

Senate Daily Reader

Tuesday, February 06, 2001

Bills Included				
HB 1087	SB 125	SB 137		

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 consolidation and annexation of road
2 districts.

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

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

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

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

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

1 of each road district on a separate ballot and shall be stated as to enable each voter to vote for
2 or against the proposed consolidation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

914E0585

SENATE COMMERCE COMMITTEE ENGROSSED NO.

SB 125 - 01/30/2001

Introduced by: Senators Vitter, Albers, Apa, Koetzle, Moore, Olson (Ed), and Putnam and
Representatives Broderick, Abdallah, Flowers, Holbeck, and Solum

1 FOR AN ACT ENTITLED, An Act to clarify workers' compensation coverage for
2 uncompensated volunteers and prisoners.

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

4 Section 1. That § 62-1-5.1 be amended to read as follows:

5 62-1-5.1. ~~Volunteer workers~~ Any volunteer worker rendering services in or for any agency,
6 department, institution, or instrumentality of the state or of any of its political subdivisions,
7 including ~~but not limited to~~ counties, townships, school districts, or municipalities, whose
8 services have been duly recommended to the officer or governing body responsible for
9 employment of personnel for the respective entity and duly appointed thereto by such officers
10 or governing body, shall for purposes of this title be deemed ~~employees~~ an employee of the state
11 or the political subdivision, as the case may be. The ~~appointments~~ appointment shall be entered
12 into the official records or minutes of the entity.

13 In the event of injury or death for the purposes of computing compensation, ~~said~~ a volunteer
14 uncompensated ~~workers shall be considered to be earning a wage that would entitle them to the~~

1 ~~maximum compensation for death or injury allowable under this title, but in~~ worker's employment
2 earnings from all sources during the past six months shall be used. In the event the volunteer
3 uncompensated worker is not otherwise employed, the worker shall be considered to be earning
4 the state minimum wage over a forty-hour week. The worker's average weekly wage shall be
5 calculated by one of the methods in §§ 62-4-25 to 62-4-27, inclusive. In no event shall ~~may~~
6 ~~payments to volunteer uncompensated workers exceed the maximum limitations for benefits as~~
7 ~~set out in this title. No local prisoner, state inmate, or federal inmate providing services to the~~
8 ~~state or any of its political subdivisions may be considered a volunteer worker under this section.~~

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

770E0577

SENATE TRANSPORTATION COMMITTEE

ENGROSSED NO. **SB 137** - 02/01/2001

Introduced by: Senators Diedtrich (Elmer) and Dennert and Representatives Sutton
(Duane) and Frost

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the delivery of the
2 certificate of title upon the sale of a secondhand vehicle.

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

4 Section 1. That § 32-3-7 be amended to read as follows:

5 32-3-7. ~~Every~~ Any person, firm, or corporation, upon the sale and delivery of any used or
6 secondhand motor vehicle, shall within thirty days thereof deliver to the purchaser a certificate
7 of title, endorsed according to law, and issued for the vehicle by the department. However,
8 notwithstanding any other provision of law, if the purchaser defaults on the terms of the sale
9 within the thirty-day period, the seller does not have to deliver the certificate of title to the
10 purchaser. The seller shall notify the department in writing of the seller's refusal to deliver title
11 to the purchaser within fourteen days of the purchaser's default on the terms of the sale. A
12 violation of this section is a Class 2 misdemeanor.