



# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0338

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1016** - 02/12/2007

Introduced by: The Committee on Judiciary at the request of the Bureau of Administration

1 FOR AN ACT ENTITLED, An Act to exempt law enforcement and emergency vehicle  
2 accidents from certain driving records.

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

4 Section 1. That § 32-12-61 be amended to read as follows:

5 32-12-61. The Department of Public Safety shall file all abstracts of court records of  
6 convictions received by it under the laws of this state and all accident reports received. The  
7 Department of Public Safety shall maintain records or make suitable notations on the individual  
8 record of each licensee and any person domiciled in this state who is required to have a driver  
9 license showing the convictions, disqualifications, and other licensing actions for violations of  
10 any state or local law relating to motor vehicle traffic control committed while the licensee or  
11 person was operating any type of vehicle and the traffic accidents in which the licensee or  
12 person has been involved. The information shall be readily ascertainable and available for the  
13 consideration of the department upon any application for renewal of a license. However, with  
14 the exception of convictions resulting from operation of a commercial motor vehicle, no  
15 conviction for speeding which is ten miles per hour or less over the posted speed limit and no



1 speeding conviction received from another state may be entered on the licensee's driving record,  
2 but may be recorded separately. The separate record may not be made available to the public.  
3 No accident may be entered on the driving record of a law enforcement officer, firefighter, or  
4 emergency medical technician if such accident resulted from the law enforcement officer's,  
5 firefighter's, or emergency medical technician's response to a call of duty as a law enforcement  
6 officer, firefighter, or emergency medical technician and the law enforcement officer, firefighter,  
7 or emergency medical technician was lawfully engaged in the performance of official duties and  
8 was driving an official vehicle. Such accident shall be recorded separately.

9 Section 2. That § 32-35-101 be amended to read as follows:

10 32-35-101. The Department of Public Safety shall furnish to any person upon request a  
11 certified abstract of the operating record for the last three years of any person subject to the  
12 provisions of this chapter. The abstract shall include enumeration of any motor vehicle accidents  
13 in which the person has been involved and reference to any convictions of the person for a  
14 violation of the motor vehicle laws as reported to the department. No accident may be entered  
15 on the driving record of a law enforcement officer, firefighter, or emergency medical technician  
16 if such accident resulted from the law enforcement officer's, firefighter's, or emergency medical  
17 technician's response to a call of duty as a law enforcement officer, firefighter, or emergency  
18 medical technician and the law enforcement officer, firefighter, or emergency medical  
19 technician was lawfully engaged in the performance of official duties and was driving an official  
20 vehicle. Such accident shall be recorded separately. The department shall collect four dollars  
21 for each abstract. The fee shall be credited to the state motor vehicle fund. Any governmental  
22 entity or subdivision is exempt from this fee.

23 Section 3. That chapter 58-11 be amended by adding thereto a NEW SECTION to read as  
24 follows:

1 No insurer may increase the premium or rate of an insured at policy issuance, during the  
2 term of a policy, or at renewal because of an accident if the insured was responding to a call of  
3 duty as a law enforcement officer, firefighter, or emergency medical technician for any accident:

4 (1) That occurred while the law enforcement officer, firefighter, or emergency medical  
5 technician was lawfully engaged in the performance of official duties; and

6 (2) That occurred while the law enforcement officer, firefighter, or emergency medical  
7 technician was driving an official vehicle; and

8 (3) For which the law enforcement officer, firefighter, or emergency medical technician  
9 furnishes notice to the insurer that the accident occurred under circumstances  
10 identified in subdivisions (1) and (2) of this section.

11 This section is not applicable to commercial lines policies.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0330

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1068** - 02/12/2007

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney  
General

1 FOR AN ACT ENTITLED, An Act to revise the criminal penalty for perjury.

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

3 Section 1. That § 22-29-5 be amended to read as follows:

4 22-29-5. Perjury:

5 (1) If committed in any trial for felony, is a Class 3 felony;

6 (2) If committed in any other trial, court proceeding, deposition, or administrative  
7 proceeding conducted under oath, is a Class 5 felony;

8 (3) If committed in any other manner proscribed by law, is a Class 1 misdemeanor.



# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

626N0434

## HOUSE ENGROSSED NO. **HB 1160** - 02/07/2007

Introduced by: Representatives Rhoden and Hargens and Senators Gray and Heidepriem

1 FOR AN ACT ENTITLED, An Act to repeal the requirement for physician involvement in the  
2 execution of a sentence of death by eliminating certain specified roles.

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

4 Section 1. That § 23A-27A-34 be amended to read as follows:

5 23A-27A-34. The warden of the penitentiary shall request, by at least two days' previous  
6 notice, the presence of the attorney general, the trial judge before whom the conviction was had  
7 or ~~his~~ the judge's successor in office, the state's attorney and sheriff of the county where the  
8 crime was committed, and not more than ten reputable adult citizens, including at least one  
9 member of the news media, to be selected by the warden at the execution. ~~The warden shall also~~  
10 ~~arrange for the attendance of the prison physician and two other licensed physicians of this state.~~  
11 The warden shall arrange for the attendance of ~~such~~ any prison guards and ~~peace law~~  
12 ~~enforcement officers as he may deem~~ the warden deems proper.

13 Section 2. That § 23A-27A-38 be repealed.

14 ~~—23A-27A-38. Immediately after the execution a post-mortem examination of the body of the~~  
15 ~~defendant shall be made by the physicians present and they shall report in writing the result of~~  
16 ~~their examination stating the nature thereof and the finding made, which report shall be annexed~~



1 ~~to the return mentioned in § 23A-27A-40 and filed therewith.~~

2 Section 3. That § 23A-27A-39 be amended to read as follows:

3 23A-27A-39. ~~After the post-mortem examination the~~ The body of the defendant, unless  
4 claimed by some relative, shall be interred in a cemetery within the county where the  
5 penitentiary is situated.

6 Section 4. That § 23A-27A-40 be amended to read as follows:

7 23A-27A-40. The warden or prison officer attending the execution and in charge ~~thereof~~  
8 ~~must of the execution shall~~ immediately prepare and sign a certificate and return setting forth  
9 the time, place, and manner ~~thereof~~ of the execution, and that the defendant was ~~then and there~~  
10 executed in conformity to the judgment of the court and the provisions of this chapter. ~~He~~ The  
11 warden or prison officer shall sign the certificate and return and shall also procure the same to  
12 be signed by all the persons present and witnessing the execution and shall ~~thereupon cause file~~  
13 the certificate ~~together with the certificate of the post-mortem examination mentioned in § 23A-~~  
14 ~~27A-38 to be filed~~ within ten days after the execution in the office of the clerk of the court  
15 where the trial and conviction of the defendant ~~was had~~ took place.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

554N0527

## HOUSE TRANSPORTATION COMMITTEE ENGROSSED NO. **HB 1183** - 02/01/2007

Introduced by: Representatives Peters, Ahlers, Dennert, Elliott, Engels, Hackl, Hargens, Hunt, Juhnke, Moore, Novstrup (Al), Pederson (Gordon), Rhoden, Sigdestad, Street, Turbiville, and Weems and Senators Napoli, Bartling, Dempster, Duenwald, Garnos, Hansen (Tom), Hanson (Gary), Hauge, Hundstad, Kloucek, Koetzle, and Turbak

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the use of a  
2 transporter license plate.

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

4 Section 1. That § 32-9-57 be amended to read as follows:

5 32-9-57. Any commercial motor carrier located in the state hauling a new trailer with a  
6 manufacturer's statement of origin or certificate of title and who has registered with the  
7 Department of Revenue and Regulation as a transporter may use a transporter plate upon the  
8 streets and highways for in-transit purposes. The fee for a transporter plate is fifty dollars and  
9 the fee shall be deposited in the license plate special revenue fund. Any new trailer with bearing  
10 a transporter plate may be used ~~to haul other new trailers~~ for a period of ten days. A bill of  
11 lading that contains the origin and destination of the new trailer shall accompany each  
12 movement. No transporter may use a transporter plate for any other purpose. A violation of this  
13 section is a ~~Class 1~~ Class 2 misdemeanor.



# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

707N0034

## SENATE ENGROSSED NO. **SB 3** - 02/13/2007

Introduced by: Senators Gray, Hunhoff, Koetzle, Olson (Ed), and Peterson (Jim) and Representatives Dennert, Heineman, Pederson (Gordon), and Putnam at the request of the Constitutional Revision Commission

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the circulation and  
2 signing of initiative and referendum petitions and to provide a penalty for violation thereof.

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

4 Section 1. That § 2-1-10 be amended to read as follows:

5 2-1-10. Each person, who circulates and secures signatures to a petition to initiate ~~or submit~~  
6 a constitutional amendment or other measure or to refer legislation to the electors ~~any law~~  
7 ~~pursuant to S.D. Const., Art. III, § 1~~, shall sign a verification ~~of circulator~~ before filing the  
8 petition with the officer in whose office it is by law required to be filed. The verification shall  
9 prescribe that the circulator made reasonable inquiry and, to the best of the circulator's  
10 knowledge, each person signing the petition is a qualified voter of the state in the county  
11 indicated on the signature line and that no state statute regarding the circulation of petitions was  
12 knowingly violated. The State Board of Elections shall prescribe the form for the verification  
13 ~~of circulator~~. The verification ~~of circulator~~ shall be witnessed by a notary public commissioned  
14 in South Dakota or other officer authorized to administer oaths pursuant to § 18-3-1. Any person  
15 who falsely swears to the verification provided for in this section is guilty of a Class 1



1 misdemeanor.

2 Section 2. That § 2-1-6 be amended to read as follows:

3 2-1-6. Every person who is a qualified voter may sign a petition to ~~propose a measure~~  
4 initiate a constitutional amendment or other measure or ~~submit to refer a law.~~ ~~Whoever~~ If a  
5 person, knowing he or she is not a qualified voter of the state or knowing that he or she has  
6 already signed the same petition, signs a petition for initiation ~~or referendum~~ of a constitutional  
7 amendment or other measure or for referral of legislation, ~~when he is not a qualified voter of the~~  
8 ~~state,~~ or if any person signs a name other than his or her own, that person is guilty of a Class 1  
9 misdemeanor.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

400N0316

SENATE GOVERNMENT OPERATIONS AND AUDIT

COMMITTEE ENGROSSED NO. **SB 14** - 02/07/2007

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: The Committee on Commerce at the request of the Department of Public Safety

1 FOR AN ACT ENTITLED, An Act to increase the maximum fees for conducting certain  
2 weights and measures inspections and testing.

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

4 Section 1. That § 37-21-9.1 be amended to read as follows:

5 37-21-9.1. The Division of Commercial Inspection and Licensing shall charge and collect  
6 a ~~maximum ten dollar~~ fee for each inspection and testing of any weight, measure, and weighing  
7 and measuring device based on the following schedule:

8 (1) Beginning July 1, 2007-sixteen dollars;

9 (2) Beginning July 1, 2008-twenty-two dollars;

10 (3) Beginning July 1, 2009-twenty-eight dollars;

11 (4) Beginning July 1, 2010-thirty-four dollars.

12 The fee shall be paid upon demand of the division by the person, firm, or corporation owning  
13 or operating the weight, measure, or weighing or measuring device inspected or tested. A  
14 ~~maximum fee of five dollars~~ shall be charged and collected for each inspection and testing of



1 gasoline and diesel stationary fuel pump meters based on the following schedule:

- 2 (1) Beginning July 1, 2007-eight dollars;
- 3 (2) Beginning July 1, 2008-eleven dollars;
- 4 (3) Beginning July 1, 2009-fourteen dollars;
- 5 (4) Beginning July 1, 2010-seventeen dollars.

