

Senate Daily Reader

Thursday, February 08, 2001

Bills Included				
HB 1005	HB 1062	HCR 1003	SB 22	SB 25
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State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

376E0042

SENATE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1005** -

02/06/2001

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

Introduced by: Representatives Konold, Fryslie, Hanson (Gary), and Lintz and Senators Symens, Diedrich (Elmer), Drake, and Vitter at the request of the Interim Agriculture and Natural Resources Committee

1 FOR AN ACT ENTITLED, An Act to prohibit the discharge of a firearm within six hundred
2 sixty feet of an occupied dwelling, church, schoolhouse, or certain livestock while on certain
3 public waters, and to provide a penalty.

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

5 Section 1. That chapter 41-9 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 No person may discharge a firearm while on that portion of public waters of this state that
8 inundate privately-owned property from a location which is within six hundred sixty feet of an
9 occupied dwelling, church, schoolhouse, or livestock being held in a confined area according to
10 standard animal husbandry practices. However, a landowner or any person receiving permission
11 from the landowner may discharge a firearm while on that portion of public waters that inundate
12 the private property of that landowner. A violation of this section is a Class 2 misdemeanor.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0193 **SENATE AGRICULTURE AND NATURAL RESOURCES**
COMMITTEE ENGROSSED NO. HB 1062 -
02/06/2001

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to revise the requirement that holders of a license issued by
2 the Department of Game, Fish and Parks exhibit the license or authorization on request and
3 to require that certain persons also exhibit certain forms of identification to law enforcement
4 officers.

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

6 Section 1. That § 41-6-63 be amended to read as follows:

7 41-6-63. ~~It shall be the duty of any A~~ licensee shall at any time upon request of any person
8 ~~to exhibit his~~ the licensee's license or other form of license authorization issued by the
9 Department of Game, Fish and Parks ~~department~~ pursuant to Titles 41 and 42. ~~A violation of~~
10 During the required license exhibition and upon request by a conservation officer or other law
11 enforcement officer, a licensee who is sixteen years of age or older who holds the other form of
12 license authorization, shall exhibit and provide for inspection a driver's license, a state-issued
13 identification card, or another form of valid identification for the purpose of verifying the identity
14 of the licensee. Failure to exhibit the licensee's license or other form of license authorization

1 required by this section is a Class 2 misdemeanor.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

248E0208

SENATE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HCR 1003** -

02/06/2001

Introduced by: Representatives Jaspers, Duenwald, Flowers, Hanson (Gary), Hargens, Jensen, Juhnke, and Pederson (Gordon) and Senators Diedrich (Larry), Bogue, Dennert, Drake, Duxbury, Greenfield, Hainje, and Symens

1 A CONCURRENT RESOLUTION, Expressing support for agricultural biotechnology.

2 WHEREAS, advances in molecular biology have resulted in what is known as recombinant
3 DNA technology or "genetic engineering" with the ability to more quickly move genetic material
4 between organisms than we could in the past; and

5 WHEREAS, biotechnology refers to this technique that uses living organisms or parts thereof
6 to make or modify a product or plants, animals, or microorganisms for specific uses; and

7 WHEREAS, traditional biotechnology, breeding and selection, has been used by humankind
8 for thousands of years for the improvement of plants, animals, and microorganisms; and

9 WHEREAS, biotechnology research is now being used to increase the productivity of crops
10 and livestock, to improve the quality of life by developing new high-yielding crops that require
11 fewer inputs and conserve natural resources in order to increase the food supply for the
12 increasing human population, to produce more nutritious foods with longer shelf lives, and to
13 continue to provide consumers with high-quality, low-cost food products; and

1 WHEREAS, federal law requires that all foods and food ingredients, including those
2 produced by biotechnology, be extensively reviewed for safety by the United States Food and
3 Drug Administration and meet the provision of the Federal Food, Drug, and Cosmetics Act
4 before they can be sold to consumers and any changes to a food product that alters the chemical,
5 nutritional, or allergenicity of that product must be disclosed to the consumer of the product; and

6 WHEREAS, a September 1999 Gallup Poll found that Americans most familiar with modern
7 biotechnology are also the most supportive of its use to improve our food supply and that more
8 than three-fourths of Americans are confident in the federal government to ensure the safety of
9 the nation's food supply; and

10 WHEREAS, a multitude of eminent scientists and universities across the world have pledged
11 their support for current and future applications from biotechnology for the protection of and
12 improvements to human and environmental health:

13 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-
14 sixth Legislature of the State of South Dakota, the Senate concurring therein, that the South
15 Dakota Legislature:

