

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

400J0323

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1023** -

01/20/2004

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Agriculture

1 FOR AN ACT ENTITLED, An Act to revise the scope of services provided by the state fire
2 equipment shop and to authorize the shop to charge for costs incurred for rural fire
3 assistance programs.

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

5 Section 1. That § 34-31-6 be amended to read as follows:

6 34-31-6. The ~~secretary of agriculture or his designee~~ Department of Agriculture shall operate
7 a fire equipment shop to acquire and renovate equipment and distribute fire equipment, supplies
8 and parts, that are not available through the Bureau of Administration, and federal and state
9 excess vehicles and property to counties and ~~volunteer rural~~ rural fire departments for the suppression
10 of rural fires. The department may charge recipients for reasonable direct and indirect costs of
11 providing such rural fire equipment, vehicles, and supplies to counties and rural fire
12 departments. The department may administer federal and state cost assistance programs related
13 to such rural fire protection. The vehicles and property may be provided with clear title by the
14 ~~division~~ department to counties and ~~volunteer rural~~ rural fire departments, or the title may be retained



1 by the state or federal government.

2 Section 2. That § 34-31-8 be amended to read as follows:

3 34-31-8. Notwithstanding the provisions of § 5-23-2, the ~~secretary of agriculture or his~~
4 ~~designee~~ Department of Agriculture may purchase used motor vehicles and equipment at
5 auctions of federal and state surplus property, or from public and private utility companies,
6 irrespective of whether or not the sellers of ~~said~~ the vehicles are licensed dealers as required by
7 § 5-23-2, for distribution to fire departments for fire suppression. The department may charge
8 recipients for reasonable direct and indirect costs of providing such rural fire equipment,
9 vehicles, and supplies to counties and rural fire departments. The department may administer
10 federal and state cost assistance programs related to such rural fire protection.

11 Section 3. That § 34-31-9 be repealed.

12 ~~— 34-31-9. The secretary of agriculture may promulgate rules pursuant to chapter 1-26~~
13 ~~concerning:~~

14 ~~— (1) — The procedures for cost/share payments to the counties and volunteer fire~~
15 ~~departments;~~

16 ~~— (2) — The procedures for the acquisition and renovation of equipment; and~~

17 ~~— (3) — The procedures for the distribution of federal and state excess property.~~

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

400J0322

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1024** -

01/20/2004

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Agriculture

1 FOR AN ACT ENTITLED, An Act to authorize counties to use the South Dakota grassland fire
2 index to regulate the use of fireworks.

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

4 Section 1. That § 34-37-19 be amended to read as follows:

5 34-37-19. Any county may, by resolution, regulate or prohibit the use of fireworks outside
6 the boundaries of any municipality in those areas where the fire danger, as determined by use
7 of the ~~rangeland fire index as established by rule promulgated pursuant to chapter 1-26, by the~~
8 ~~secretary of agriculture~~ South Dakota grassland fire danger index published by the National
9 Weather Service, has reached the extreme category in that county during the period from June
10 twentieth to July second, inclusive. During such period, the county's action is suspended if the
11 ~~rangeland fire~~ grassland fire danger index falls below the very high category and shall again
12 become effective if the ~~rangeland fire~~ grassland fire danger index reaches the extreme category.



State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

455J0397

HOUSE COMMERCE COMMITTEE ENGROSSED NO.

HB 1072 - 01/20/2004

Introduced by: The Committee on Commerce at the request of the Public Utilities
Commission

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the authority of the
2 Public Utilities Commission to impose civil fines.

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

4 Section 1. That § 49-31-38 be amended to read as follows:

5 49-31-38. Any person who violates, neglects, fails, or refuses to comply with any of the
6 provisions of chapters ~~49-30 to 49-32, inclusive,~~ 49-1A, 49-13, and this chapter, not otherwise
7 specifically penalized in those chapters, or who violates, neglects, fails, or refuses to comply
8 with any lawful order, rule, or regulation of the commission in connection with the regulation
9 of telecommunications companies, is punishable, after notice and opportunity for hearing by a
10 civil fine of not less than two hundred nor more than one thousand dollars for each offense.

11 Section 2. That § 49-31-38.1 be amended to read as follows:

12 49-31-38.1. Except as otherwise specifically provided ~~or unless relieved from the~~
13 ~~consequences of a violation of law, any telecommunications company subject to the provisions~~
14 ~~of this chapter, or whenever any such telecommunications company is a corporation, any~~
15 ~~director or officer thereof, or any receiver, trustee, lessee, agent or person acting for or employed~~



1 ~~by such corporation who, alone, or with any other corporation, company, person or party, any~~
2 person who intentionally does or causes to be done, or intentionally permits or omits to be done,
3 any act, matter or thing prohibited, required, or declared to be unlawful in chapters ~~49-7 to 49-~~
4 1A, 49-13, inclusive, and this chapter ~~shall be punished, or intentionally violates, or refuses to~~
5 comply with any lawful order, rule, or regulation of the commission, is punishable, after notice
6 and opportunity for hearing, by a civil fine of not less than five hundred nor more than five
7 thousand dollars for each offense.