6 A ~~maximum fee of fifteen dollars~~ shall be charged and collected for each inspection and testing  
7 of gasoline and diesel high speed stationary fuel pump meters and for refined fuel truck meters  
8 based on the following schedule:

- 9 (1) Beginning July 1, 2007-twenty-five dollars;
- 10 (2) Beginning July 1, 2008-thirty-six dollars;
- 11 (3) Beginning July 1, 2009-forty-six dollars;
- 12 (4) Beginning July 1, 2010-fifty-six dollars.

13 ~~A maximum fee of fifteen dollars shall be collected for refined fuel truck meters.~~ If a special or  
14 emergency inspection is requested, a charge, not to exceed the actual cost of such inspection,  
15 including costs for personnel, equipment, and mileage, shall be made and assessed against the  
16 requesting individual or device owner. ~~All fees, except those for special or emergency~~  
17 ~~inspection, shall be promulgated by the secretary of the Department of Public Safety pursuant~~  
18 ~~to chapter 1-26.~~

19 Section 2. That § 37-22-10 be amended to read as follows:

20 37-22-10. The Division of Commercial Inspection and Licensing shall charge and collect  
21 a fee for each inspection or testing of scales. The fee shall be paid upon demand of the division  
22 by the person, firm, or corporation owning or operating the scale inspected or tested. The  
23 ~~maximum~~ schedule of fees is as follows:

- 24 (1) Up to and including 2,000 pounds capacity ~~---fifteen dollars;~~

- 1           (a)    1. Beginning July 1, 2007-twenty dollars;
- 2           (b)    2. Beginning July 1, 2008-twenty-four dollars;
- 3           (c)    3. Beginning July 1, 2009-twenty-nine dollars;
- 4           (d)    4. Beginning July 1, 2010-thirty-four dollars;
- 5       (2)    2,001 to 5,000 pounds capacity, inclusive ~~---twenty-five dollars;~~
- 6           (a)    1. Beginning July 1, 2007-thirty-three dollars;
- 7           (b)    2. Beginning July 1, 2008-forty-one dollars;
- 8           (c)    3. Beginning July 1, 2009-forty-eight dollars;
- 9           (d)    4. Beginning July 1, 2010-fifty-six dollars;
- 10       (3)    5,001 to 40,000 pounds capacity, inclusive ~~---sixty dollars;~~
- 11          (a)    1. Beginning July 1, 2007-sixty-seven dollars;
- 12          (b)    2. Beginning July 1, 2008-seventy-five dollars;
- 13          (c)    3. Beginning July 1, 2009-eighty-two dollars;
- 14          (d)    4. Beginning July 1, 2010-ninety dollars;
- 15       (4)    Over 40,000 pounds capacity ~~---seventy-five dollars;~~
- 16          (a)    1. Beginning July 1, 2007-eighty-four dollars;
- 17          (b)    2. Beginning July 1, 2008-ninety-four dollars;
- 18          (c)    3. Beginning July 1, 2009-one hundred three dollars;
- 19          (d)    4. Beginning July 1, 2010-one hundred twelve dollars;
- 20       (5)    All livestock scales ~~---one hundred dollars;~~
- 21          (a)    1. Beginning July 1, 2007-one hundred twenty-four dollars;
- 22          (b)    2. Beginning July 1, 2008-one hundred forty-eight dollars;
- 23          (c)    3. Beginning July 1, 2009-one hundred seventy-three dollars;
- 24          (d)    4. Beginning July 1, 2010-one hundred ninety-seven dollars.

1 If a special or emergency inspection is requested, a charge, not to exceed the actual cost of  
2 such inspection, including costs for personnel, equipment, and mileage, shall be made and  
3 assessed against the requesting individual or device owner.