16 (1) Believes that further advances in modern biotechnology may result in improved crops,
17 for example, that combat vitamin and mineral deficiencies that afflict hundreds of
18 millions of people worldwide or that can be used to produce life-saving vaccines and
19 biodegradable plastics;

20 (2) Supports the responsible use of biotechnology to benefit people in the state, the
21 nation, and the world, and the global environment through high-yield agricultural
22 production;

23 (3) Believes that discoveries made in biotechnology can significantly enhance our quality
24 of life, from the medicines we use, to the food we eat, to the environment in which

1 we live;

2 (4) Acknowledges and recognizes that federal oversight by the United States
3 Environmental Protection Agency, United States Department of Agriculture, and the
4 Food and Drug Administration over foods and food ingredients, whether produced
5 by biotechnology or conventional means is necessary to ensure and maintain a safe
6 and stable food supply;

7 (5) Recognizes that biotechnology is a rapidly developing field and that it will be
8 appropriate to continually review federal regulatory activities; and

9 (6) Supports public dialogue on the concerns surrounding biotechnology.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0343

SENATE JUDICIARY COMMITTEE ENGROSSED NO. **SB 22 - 02/06/2001**

Introduced by: The Committee on Judiciary at the request of the Attorney General

1 FOR AN ACT ENTITLED, An Act to allow for the additional public distribution of sex offender
2 information.

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

4 Section 1. That § 22-22-34 be amended to read as follows:

5 22-22-34. The Division of Criminal Investigation may make the file available to any regional
6 or national registry of sex offenders. The division shall accept files from any regional or national
7 registry of sex offenders and shall make such files available ~~when~~ if requested pursuant to
8 §§ 22-22-30 to 22-22-39, inclusive. The division shall compile a statewide registration list for
9 public inspection or public distribution under chapter 1-27, including electronic or internet
10 distribution. However, the public distribution of sex offender information by the internet shall
11 be limited to persons registered for committing the following offenses:

12 (1) Rape in the first or second degree as set forth in § 22-22-1;

13 (2) Criminal pedophilia as set forth in § 22-22-30.1; or

14 (3) Felony sexual contact as set forth in § 22-22-7.

15 Section 2. That chapter 22-22 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 The public distribution of sex offender information by the internet pursuant to section 1 of
3 this Act shall include a recent photograph of each sex offender for whom information is made
4 available.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0345

SENATE ENGROSSED NO. **SB 25** - 02/07/2001

This bill has been extensively amended (houghoused) and may no longer be consistent with the original intention of the sponsor.

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

1 FOR AN ACT ENTITLED, An Act to require the use of safety seat belts by passenger vehicle
2 occupants.

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

4 Section 1. That § 32-38-1 be amended to read as follows:

5 32-38-1. Except as provided in chapter 32-37 and § 32-38-3, ~~every~~ any operator and ~~front~~
6 ~~seat~~ any passenger of a passenger vehicle operated on a public highway in this state shall wear
7 a properly adjusted and fastened safety seat belt system, required to be installed in the passenger
8 vehicle ~~when~~ if manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208
9 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in forward motion.
10 The driver of the passenger vehicle shall secure or cause to be secured a properly adjusted and
11 fastened safety seat belt system on any passenger ~~in the front seat~~ who is at least five years of age
12 but younger than ~~eighteen~~ fourteen years of age. Any violation of this section is not a moving
13 traffic offense under the provisions of § 32-12-49.1. A violation of this section is a petty offense.

14 Section 2. That § 32-38-5 be repealed.

15 ~~32-38-5. Enforcement of this chapter by state or local law enforcement agencies shall be~~

1 ~~accomplished as a secondary action. A violation of this chapter is a petty offense.~~

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

473E0078

SENATE TRANSPORTATION COMMITTEE

ENGROSSED NO. **SB 119** - 02/06/2001

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

Introduced by: Senators Brosz and Albers and Representatives Konold, Abdallah,
Broderick, Fryslie, and Hanson (Gary)

1 FOR AN ACT ENTITLED, An Act to require certain vehicle loads to be covered.

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

3 Section 1. That chapter 32-15 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 Any driver of a vehicle with a model year of 2000 or newer transporting sand, gravel,
6 aggregate, dirt, rock, or similar material shall ensure that the cargo compartment of the vehicle
7 is securely covered to prevent its contents from escaping if:

8 (1) The vertical distance from the top of an exterior wall of the cargo compartment to the
9 load, when measured downward along the inside surface of the wall, is less than six
10 inches;

11 (2) The size of the sand, gravel, aggregate, dirt, rock, or similar material is nominally less
12 than four inches in diameter; and

13 (3) The speed of the vehicle is greater than forty miles per hour.

