

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

556B0453

CONFERENCE COMMITTEE ENGROSSED

NO. **HJR1002** - 2/25/98

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

Introduced by: Representatives Napoli, Belatti, Chicoine, Crisp, Diedrich, Duenwald, Duniphan, Hagen, Hagg, Hassard, Johnson (Doug), Kazmerzak, Konold, Kooistra, Kredit, Lee, Lockner, Madden, Matthews, Monroe, Pummel, Schrempp, Sokolow, and Van Gerpen and Senators Aker, Albers, Benson, Brosz, Brown (Arnold), Dunn (Jim), Dunn (Rebecca), Halverson, Ham, Hunhoff, Lange, Lawler, Reedy, Shoener, and Vitter

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election
2 amendments to Article III, section 3 of the Constitution of the State of South Dakota,
3 relating to the age qualifications for legislative office, and to Article IV, section 2 of the
4 Constitution of the State of South Dakota, relating to the age qualifications for Governor and
5 lieutenant governor.

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

8 Section 1. That at the next general election held in the state, the following amendments to
9 Article III, section 3 and Article IV, section 2 of the Constitution of the State of South Dakota,
10 as set forth in sections 2 and 3 of this Joint Resolution, which is hereby agreed to, shall be
11 submitted to the electors of the state for approval.

12 Section 2. That Article III, section 3 of the Constitution of the State of South Dakota, be

1 amended to read as follows:

2 § 3. No person ~~shall be~~ is eligible to for the office of senator who is not a qualified elector
3 in the district from which ~~he may be~~ such person is chosen, and a citizen of the United States,
4 and who ~~shall~~ has not ~~have~~ attained the age of ~~twenty-five~~ twenty-one years, and who ~~shall~~ has
5 not ~~have~~ been a resident of the state or territory for two years next preceding ~~his~~ election.

6 No person ~~shall be~~ is eligible to for the office of representative who is not a qualified elector
7 in the district from which ~~he may be~~ such person is chosen, and a citizen of the United States,
8 and who ~~shall~~ has not ~~have~~ been a resident of the state or territory for two years next preceding
9 ~~his~~ election, and who ~~shall~~ has not ~~have~~ attained the age of ~~twenty-five~~ twenty-one years.

10 No judge or clerk of any court, secretary of state, attorney general, state's attorney, recorder,
11 sheriff or collector of public moneys, member of either house of Congress, or person holding any
12 lucrative office under the United States, or this state, or any foreign government, shall be a
13 member of the Legislature: provided, that appointments in the militia, the offices of notary public
14 and justice of the peace shall not be considered lucrative; nor shall any person holding any office
15 of honor or profit under any foreign government or under the government of the United States,
16 except postmasters whose annual compensation does not exceed the sum of three hundred
17 dollars, hold any office in either branch of the Legislature or become a member thereof.

18 Section 3. That Article IV, section 2 of the Constitution of the State of South Dakota, be
19 amended to read as follows:

20 § 2. The Governor and lieutenant governor must be citizens of the United States, have
21 attained the age of twenty-one years, and be residents of the State of South Dakota for two years
22 preceding their election. They shall be jointly elected for a term of four years at a general election
23 held in a nonpresidential election year. The candidates having the highest number of votes cast
24 jointly for them shall be elected. Commencing with the 1974 general election, no person shall be
25 elected to more than two consecutive terms as Governor or as lieutenant governor. The election

1 procedure shall be as prescribed by law.

1 **BILL HISTORY**

2 1/16/98 First read in House and referred to State Affairs. H.J. 58

3 1/21/98 Scheduled for Committee hearing on this date.

4 1/21/98 State Affairs Do Pass,, AYES 8, NAYS 4.

5 1/21/98 State Affairs Do Pass Amended, Passed, AYES 7, NAYS 6.

6 1/22/98 State Affairs Hog Housed.

7 1/23/98 House of Representatives Do Pass Amended, Passed, AYES 45, NAYS 22. H.J. 204

8 1/26/98 First read in Senate and referred to State Affairs. S.J. 207

9 2/11/98 Scheduled for Committee hearing on this date.

10 2/11/98 State Affairs Do Pass Amended, Passed, AYES 9, NAYS 0. S.J. 442

11 2/13/98 Senate Do Pass Amended, Passed, AYES 31, NAYS 3. S.J. 520

12 2/19/98 House of Representatives failed to concur, appoint Conference Committee, AYES 36,
13 NAYS 31. H.J. 776

14 2/25/98 House of Representatives Conference committee report adopted Passed, AYES 56,
15 NAYS 8.

16 2/25/98 Senate Conference committee report adopted Passed, AYES 34, NAYS 0.