4 Section 3. That § 34-39-3 be amended to read as follows:

5 34-39-3. The Department of Public Safety may test all weighing and measuring devices used  
6 in the wholesale or retail sale of liquefied petroleum gas, either in liquid or vapor form, and  
7 shall condemn or reject for repair, any device which is found either to be inaccurate or does not  
8 clearly state the quantity of liquefied petroleum gas, either in liquid or vapor form, in pounds,  
9 gallons, cubic feet, or other unit approved by the department.

10 The department shall charge and collect a ~~maximum twenty-dollar~~ fee for each test. ~~The fee~~  
11 ~~shall be promulgated by the secretary of public safety pursuant to chapter 1-26~~ based on the  
12 following schedule:

- 13 (1) Beginning July 1, 2007-thirty-six dollars;  
14 (2) Beginning July 1, 2008-fifty-two dollars;  
15 (3) Beginning July 1, 2009-sixty-eight dollars;  
16 (4) Beginning July 1, 2010-eighty-four dollars.

17 Revenue from the fee shall be deposited into the state general fund.

18 Any inspector employed by the department may enter and examine any liquefied petroleum  
19 gas plant for safety standard purposes no more than every two years, except for any reinspection  
20 resulting from a deficiency. The department shall charge and collect a ~~maximum one hundred~~  
21 ~~dollar~~ fee for each inspection based on the following schedule:

- 22 (1) Beginning July 1, 2007-fifty-eight dollars;  
23 (2) Beginning July 1, 2008-seventy-six dollars;  
24 (3) Beginning July 1, 2009-ninety-four dollars;

1       (4) Beginning July 1, 2010-one hundred twelve dollars.

2 ~~The fee shall be promulgated by the secretary of public safety pursuant to chapter 1-26.~~

3       For the purposes of this section, a liquefied petroleum gas plant is a retail distribution  
4 facility with a capacity of at least eight thousand gallons.

5       Section 4. That § 37-21A-3 be amended to read as follows:

6       37-21A-3. The director shall charge an annual registration fee ~~of twenty-five dollars per for~~  
7 ~~service agency plus five dollars per agencies and for registered serviceman~~ servicemen to cover  
8 administrative costs based on the following schedule:

9       (1) Beginning July 1, 2007-forty dollars (per agency) and seven dollars (per serviceman);

10       (2) Beginning July 1, 2008-fifty-five dollars (per agency) and eight dollars (per  
11 serviceman);

12       (3) Beginning July 1, 2009-sixty-nine dollars (per agency) and ten dollars (per  
13 serviceman);

14       (4) Beginning July 1, 2010-eighty-four dollars (per agency) and eleven dollars (per  
15 serviceman).

16       The fee shall be paid when the registration or renewal application is made.

17       Section 5. That § 37-21A-7 be amended to read as follows:

18       37-21A-7. A registered serviceman and a registered service agency shall submit, annually  
19 to the director, for examination and certification, any standards and testing equipment that are  
20 used, or are to be used, in the performance of the service and testing functions with respect to  
21 weighing and measuring devices for which competence is registered. No registered service  
22 person or agency may use in servicing any commercial weighing or measuring device any  
23 standards or testing equipment that have not been certified by the director. The Department of  
24 Public Safety shall charge a fee ~~not to exceed the actual cost of~~ for such examination and

1 certification, ~~including costs for personnel, equipment, and mileage~~ based on the following  
2 schedule:

- 3 (1) Beginning July 1, 2007-sixty-two dollars per hour;
- 4 (2) Beginning July 1, 2008-seventy-nine dollars per hour;
- 5 (3) Beginning July 1, 2009-ninety-six dollars per hour;
- 6 (4) Beginning July 1, 2010-one hundred twelve dollars per hour.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

