

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0205 **HOUSE APPROPRIATIONS COMMITTEE ENGROSSED**
NO. HB 1010 - 01/19/2007

Introduced by: The Committee on Appropriations at the request of the Department of
Military and Veterans Affairs

1 FOR AN ACT ENTITLED, An Act to make an appropriation to provide for the renovation of
2 the nursing care building on the South Dakota Veterans' Home campus.

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

4 Section 1. There is hereby appropriated from the state general fund the sum of one million
5 eighty-two thousand seven hundred eighty-three dollars (\$1,082,783), and one million eight
6 hundred seven thousand five hundred twenty-six dollars (\$1,807,526) in federal fund
7 expenditure authority, or so much thereof as may be necessary, to the Department of Military
8 and Veterans Affairs for the purposes of renovation of the nursing care building on the South
9 Dakota Veterans' Home campus in Hot Springs to include the installation of fire retardant doors,
10 a fire pump, and a sprinkler control system, the replacement of fire escapes on the building
11 exterior, and the upgrade of the nurse call system.

12 Section 2. The secretary of the Department of Military and Veterans Affairs shall approve
13 vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

14 Section 3. Any amounts appropriated in this Act not lawfully expended or obligated by
15 June 30, 2009, shall revert in accordance with § 4-8-21.



State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0274

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1024** -

01/23/2007

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding application for game
2 and fish licenses and preference points.

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

4 Section 1. That § 41-6-73 be amended to read as follows:

5 41-6-73. No person may at any time apply for, procure, or possess a license or preference
6 point under an assumed name or in which an address other than ~~his~~ the person's regular place
7 of residence is given, or make any false statement whatsoever in securing a license or preference
8 point, lend a license or tag to another, or knowingly issue or aid in securing a license or
9 preference point for himself or herself or any other person not legally entitled to it. Any person
10 violating any of the provisions of this section is guilty of a Class 1 misdemeanor.

11 Section 2. That § 41-6-75.2 be amended to read as follows:

12 41-6-75.2. A person whose hunting, trapping, or fishing privileges have been suspended ~~and~~
13 ~~who hunts, traps, or fishes in this state or who applies for or purchases any licenses or permits~~
14 ~~to hunt, trap, or fish in this state, is guilty of~~ is prohibited from exercising the suspended



1 privilege, or applying for a license, permit, or preference point that corresponds to the suspended
2 privilege. A violation of this section is a Class 1 misdemeanor.

3 Section 3. That § 41-6-12 be amended to read as follows:

4 41-6-12. Any person who is a resident of this state, as defined by this title, qualifies as
5 resident for securing any resident hunting or fishing license or preference points. All other
6 persons shall secure the applicable nonresident hunting and fishing licenses or preference points.

7 No person under the age of twelve years may be granted any hunting license or preference point.

8 However, any person who is eleven years of age and who will become twelve years of age

9 during the period September first through December thirty-first, inclusive, may be granted any

10 hunting license or preference point and be allowed to hunt beginning September first.

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

570N0394

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1104** - 01/23/2007

Introduced by: Representatives Pederson (Gordon) and Howie and Senator Lintz

1 FOR AN ACT ENTITLED, An Act to revise certain township powers related to water and
2 sewerage systems.

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

4 Section 1. That § 8-2-8 be amended to read as follows:

5 8-2-8. Each organized township in the state ~~has power, when~~ may, if an unincorporated town
6 is within its limits:

7 (1) ~~To regulate~~ Regulate the laying of sidewalks and crosswalks along, over, or across
8 the streets and alleys ~~thereof~~ of the unincorporated town;

9 (2) ~~To regulate~~ Regulate the depositing of garbage, ashes, offal, or any offensive matter
10 which might endanger the health of its inhabitants;

11 (3) ~~To prohibit~~ Prohibit within the limits of ~~such~~ the unincorporated town the use of
12 dangerous or defective stovepipes or chimneys;

13 (4) ~~To abate~~ Abate any nuisance found within its corporate limits;

14 (5) ~~To provide~~ Provide for the purchase and operation of such appliances as may be
15 needed to protect the property of its inhabitants from fire;



