

A JOINT RESOLUTION, To revise certain constitutional provisions regarding the Legislature.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH DAKOTA, THE SENATE CONCURRING THEREIN:

Section 1. That at the next general election, the following amendments to Article III of the Constitution of the State of South Dakota, as set forth in sections 2 to 10, inclusive, of this Joint Resolution, which are hereby agreed to, shall be submitted to the electors of the state for approval.

Section 2. That Article III, section 2 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 2. The number of members of the house of representatives shall not be less than fifty nor more than seventy-five, and the number of members of the senate shall not be less than twenty-five nor more than thirty-five.

Section 3. That Article III, section 6 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 6. The terms of office of the members of the Legislature shall be two years; they shall receive for their services the salary fixed by law under the provisions of § 2 of article XXI of this Constitution.

No person may serve more than four consecutive terms or a total of eight consecutive years in the senate and more than four consecutive terms or a total of eight consecutive years in the house of representatives. However, this restriction does not apply to partial terms to which a legislator may be appointed.

A regular session of the Legislature shall not exceed forty legislative days in each odd-numbered year and shall not exceed thirty-five legislative days in each even-numbered year except in cases of impeachment. Sundays, holidays, and days of legislative recess shall not be included as legislative days. Members of the Legislature shall receive no other pay or perquisites except salary, expenses,

per diem, and mileage as provided by law.

Section 4. That Article III, section 13 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 13. Each house shall keep a journal of its proceedings and publish the same as provided by law. The yeas and nays of members on any question shall be taken at the desire of one-sixth of those present and entered upon the journal.

Section 5. That Article III, section 14 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 14. In all elections to be made by the Legislature the members thereof shall vote and their votes shall be entered in the journal.

Section 6. That Article III, section 15 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 15. All legislative sessions and joint sessions shall be open to the public unless a two-thirds majority of the membership declares the business is such as ought to be kept secret. No votes may be taken at any session or meeting closed to the public.

Section 7. That Article III, section 17 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 17. Every bill shall be entered upon the journal, by number and title, when introduced and shall be read, by number and title, prior to final passage.

Section 8. That Article III, section 23 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 23. The Legislature may not pass any special or local law when a general law can be made applicable. Whether a general law can be made applicable shall be a matter for judicial determination.

Section 9. That Article III, section 29 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 29. Notwithstanding any general or special provisions of the Constitution, in order to insure continuity of state and local governmental operations in periods of emergency resulting from a natural or man-made disaster or a disaster caused by enemy attack, the Legislature shall have the power and the immediate duty to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred the Legislature shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the Legislature so to do would be impracticable or would admit of undue delay.

Section 10. That Article III, section 32 of the Constitution of the State of South Dakota, be repealed.

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I certify that the attached
Resolution originated in the
HOUSE as Joint Resolution No.
1003

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Joint Resolution No. 1003
File No. _____
Chapter No. _____

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State

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