277N0577

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 104** - 02/09/2007

**This bill has been extensively amended (houghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Senators Knudson, Abdallah, Albers, Dempster, Duenwald, Gant, Garnos, Gray, Hansen (Tom), Hauge, Hunhoff, Lintz, McCracken, McNenny, Olson (Ed), and Smidt (Orville) and Representatives Rhoden, Boomgarden, Brunner, Buckingham, Carson, Cutler, Davis, Deadrick, DeVries, Dreyer, Dykstra, Faehn, Gilson, Hackl, Hanks, Haverly, Heineman, Hills, Howie, Hunt, Jerke, Juhnke, Kirkeby, Koistinen, Krebs, Lust, McLaughlin, Nelson, Noem, Novstrup (Al), Novstrup (David), Olson (Betty), Olson (Russell), Olson (Ryan), Pederson (Gordon), Peters, Pitts, Putnam, Rausch, Rave, Rounds, Steele, Tidemann, Turbiville, Van Etten, Vanneman, Vehle, Weems, Wick, and Willadsen

1 FOR AN ACT ENTITLED, An Act to create and provide for the education enhancement  
2 tobacco tax fund and the health care tobacco tax fund.

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

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

6 There is hereby created in the state treasury the education enhancement tobacco tax fund.

7 All moneys in the education enhancement tobacco tax fund are subject to appropriation by the

8 Legislature through the General Appropriations Act or special appropriations acts for education

9 enhancement programs. Any interest earned shall be credited to the fund.

10 Section 2. That chapter 4-5 be amended by adding thereto a NEW SECTION to read as



1 follows:

2 There is hereby created in the state treasury the health care tobacco tax fund. All moneys in  
3 the health care tobacco tax fund are subject to appropriation by the Legislature through the  
4 General Appropriations Act or special appropriations acts for health care related programs. Any  
5 interest earned shall be credited to the fund.

6 Section 3. That § 10-50-52 be amended to read as follows:

7 10-50-52. The first thirty million dollars in revenue collected annually pursuant to this  
8 chapter shall be deposited in the general fund. All revenue in excess of thirty million dollars  
9 collected annually shall be deposited in the tobacco prevention and reduction trust fund. Five  
10 million dollars of the revenue deposited annually in the tobacco prevention and reduction trust  
11 fund pursuant to this section shall be used to implement the tobacco prevention and reduction  
12 program. Thirty-three percent of any revenue deposited in the tobacco prevention and reduction  
13 trust fund in excess of five million dollars shall be transferred to the property tax reduction fund.  
14 Thirty-three percent of any revenue deposited in the tobacco prevention and reduction trust fund  
15 in excess of five million dollars shall be transferred to the education enhancement ~~trust~~ tobacco  
16 tax fund. Thirty-four percent of any revenue deposited in the tobacco prevention and reduction  
17 trust fund in excess of five million dollars shall be transferred to the health care ~~trust~~ tobacco  
18 tax fund.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

337N0682

SENATE HEALTH AND HUMAN SERVICES

COMMITTEE ENGROSSED NO. **SB 132** - 02/12/2007

**This bill has been extensively amended (houghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Senators Dempster, Gray, Hansen (Tom), Heidepriem, Jerstad, Katus, and Olson (Ed) and Representatives Dykstra, Cutler, Halverson, Jerke, Nygaard, and Rave

1 FOR AN ACT ENTITLED, An Act to establish the Zaniya Project Task Force, to prescribe its  
2 mission and composition, and to declare an emergency.

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

4 Section 1. There is established the Zaniya Project Task Force, which shall be attached to the  
5 South Dakota Health Care Commission. The task force shall develop a plan, complete with  
6 action steps and timelines, to provide health insurance to South Dakota residents who lack  
7 health insurance coverage. The task force shall seek to create efficiencies in the purchase of  
8 health insurance products. For any new proposal it recommends, the task force shall prepare cost  
9 estimates and designate funding sources. As part of its charge, the task force shall explore and  
10 pursue opportunities available from the federal government.

