

House Daily Reader

Thursday, January 25, 2001

Bills Included				
HB 1072	HB 1081	HB 1087	SB 45	

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0108

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1072** -
01/23/2001

Introduced by: Representative Duenwald and Senator Diedrich (Larry)

1 FOR AN ACT ENTITLED, An Act to define the theft of certain livestock as grand theft.

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

3 Section 1. That § 22-30A-17 be amended to read as follows:

4 22-30A-17. Theft is grand theft, if:

5 (1) The value of the property stolen exceeds five hundred dollars;

6 (2) Repealed by SL 1990, ch 165, § 2.

7 (3) Property of any value is taken from the person of another; ~~or~~

8 (4) In the case of theft by receiving stolen property, the receiver is a dealer in stolen
9 property, the value of the property stolen exceeds five hundred dollars in value; or

10 (5) The property stolen is cattle, horses, mules, sheep, buffalo, or captive nondomestic
11 elk.

12 Theft in all other cases is petty theft. Grand theft is a Class 4 felony. Petty theft is divided
13 into two degrees. Petty theft of one hundred dollars or more is in the first degree and is a Class
14 1 misdemeanor. Petty theft is in the first degree and is a Class 1 misdemeanor if the theft is of

1 money or property of any value less than five hundred dollars belonging to a resident or patient
2 of a hospital, nursing facility, chemical dependency facility, assisted living center, development
3 center, human services center, or any residential facility for the mentally ill, mentally retarded,
4 or developmentally disabled and if the theft is committed by an employee of the facility.
5 Otherwise petty theft of less than one hundred dollars is in the second degree and is a Class 2
6 misdemeanor.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

780E0106

HOUSE TRANSPORTATION COMMITTEE
ENGROSSED NO. **HB 1081** - 01/22/2001

Introduced by: Representatives Kooistra, Holbeck, and Kloucek and Senator McIntyre

1 FOR AN ACT ENTITLED, An Act to require the installation of certain guide signs on the
2 interstate highway system and state highway system.

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

4 Section 1. That chapter 31-28 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The Department of Transportation shall install proper guide signs on the interstate highway
7 system and state highway system for any municipal corporation incorporated pursuant to § 9-3-
8 22.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

546E0132

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1087** - 01/23/2001

Introduced by: Representatives Slaughter, Hennies (Thomas), Jensen, Lange, and Rhoden
and Senator Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to provide for the annexation of road districts.

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

3 Section 1. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
4 as follows:

5 Two or more road districts may form a consolidated road district that comprises their
6 combined area pursuant to this Act. The governing body of each road district shall by resolution
7 propose the formation of the consolidated road district, specifying the road districts proposed
8 to be included within the boundaries of the consolidated road district.

9 Section 2. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
10 as follows:

11 The governing body of each road district described in section 1 of this Act shall submit by
12 resolution the question of consolidation to the voters of each road district at a special election
13 called for that purpose pursuant to chapter 6-16. The proposition shall be submitted to the voters
14 of each road district on a separate ballot and shall be stated as to enable each voter to vote for

1 or against the proposed consolidation.

2 Section 3. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
3 as follows:

4 If the voters of each road district approve the formation of the consolidated road district by
5 a majority of the votes cast on the consolidation question, the governing body of each road
6 district shall so declare by resolution and file a certified copy of each proceeding taken for the
7 consolidation with the road district's clerk, the secretary of state, and the county auditor. After
8 the certified copies are filed, the consolidation is effective and complete, and the consolidated
9 road district has the powers conferred upon a road district by this chapter.

10 Section 4. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
11 as follows:

12 The consolidated board of trustees shall be elected as provided in chapter 6-16 and shall
13 govern the consolidated road district as provided in this chapter.

14 Section 5. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
15 as follows:

16 The consolidated road district does not, by virtue of its incorporation, acquire any of the
17 property or assume any of the debts, obligations, or liabilities of any road district included within
18 its boundaries.

19 Section 6. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
20 as follows:

21 A consolidated road district may contract with any road district for the purchase or use of
22 property that the road district is authorized to construct or acquire and maintain pursuant to this
23 chapter.

24 Section 7. That chapter 31-12A be amended by adding thereto a NEW SECTION to read

1 as follows:

2 After the creation of a road district, minor adjustments to the boundaries of the district may
3 be made by the directors, without referendum. Such adjustments may not delete lands from the
4 district that have been subject to a special assessment during the budget year or the current year
5 and such adjustments may not include additional land in the district without the written approval
6 of the owner of the land.

7 Section 8. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
8 as follows:

9 An additional area may be annexed or an area withdrawn from a road district by:

- 10 (1) Circulation of an initiating petition therefor by the qualified voters in the new area and
11 in the existing district, similar to an initiating petition specified in this chapter; or
12 (2) Circulation of an initiating petition by the qualified voters in the affected area and
13 passage of a resolution therefor by the directors of the road district.

14 Upon receipt of an initiating petition and passage of a resolution by the directors, the area
15 shall be annexed or withdrawn in the same manner as prescribed for creation of a new road
16 project district.

State of South Dakota

SEVENTY-SIXTH SESSION
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400E0268

HOUSE TAXATION COMMITTEE ENGROSSED NO. **SB 45** - 01/23/2001

Introduced by: The Committee on Taxation at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to allow alcohol beverage license suspension or revocation
2 hearings to be held in a location other than the county where the license has been applied for
3 or has been issued.

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

5 Section 1. That § 35-2-13 be amended to read as follows:

6 35-2-13. An applicant or licensee under this title, or any person or governing board interested
7 therein, shall have a right of hearing in relation to any action taken upon the application or
8 license, which hearing shall be held in the county where the license has been applied for or has
9 been issued, in accordance with the provisions of chapter 1-26. However, if the parties agree,
10 a hearing to determine whether the secretary of revenue may suspend or revoke a license may
11 be held at a location other than the county where the license has been applied for or has been
12 issued. Such hearing may be held by telecommunications technologies.