- 1 (6) ~~To provide~~ Provide for planting and caring for shade trees along the streets and on
2 public squares or grounds of ~~such~~ the unincorporated town;
- 3 (7) ~~To grant~~ Grant franchises and rights to persons, associations, or corporations; for the
4 sale of electric current; or for the erection of lampposts, electric towers, light or
5 powerlines, or other apparatus;
- 6 (8) ~~To authorize~~ Authorize and regulate the erection and maintenance of street lamps,
7 but the township ~~shall~~ may incur no expense for such erection or maintenance;
- 8 (9) ~~To vote~~ Vote any appropriation necessary for providing a jail; and prescribe such
9 regulations as may be necessary regarding the ~~same~~ jail. Any civil township
10 providing ~~such~~ a jail shall cause notice of the ~~same~~ provision of the jail to be
11 published in the newspaper having the largest circulation in ~~such~~ the township, if
12 there be any, or cause the township clerk to post notice ~~therefor~~ of the provision of
13 the jail in three of the most public places in the township;
- 14 (10) ~~To construct~~ Construct, operate, equip, maintain, extend, and improve any system or
15 part of a system of waterworks and sewers for supplying water and sewerage services
16 for an unincorporated town ~~within its boundaries~~ and the geographic area
17 surrounding the unincorporated town, for industrial, agricultural, and domestic use
18 ~~therein~~, and for such compensation and terms and conditions as it may determine,
19 provided that no system may be constructed, equipped, maintained, extended, or
20 improved more than twenty miles from its exterior boundaries;
- 21 (11) ~~To purchase~~ Purchase, construct, maintain, operate, and lease parks and public
22 recreational facilities ~~when~~ if approved by the voters as provided by subdivision 8-3-
23 2(8).

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

717N0320

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1111** - 01/23/2007

Introduced by: Representatives Rounds, Halverson, and Hanks and Senators Gant and Bartling

1 FOR AN ACT ENTITLED, An Act to permit local government officials and employees to use
2 electronic payments and to permit the state and its political subdivisions to accept electronic
3 payments.

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

5 Section 1. That § 4-3-27 be amended to read as follows:

6 4-3-27. Notwithstanding any other provision of law, local government officials and
7 employees may be permitted to use a credit card or electronic payment for the purchase of
8 materials, supplies, equipment, or other authorized transactions for the benefit of the local
9 government entity. Before authorizing the use of a credit card or electronic payment, the
10 governing body shall, by resolution, establish policies providing for the use and accountability
11 of credit card purchases or electronic transactions. However, no governing body may mandate
12 that the recipient of the payment shall accept payment by electronic transaction.

13 Section 2. That § 4-3-28 be amended to read as follows:

14 4-3-28. Notwithstanding any other provision of law, the state and its political subdivisions
15 may accept a credit card ~~or~~, a debit card, or an electronic payment as payment for a transaction.



1 The state and its political subdivisions may assess and collect a fee in an amount sufficient to
2 cover any processing fee associated with a credit card ~~or~~, debit card, or electronic transaction.
3 The Bureau of Finance and Management shall promulgate rules pursuant to chapter 1-26
4 relating to the establishment and collection of a processing fee associated with a credit card or
5 debit card transaction. The governing body of each political subdivision may, by resolution,
6 establish and collect a processing fee associated with a credit card ~~or~~, debit card, or electronic
7 transaction.

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0211

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 22** - 01/12/2007

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

1 FOR AN ACT ENTITLED, An Act to prohibit the filing of tariffs for certain
2 telecommunications services and to impose certain requirements regarding the availability
3 of telecommunications services information.

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

5 Section 1. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 Unless exempted from filing by § 49-31-5.1, a telecommunications company shall file tariffs
8 only for emerging and noncompetitive telecommunications services. No other
9 telecommunications services may be tariffed.

10 Section 2. That chapter 49-31 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 A telecommunications company shall make available to any person, in at least one location,
13 during regular business hours, information concerning its current rates, terms, and conditions
14 for all of its telecommunications services. The information shall be made available in an easy
15 to understand format and in a timely manner. Following an inquiry or complaint from a person



1 concerning a rate, term, or condition for a telecommunications service, a telecommunications
2 company shall specify that such information is available and the manner in which the person
3 may obtain the information. A telecommunications company shall notify a customer of any
4 materially adverse change to any rate, term, or condition of any telecommunications service
5 being provided to the customer. The notification shall be made at least thirty days in advance
6 of the change.

