The discounted present value of the payments to be transferred, which shall be  
21 identified as the "calculation of current value of the transferred structured settlement  
22 payments under federal standards for valuing annuities" and the amount of the  
23 applicable federal rate used in calculating such discounted present value;

24 (4) The gross advance amount;

- 1       (5)    An itemized listing of all applicable transfer expenses, other than attorneys' fees and  
2            related disbursements payable in connection with the transferee's application for  
3            approval of the transfer, and the transferee's best estimate of the amount of any such  
4            fees and disbursements;
- 5       (6)    The net advance amount;
- 6       (7)    The amount of any penalties or liquidated damages payable by the payee in the event  
7            of any breach of the transfer agreement by the payee; and
- 8       (8)    A statement that the payee has the right to cancel the transfer agreement, without  
9            penalty or further obligation, not later than the third business day after the date the  
10           agreement is signed by the payee.

11       Section 3. No direct or indirect transfer of structured settlement payment rights is effective  
12       and no structured settlement obligor or annuity issuer is required to make any payment directly  
13       or indirectly to any transferee of structured settlement payment rights unless the transfer has been  
14       approved in advance in a final court order or order of a responsible administrative authority  
15       based on the following express findings by such court or responsible administrative authority:

- 16       (1)    The transfer is in the best interest of the payee, taking into account the welfare and  
17            support of the payee's dependents;
- 18       (2)    The payee has been advised in writing by the transferee to seek independent  
19            professional advice regarding the transfer and has either received such advice or  
20            knowingly waived such advice in writing; and
- 21       (3)    The transfer does not contravene any applicable statute or the order of any court or  
22            other government authority.

23       Section 4. Following a transfer of structured settlement payment rights under this Act:

- 24       (1)    The structured settlement obligor and the annuity issuer shall, as to all parties except

1 the transferee, be discharged and released from any liability for the transferred  
2 payments;

3 (2) The transferee is liable to the structured settlement obligor and the annuity issuer:

4 (a) If the transfer contravenes the terms of the structured settlement, for any taxes  
5 incurred by such parties as a consequence of the transfer; and

6 (b) For any other liabilities or costs, including reasonable costs and attorneys' fees,  
7 arising from compliance by such parties with the order of the court or  
8 responsible administrative authority or arising as a consequence of the  
9 transferee's failure to comply with this Act;

10 (3) Neither the annuity issuer nor the structured settlement obligor may be required to  
11 divide any periodic payment between the payee and any transferee or assignee or  
12 between two or more transferees or assignees; and

13 (4) Any further transfer of structured settlement payment rights by the payee may be  
14 made only after compliance with all of the requirements of this Act.

15 Section 5. An application under this Act for approval of a transfer of structured settlement  
16 payment rights shall be made by the transferee and may be brought in the county in which the  
17 payee resides, in the county in which the structured settlement obligor or the annuity issuer  
18 maintains its principal place of business, or in any court or before any responsible administrative  
19 authority which approved the structured settlement agreement.

20 Not less than twenty days prior to the scheduled hearing on any application for approval of  
21 a transfer of structured settlement payment rights under section 3 of this Act, the transferee shall  
22 file with the court or responsible administrative authority and serve on all interested parties a  
23 notice of the proposed transfer and the application for its authorization, including the following  
24 with such notice:

- 1 (1) A copy of the transferee's application;
- 2 (2) A copy of the transfer agreement;
- 3 (3) A copy of the disclosure statement required under section 2 of this Act;
- 4 (4) A listing of each of the payee's dependents, together with each dependent's age;
- 5 (5) Notification that any interested party is entitled to support, oppose, or otherwise  
6 respond to the transferee's application, either in person or by counsel, by submitting  
7 written comments to the court or responsible administrative authority or by  
8 participating in the hearing; and
- 9 (6) Notification of the time and place of the hearing and notification of the manner in  
10 which, and the time by which written responses to the application must be filed, which  
11 may not be less than fifteen days after service of the transferee's notice, in order to be  
12 considered by the court or responsible administrative authority.

13 Section 6. The provisions of this Act may not be waived by any payee.

14 Section 7. Any transfer agreement entered into on or after the effective date of this Act by  
15 a payee who resides in this state shall provide that disputes under such transfer agreement,  
16 including any claim that the payee has breached the agreement, shall be determined in and under  
17 the laws of this state. No such transfer agreement may authorize the transferee or any other party  
18 to confess judgment or consent to entry of judgment against the payee.