14 The requirement to cover the cargo compartment does not apply to any vehicle operated

1 within a closed construction zone or to any vehicle designed to drop material for the purpose of
2 securing traction on any ice or snow packed surface.

3 A violation of this section is a Class 2 misdemeanor.

4 Section 2. Section 1 of this Act is effective on January 1, 2002, and is repealed on July 1,
5 2002.

6 Section 3. That chapter 32-15 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 Any driver of a vehicle with a model year of 1995 or newer transporting sand, gravel,
9 aggregate, dirt, rock, or similar material shall ensure that the cargo compartment of the vehicle
10 is securely covered to prevent its contents from escaping if:

- 11 (1) The vertical distance from the top of an exterior wall of the cargo compartment to the
12 load, when measured downward along the inside surface of the wall, is less than six
13 inches;
- 14 (2) The size of the sand, gravel, aggregate, dirt, rock, or similar material is nominally less
15 than four inches in diameter; and
- 16 (3) The speed of the vehicle is greater than forty miles per hour.

17 The requirement to cover the cargo compartment does not apply to any vehicle operated
18 within a closed construction zone or to any vehicle designed to drop material for the purpose of
19 securing traction on any ice or snow packed surface.

20 A violation of this section is a Class 2 misdemeanor.

21 Section 4. Section 3 of this Act is effective on July 1, 2002, and is repealed on January 1,
22 2003.

23 Section 5. That chapter 32-15 be amended by adding thereto a NEW SECTION to read as
24 follows:

1 Any driver of a vehicle transporting sand, gravel, aggregate, dirt, rock, or similar material
2 shall ensure that the cargo compartment of the vehicle is securely covered to prevent its contents
3 from escaping if:

4 (1) The vertical distance from the top of an exterior wall of the cargo compartment to the
5 load, when measured downward along the inside surface of the wall, is less than six
6 inches;

7 (2) The size of the sand, gravel, aggregate, dirt, rock, or similar material is nominally less
8 than four inches in diameter; and

9 (3) The speed of the vehicle is greater than forty miles per hour.

10 The requirement to cover the cargo compartment does not apply to any vehicle operated
11 within a closed construction zone or to any vehicle designed to drop material for the purpose of
12 securing traction on any ice or snow packed surface.

13 A violation of this section is a Class 2 misdemeanor.

14 Section 6. Section 5 of this Act is effective on January 1, 2003.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

169E0486

SENATE JUDICIARY COMMITTEE ENGROSSED NO.

SB 154 - 02/05/2001

Introduced by: Senators Bogue, Daugaard, de Hueck, Koetzle, Moore, and Whiting and
Representatives Madsen, Brown (Jarvis), Gillespie, McCaulley, and
Michels

1 FOR AN ACT ENTITLED, An Act to define the practice of law and to increase the penalty for
2 practicing without a license.

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

4 Section 1. That § 16-16-1 be amended to read as follows:

5 16-16-1. No person, ~~excepting~~ except as provided in § 16-18-2, ~~shall be permitted to~~ may
6 practice as an attorney and counselor at law in any court of record within this state, either by
7 using or subscribing his or her own name or the name of any other person ~~or persons~~, without
8 having previously obtained a license for that purpose from the Supreme Court of this state and
9 having become an active member in good standing of the State Bar of South Dakota. A violation
10 of this section is a ~~Class 2~~ Class 1 misdemeanor.

11 Section 2. That chapter 16-16 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 The term, practice of law, means the performance for another person or entity, of any of the
14 following services:

- 1 (1) Representation before a judicial, legislative, or executive, administrative, or other
2 governmental official or body, or before a government-owned body, or before an
3 arbitrator or similar body;
- 4 (2) Preparation or review of documents involving liberty, property, or other rights or
5 interests; or
- 6 (3) Any other service including, but not limited to, advice or negotiation, which in view
7 of the facts and circumstances requires the knowledge, skill, and judgment of a person
8 trained in law.