11 Section 2. The Zaniya Project Task Force shall be comprised of four legislators and other  
12 members appointed by the Governor as described in this section. The speaker of the House of  
13 Representatives shall appoint two legislators who are members of the House and the president  
14 pro tempore of the Senate shall appoint two legislators who are members of the Senate. The



1 Governor shall appoint no less than two representatives of each of the following groups:

- 2 (1) Health care providers;
- 3 (2) Health care facilities;
- 4 (3) Insurance carriers and producers;
- 5 (4) Employers;
- 6 (5) State government;
- 7 (6) Lay persons;
- 8 (7) Trade associations; and
- 9 (8) Tribal health professionals.

10 Section 3. The Zaniya Project Task Force shall provide its final report to the Health Care  
11 Commission, the Governor, and the Legislature by September 30, 2007.

12 Section 4. The provisions of this Act are repealed on March 1, 2008.

13 Section 5. Whereas, this Act is necessary for the immediate preservation of the public peace,  
14 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and  
15 effect from and after its passage and approval.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

466N0446

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 169** - 02/12/2007

Introduced by: Senators Heidepriem, Bartling, Dempster, Garnos, Gray, Hansen (Tom), Hanson (Gary), Hoerth, Hunhoff, Jerstad, Katus, Kloucek, Knudson, McCracken, Nesselhuf, Olson (Ed), Peterson (Jim), Turbak, and Two Bulls and Representatives Hargens, Ahlers, Bradford, Burg, Elliott, Engels, Gassman, Gillespie, Glenski, Halverson, Lucas, Miles, Nygaard, Sigdestad, Street, and Thompson

1 FOR AN ACT ENTITLED, An Act to provide for the formation of legislative ethics committees  
2 and to provide for the adoption of legislative codes of ethics.

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

4 Section 1. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 An ethics committee is established in the Senate and an ethics committee is established in  
7 the House of Representatives, each consisting of five members. The president pro tempore of  
8 the Senate and speaker of the House of Representatives shall appoint the ethics committee of  
9 their respective houses. Each committee shall be composed of five members, not more than  
10 three of whom may be from the same political party.

11 Section 2. That chapter 2-6 be amended by adding thereto a NEW SECTION to read as  
12 follows:

13 Each ethics committee shall propose, and each house of the Legislature shall adopt, not later



1 than fifteen legislative days after the beginning of the Eighty-third Session of the South Dakota  
2 Legislature, a code of ethics and conflict of interest requirements as new chapters in the Senate  
3 and House rules and shall consider such recommendations as the ethics committee shall make  
4 regarding the procedures to be used by the select committees established pursuant to chapter 8  
5 of the Senate rules or chapter 6 of the House rules.

6 Section 3. Each ethics committee appointed pursuant to section 1 of this Act shall terminate  
7 after delivery of its report to its respective house.

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

364N0353

## SENATE HEALTH AND HUMAN SERVICES

### COMMITTEE ENGROSSED NO. **SB 196** - 02/12/2007

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Senators Hansen (Tom), Hoerth, Hunhoff, Jerstad, and Knudson and Representatives Van Etten, Cutler, Elliott, Faehn, Gilson, Glenski, McLaughlin, Miles, Novstrup (Al), Novstrup (David), Pitts, Rave, Thompson, and Weems

1 FOR AN ACT ENTITLED, An Act to revise the places where smoking is prohibited.

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

3 Section 1. That § 22-36-2 be amended to read as follows:

4 22-36-2. No person may smoke tobacco or carry any lighted tobacco product in any public  
5 place or place of employment. This section does not apply to any sleeping room in a lodging  
6 establishment as defined in § 34-18-1, ~~to any on-sale licensee pursuant to chapter 35-4~~, to any  
7 video lottery licensed establishment pursuant to chapter 42-7A, to any licensee pursuant to  
8 chapter 42-7B, or to any tobacco ~~or packaged liquor~~ store if the store is primarily used for the  
9 sale of tobacco ~~or alcoholic beverages, or both~~, and the sale of other products is merely  
10 incidental.

11 A violation of this section is a petty offense.