19 Section 8. No transfer of structured settlement payment rights may extend to any payments  
20 that are life-contingent unless, prior to the date on which the payee signs the transfer agreement,  
21 the transferee has established and has agreed to maintain procedures reasonably satisfactory to  
22 the annuity issuer and the structured settlement obligor for periodically confirming the payee's  
23 survival and giving the annuity issuer and the structured settlement obligor prompt written notice  
24 in the event of the payee's death.

1       Section 9. No payee who proposes to make a transfer of structured settlement payment rights  
2 may incur any penalty, forfeit any application fee or other payment, or otherwise incur any  
3 liability to the proposed transferee or any assignee based on any failure of such transfer to satisfy  
4 the conditions of this Act.

5       Section 10. Nothing contained in this Act authorizes any transfer of structured settlement  
6 payment rights in contravention of any law or to imply that any transfer under a transfer  
7 agreement entered into prior to the effective date of this Act is valid or invalid.

8       Section 11. Compliance with the requirements set forth in section 2 of this Act and fulfillment  
9 of the conditions set forth in section 3 of this Act shall be solely the responsibility of the  
10 transferee in any transfer of structured settlement payment rights, and neither the structured  
11 settlement obligor nor the annuity issuer bears any responsibility for, or any liability arising from,  
12 noncompliance with such requirements or failure to fulfill such conditions.

13       Section 12. This Act applies to any transfer of structured settlement payment rights under  
14 a transfer agreement entered into on or after July 1, 2001. Nothing contained in this Act implies  
15 that any transfer under a transfer agreement reached prior to such date is either effective or  
16 ineffective.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

624E0710

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1196** - 01/31/2001

Introduced by: Representatives Begalka, Flowers, Garnos, Hennies (Thomas), Holbeck,  
and Kooistra and Senator Munson

1 FOR AN ACT ENTITLED, An Act to authorize the funding of textbooks through the school  
2 capital outlay fund.

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

4 Section 1. That § 13-16-6 be amended to read as follows:

5 13-16-6. The capital outlay fund of the school district is a fund provided by law to meet  
6 expenditures of three hundred dollars or more which result in the acquisition or lease of or  
7 additions to real property, plant, or equipment. Such an expenditure shall be for land, existing  
8 facilities, improvement of grounds, construction of facilities, additions to facilities, remodeling  
9 of facilities, or for the purchase or lease of equipment. It may also be used for installment or  
10 lease-purchase payments for the purchase of real property, plant or equipment, which have a  
11 contracted terminal date not exceeding twenty years from the date of the installment contract or  
12 lease-purchase and for the payment of the principal of and interest on capital outlay certificates  
13 issued pursuant to § 13-16-6.2. The total accumulated unpaid principal balances of such  
14 installment contracts and lease-purchase and the outstanding principal amounts of such capital

1 outlay certificates may not exceed three percent of the taxable valuation. The school district shall  
2 provide a sufficient levy each year under the provisions of § 13-16-7 to meet the annual  
3 installment contract, lease-purchase and capital outlay certificate payments, including interest.

4 A school district which contracts its student transportation may expend from the capital  
5 outlay fund an amount not to exceed fifteen percent of the contract amount.

6 The capital outlay fund may be used to purchase textbooks and instructional software.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

282E0360

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SCR 6** - 02/16/2001

Introduced by: Senators Moore, Albers, de Hueck, Hutmacher, and Putnam and  
Representatives Michels, Brown (Jarvis), Garnos, Hunhoff, and Nesselhuf

1 A CONCURRENT RESOLUTION, Recognizing the South Dakota Corps of Rediscovery as  
2 the official planning group for South Dakota's commemoration of the Lewis and Clark  
3 Bicentennial.

4 WHEREAS, the bicentennial commemoration of the Lewis and Clark expedition will be a  
5 national event from 2003 through 2006, attracting thousands of visitors to follow the explorers'  
6 trail; and

7 WHEREAS, the Lewis and Clark Trail follows the Missouri River through the State of South  
8 Dakota; and

9 WHEREAS, the State of South Dakota wants to offer these visitors a most enlightening  
10 experience while following the trail through our state; and

11 WHEREAS, a grassroots committee was established by the South Dakota Department of  
12 Tourism five years ago to plan for this grand national event and that committee consists of  
13 members from various federal, state, tribal, county, city, and private entities along the trail; and

14 WHEREAS, this grassroots committee was officially recognized as the South Dakota Corps

1 of Rediscovery by Governor William J. Janklow on Wednesday, July 19, 2000:

2       NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Seventy-sixth Legislature  
3 of the State of South Dakota, the House of Representatives concurring therein, that the South  
4 Dakota Corps of Rediscovery be South Dakota's official planning committee for the  
5 commemoration of the Lewis and Clark Bicentennial Council.