9 Section 3. That chapter 16-16 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 Whether or not they constitute the practice of law, the following services are permitted:

- 12 (1) Practicing law in accordance with §§ 16-16-7.1, 16-16-7.6, 16-16-17.1, 16-18-2, 16-
13 18-2.1 to 16-18-2.10, inclusive, and 16-18-34 to 16-18-34.6, inclusive;
- 14 (2) Acting as a lay representative before administrative agencies or tribunals, if statutorily
15 authorized;
- 16 (3) Serving in a neutral capacity as a mediator, arbitrator, conciliator, or facilitator;
- 17 (4) Participating in labor negotiations, arbitrations, or conciliations arising under
18 collective bargaining rights or agreements;
- 19 (5) Providing assistance to another to complete a form provided by a court for protection
20 under chapters 22-19A and 25-10 unless a fee is charged to do so;
- 21 (6) Acting as a registered legislative lobbyist under chapter 2-12;
- 22 (7) Preparing a federal, state, or local tax return or an appearance before a federal, state,
23 or local taxing authority in connection with an audit or administrative appeal of an
24 audit or return by a person with respect to their own tax returns, or tax returns of

1 entities of which they are a substantial (ten percent or more) owner. The preparation
2 of federal, state, or local tax returns for third parties or the appearance before agents
3 of taxing authorities in connection with audits on behalf of third parties or
4 appearances before nonevidentiary administrative appeal bodies are also permitted;

5 (8) Performing other activities that the South Dakota Supreme Court has determined do
6 not constitute the unauthorized practice of law;

7 (9) Preparing documents authorized by subdivision 36-21A-71(24) or completing forms
8 or providing assistance to another to complete forms associated with real estate
9 transactions approved by the South Dakota Real Estate Commission pursuant to
10 chapter 36-21A, including agency agreements, management agreements, and purchase
11 agreements, if done by a licensee in good standing under chapter 36-21A.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

464E0459 **SENATE AGRICULTURE AND NATURAL RESOURCES**
COMMITTEE ENGROSSED NO. SB 190 - 02/06/2001

Introduced by: Senators Volesky, Koetzle, and Staggers and Representatives Lange,
Bradford, Elliott, and Glenski

1 FOR AN ACT ENTITLED, An Act to provide for an early pheasant season for resident hunters.

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

3 Section 1. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 The Game, Fish and Parks Commission shall promulgate, pursuant to chapter 1-26, rules to
6 establish an early pheasant hunting season for resident hunters only. The rules shall provide for
7 shooting hours, daily bag limits, and possession limits. The early pheasant season shall be for
8 three consecutive days.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

644E0640

SENATE HEALTH AND HUMAN SERVICES COMMITTEE ENGROSSED NO. **SB 245** - 02/05/2001

Introduced by: Senators Brown (Arnold), Brosz, Daugaard, Drake, Ham, Hutmacher, McCracken, Olson (Ed), and Sutton (Dan) and Representatives Heineman, Pitts, and Smidt

1 FOR AN ACT ENTITLED, An Act to create a health care access and preservation trust fund
2 and to provide that earnings from the fund be used for certain health care purposes.
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
4 Section 1. That § 28-6-33 be amended to read as follows:
5 28-6-33. There is hereby established in the state treasury a fund known as the
6 ~~intergovernmental transfer~~ health care access and preservation trust fund. The fund shall include
7 revenue received from publicly owned and operated nursing facilities for remittance to the fund
8 under § 28-6-31. The department shall administer the fund and shall adopt procedures for
9 participation by publicly owned and operated nursing facilities. All moneys designated for the
10 fund from whatever source derived shall be deposited with the state treasurer in the
11 ~~intergovernmental transfer~~ health care access and preservation trust fund, except for dollars
12 appropriated by the Legislature for the neuromuscular program and the diabetes screening
13 program. The principal in the trust fund may not be expended except by a three-fifths majority
14 vote of each house of the Legislature. ~~The amounts in the intergovernmental transfer~~ fund shall

1 be invested pursuant to §§ 4-5-23 and 4-5-26 and the earnings shall be deposited in the
2 ~~intergovernmental transfer~~ health care access and preservation interest fund.

3 Section 2. That chapter 28-6 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 The health care access and preservation interest fund is established in the state treasury. The
6 fund shall be invested according to §§ 4-5-23 and 4-5-26. The investment earnings of the fund
7 shall be credited to the fund. The money in the fund shall be appropriated by the Legislature to
8 fund health care related uses.

9 Section 3. That § 28-6-31 be amended to read as follows:

10 28-6-31. Each publicly owned and operated nursing facility participating under the provisions
11 of §§ 28-6-28 to 28-6-36, inclusive, immediately upon receiving a payment under § 28-6-30,
12 shall remit the amount of that payment, less a transaction fee, to the department for credit to:

13 (1) The ~~intergovernmental transfer~~ health care access and preservation trust fund in an
14 amount equal to the applicable federal medical assistance percentage times the total
15 remittance to the department, less the transaction fee; and

16 (2) The department's other funds for all remaining amounts.