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0382

SENATE ENGROSSED NO. **SB 58** - 01/17/2007

Introduced by: The Committee on State Affairs at the request of the Department of Tourism
and State Development

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the South Dakota
2 Energy Infrastructure Authority.

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

4 Section 1. That § 1-16I-2 be amended to read as follows:

5 1-16I-2. The South Dakota Energy Infrastructure Authority is created as a body corporate
6 and politic to diversify and expand the state's economy by developing in this state the energy
7 production facilities and the energy transmission facilities necessary to produce and transport
8 energy to markets within the state and outside of the state.

9 Section 2. That § 1-16I-5 be amended to read as follows:

10 1-16I-5. In order to finance energy transmission facilities as authorized pursuant to this
11 chapter, the authority may issue and have outstanding bonds to finance such facilities in an
12 amount not to exceed one billion dollars. However, no bonds may be issued until the issuance
13 of the bonds is specifically approved by an act of the Legislature. The authority shall have
14 contracts sufficient to justify the issuance of bonds.

15 Section 3. That § 1-16I-6 be amended to read as follows:



1 1-16I-6. The authority shall:

2 (1) Meet with any interested owner of transmission lines in South Dakota and any
3 interested generator and distributor of electricity to consumers in South Dakota by
4 August first each year to understand the generation of electricity in South Dakota and
5 the transmission enhancements needed for the transmission of electricity to, from,
6 and within South Dakota, and to analyze how the authority could proactively assist
7 in developing the generation and transmission infrastructure;

8 (2) Report its findings and make recommendations to the Governor, the Legislature, and
9 the South Dakota congressional delegation by December first of each year concerning
10 what the private sector, the state, and the federal government can do to create and
11 enhance the generation of electricity in South Dakota and the transmission of
12 electricity to, from, and within South Dakota. The report due December 1, ~~2005~~
13 2007, shall address and quantify market opportunities for the development, use in-
14 state, and export of South Dakota's enormous wind power resource, including, as
15 appropriate, the export of South Dakota's enormous wind power resource;

16 (3) Annually evaluate state laws and rules affecting electric generation and electric
17 transmission and make recommendations to the Governor and the Legislature for
18 improvements ~~by December first of each year~~;

19 (4) Annually evaluate federal laws and rules affecting electric generation and electric
20 transmission and make recommendations to the South Dakota congressional
21 delegation for improvements by December first of each year;

22 (5) Identify opportunities where owners of transmission lines in South Dakota and
23 generators and distributors of electricity to consumers in South Dakota can cooperate
24 to improve and increase electric transmission in South Dakota and communicate

1 those opportunities to owners, generators, and distributors of electricity in South
2 Dakota;

3 (6) Assist any entity that wants to build new or upgrade existing electric transmission
4 facilities to, from, and within South Dakota by helping the entity develop a business
5 plan and identify financing options; and

6 (7) Assist other state transmission authorities and any federal or regional entity wanting
7 to build new or upgrade existing transmission facilities to deliver electricity to, from,
8 and within South Dakota.

9 Section 4. That § 1-16I-9 be amended to read as follows:

10 1-16I-9. Members of the board shall receive compensation for the performance of their
11 duties as established by the Legislature in accordance with § 4-7-10.4 from the funds of the
12 authority. Members may be reimbursed at rates established by the ~~Bureau of Personnel~~ Board
13 of Finance for necessary expenses, including travel and lodging expenses, incurred in
14 connection with the performance of their duties as members.

15 Section 5. That § 1-16I-12 be amended to read as follows:

16 1-16I-12. The board shall meet on the call of the chair, upon the written request of ~~four~~ three
17 members of the board, or upon the request of the executive director.

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

19 1-16I-13. A majority of the members of the board constitute a quorum for the transaction
20 of business. All official acts of the authority shall require the affirmative vote of at least ~~four~~
21 three members of the board at a meeting of the board at which the members casting those
22 affirmative votes are present.