

House Daily Reader

Tuesday, January 23, 2001

Bills Included				
HB 1022	HB 1027	HB 1029	HB 1051	HB 1059

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0335

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1022** - 01/17/2001

Introduced by: The Committee on State Affairs at the request of the Department of
Corrections

1 FOR AN ACT ENTITLED, An Act to authorize the Department of Corrections to construct
2 prison industries buildings at the South Dakota State Penitentiary, the Jameson Prison
3 Annex, and the Mike Durfee State Prison, and to make an appropriation therefor.

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

5 Section 1. There is hereby appropriated from the prison industries revolving fund the sum
6 of one million one hundred and seventy-seven thousand dollars (\$1,177,000), or so much thereof
7 as may be necessary, to the Department of Corrections for the construction, completion,
8 furnishing, equipping, and maintaining of three prison industries buildings including utilities,
9 architectural and engineering services, plumbing, water, sewer, electric facilities, construction
10 of sidewalks and driveways, landscaping of the grounds, and site preparation at the South
11 Dakota State Penitentiary, Sioux Falls, the Jameson Prison Annex, Sioux Falls, and the Mike
12 Durfee State Prison, Springfield.

13 Section 2. The design and construction of the buildings shall be under the general charge and
14 supervision of the Bureau of Administration as provided in chapter 5-14.

1 Section 3. The Bureau of Administration and the Department of Corrections shall approve
2 vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

3 Section 4. Any amounts appropriated in this Act not lawfully expended or obligated by
4 June 30, 2002, shall revert in accordance with § 4-8-21.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0283

HOUSE HEALTH AND HUMAN SERVICES
COMMITTEE ENGROSSED NO. **HB 1027** -
01/19/2001

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 Health and Human Services at the request of the
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to repeal the composition requirements of the Board of
2 Vocational Rehabilitation.

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

4 Section 1. That § 1-36A-5 be amended to read as follows:

5 1-36A-5. There is hereby created a Board of Vocational Rehabilitation. ~~The board shall be~~
6 ~~composed of no more than twelve members appointed by the Governor, of which a majority shall~~
7 ~~be persons who are individuals with disabilities. Each member of the board shall be appointed~~
8 ~~to serve a term of three years. No member of the board may serve more than two consecutive~~
9 ~~full terms. No more than seven members of the board may be of the same political party.~~

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0280

HOUSE HEALTH AND HUMAN SERVICES
COMMITTEE ENGROSSED NO. **HB 1029** -
01/19/2001

Introduced by: The Committee on Health and Human Services at the request of the
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to allow for a change in the composition of the Board of
2 Service to the Blind and Visually Impaired and to repeal certain functions of the board.

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

4 Section 1. That § 28-10-25 be amended as follows:

5 28-10-25. There is hereby created a Board of Service to the Blind and Visually Impaired. ~~The~~
6 ~~board shall be composed of no more than twelve members appointed by the Governor, of which~~
7 ~~a majority shall be persons who are blind or severely visually impaired. Each member of the~~
8 ~~board shall be appointed to serve a term of three years. No member of the board may serve more~~
9 ~~than two consecutive full terms. No more than seven members of the board may be of the same~~
10 ~~political party.~~

11 Section 2. That § 28-10-26 be repealed.

12 ~~—28-10-26. The board of service to the blind and visually impaired may promulgate rules for~~
13 ~~the division of service to the blind and visually impaired in accordance with chapter 1-26 except~~
14 ~~for those functions reserved to the department of human services by §§ 28-10-21 and 28-10-19.~~

1 ~~The board may advise the director of service to the blind and visually impaired in the~~
2 ~~development of state plans, policy related to the expenditure of federal and state funds and the~~
3 ~~coordination of planning and service delivery to individuals involved in vocational rehabilitation~~
4 ~~and independent living services. The board may serve as an advocate for all individuals who are~~
5 ~~blind and visually impaired needing vocational rehabilitation and independent living services~~
6 ~~within the state. The board may prepare an annual written report to the Governor.~~

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0342

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1051 - 01/16/2001

Introduced by: The Committee on Judiciary at the request of the Department of Social
Services

1 FOR AN ACT ENTITLED, An Act to increase the punishment for felony child abuse of a child
2 under seven years of age and to designate the offense as a crime of violence.

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

4 Section 1. That § 26-10-1 be amended to read as follows:

5 26-10-1. Any person who abuses, exposes, tortures, torments, or cruelly punishes a minor
6 in a manner which does not constitute aggravated assault, is guilty of a Class 4 felony. If the
7 victim is less than seven years of age, the person is guilty of a Class 3 felony. The use of
8 reasonable force, as provided in § 22-18-5, is a defense to an offense under this section.

9 If any person convicted of this offense is the minor's parent, guardian, or custodian, the court
10 shall include as part of the sentence, or conditions required as part of suspended execution or
11 imposition of such sentence, that the person receive instruction on parenting approved or
12 provided by the Department of Social Services. ~~This requirement does not apply if there is a~~
13 ~~reasonable expectation that parental rights will be terminated.~~

14 Section 2. That subdivision (9) of § 22-1-2 be amended to read as follows:

1 (9) "Crime of violence," any of the following crimes or an attempt to commit, or a
2 conspiracy to commit, any of the same: murder, manslaughter, rape, aggravated
3 assault, riot, robbery, burglary in the first or second degree, arson, kidnapping, felony
4 sexual contact as defined in §§ 22-22-7 and 22-22-19.1, felony child abuse as defined
5 in § 26-10-1, or any other felony in the commission of which the perpetrator used
6 force, or was armed with a dangerous weapon, or used any explosive or destructive
7 device;
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State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0188

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1059** - 01/19/2001

Introduced by: The Committee on State Affairs at the request of the Department of Game,
Fish and Parks

1 FOR AN ACT ENTITLED, An Act to continue a surcharge on certain hunting licenses and to
2 continuously appropriate the money for certain purposes.

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

4 Section 1. That chapter 41-2 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The Game, Fish and Parks Commission shall impose a surcharge in the amount of five dollars
7 on each classification of hunting licenses issued by the Department of Game, Fish and Parks with
8 the exception of resident predator/varmint licenses, migratory bird certification permits, youth
9 deer licenses, and youth small game licenses. Revenue from the surcharge shall be deposited in
10 a special fund known as the South Dakota sportsmen's access and landowner depredation fund,
11 which is hereby established. Money in the fund is continuously appropriated for the purposes of
12 this section. Fifty percent of the money in the fund shall be available to landowners pursuant to
13 procedures and amounts to be established in rules promulgated by the commission pursuant to
14 chapter 1-26 for purposes of providing hunting access on the landowners' land and for wildlife

1 depredation and damage management programs. Fifty percent of the money in the fund shall be
2 available for purposes of acquiring free public hunting access by lease agreement.

3 Section 2. This Act is effective on January 1, 2002.

4 Section 3. This Act is repealed on January 1, 2005.