17 Section 4. That § 28-6-35 be amended to read as follows:

18 28-6-35. The department may promulgate rules pursuant to chapter 1-26 for the
19 administration of §§ 28-6-28 to 28-6-36, inclusive. The rules may include criteria for
20 establishing, funding, and administering the pool, criteria for participation in the
21 intergovernmental transfer, penalties for failing to immediately remit the funds to the department,
22 criteria for the transfer of funds, the establishment of transaction fees, and other policies to
23 facilitate the administration of the ~~intergovernmental transfer~~ health care access and preservation
24 trust fund ~~or~~, the funding pool, and the health care access and preservation interest fund.

1 Section 5. That § 28-6-36 be amended to read as follows:

2 28-6-36. Sections 28-6-28 to ~~28-6-36~~ 28-6-35, inclusive, and section 2 of this Act do not
3 create an entitlement to any funds. The department may disburse funds to the extent funds are
4 available and, within its discretion, to the extent such appropriations are approved.

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

660E0082

SENATE HEALTH AND HUMAN SERVICES COMMITTEE ENGROSSED NO. **SCR 2** - 01/22/2001

Introduced by: Senators Albers, Brown (Arnold), Hagen, Hutmacher, and Putnam and
Representatives Nachtigal, Napoli, and Valandra at the request of Interim
State-Tribal Relations Committee

1 A CONCURRENT RESOLUTION, Urging the federal government to authorize and fund long-
2 term health care on Indian reservations.

3 WHEREAS, among all the states in the Northern Plains region, South Dakota has the highest
4 percentage of its Native American population, sixty-seven percent, living on Indian reservations.
5 In addition, South Dakota is experiencing a growing elderly population on its Indian
6 reservations; and

7 WHEREAS, Native Americans are living significantly longer today than they did in the early
8 1900s. The life expectancy of Native Americans in South Dakota is currently sixty-five. This
9 increased life expectancy presents new challenges in caring for the elderly and creates the need
10 for elderly care facilities to provide services that were once provided solely by the family; and

11 WHEREAS, the rate of debilitating diseases, particularly diabetes, on South Dakota Indian
12 reservations has been increasing over the years. The age-adjusted diabetes mellitus death rate
13 among Native Americans in South Dakota is 62.6 per 100,000 population, which is five times
14 higher than the combined rate for all races in the United States; and

1 WHEREAS, Native American culture strongly embraces the extended family in which elders
2 are considered the source of wisdom, history, and tradition; and

3 WHEREAS, a loss of important cultural traditions for families and tribal members occurs
4 when elderly Native Americans must seek nursing facility placement off the reservations. This
5 separation means social and cultural isolation at a time in elders' lives when understanding and
6 cultural support are most important; and

7 WHEREAS, due to the high percentage of Native American families below poverty level
8 living on Indian reservations, lack of transportation to visit family members in nonreservation
9 nursing homes creates a hardship for the elderly and their families; and

10 WHEREAS, the federal government has a long-standing legal and moral obligation to
11 provide for the health care needs of Native Americans on reservations. This obligation is based
12 on treaty and federal law; and

13 WHEREAS, the Indian Health Service currently provides primary and acute health care
14 services, such as physician and hospital care, through federal facilities located on each of the
15 reservations; and

16 WHEREAS, the Indian Health Service currently does not provide long-term care services,
17 such as assisted living and nursing home care, on any of South Dakota's Indian reservations; and

18 WHEREAS, the federal government has failed to take responsibility for providing long-term
19 care services to elderly Native Americans residing on reservations in South Dakota. The federal
20 government has refused to recognize long-term care for Native Americans as a federal
21 responsibility and has failed to provide authorization and funding that would enable the Indian
22 Health Service to provide those needed services; and

23 WHEREAS, the lack of long-term care services has created an undue hardship for
24 reservation residents and their families creating a growing need for the Indian Health Service to

1 appropriately address the long-term care needs of South Dakota's Native American population:

2 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Seventy-sixth Legislature
3 of the State of South Dakota, the House of Representatives concurring therein, that the federal
4 government is requested to formally take responsibility for long-term care for Native Americans
5 residing on Indian reservations by providing the necessary authorization and funding to enable
6 the Indian Health Service to offer long-term care for Native American elders on Indian
7 reservations. The United States government must live up to its responsibilities by helping to
8 establish facilities that will allow our Native American elders to spend their final years with
9 dignity in their own communities and cultural surroundings; and

10 BE IT FURTHER RESOLVED, that copies of this Resolution are to be forwarded to
11 Senator Tom Daschle, Senator Tim Johnson, and Representative John Thune and that Senator
12 Daschle, Senator Johnson, and Representative Thune are requested to brief the 2002 South
13 Dakota Legislature on any progress or developments that have occurred at the national level on
14 this issue.