

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

636E0368

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 102** - 02/08/2001

Introduced by: Senators Staggers, Brown (Arnold), Koetzle, McIntyre, and Sutton (Dan)
and Representatives Clark, Begalka, Elliott, Hennies (Don), Kooistra,
Lange, Madsen, Nesselhuf, Smidt, and Teupel

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the eligibility of Board
2 of Regents' employees.

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

4 Section 1. That § 3-8-13 be amended to read as follows:

5 3-8-13. Any state employee who is employed in a position that is eligible for longevity pay
6 and has at least seven years of employment with the State of South Dakota is entitled to
7 longevity compensation. The longevity compensation for years of employment seven to ten,
8 inclusive, is one hundred dollars. The longevity compensation for years of employment eleven
9 to fourteen, inclusive, is equal to ten dollars per year of employment until the fifteenth year of
10 service at which time the longevity pay shall be equal to fifteen dollars per year of service.
11 Longevity pay shall increase at five dollar increments thereafter for each additional five years of
12 employment. The longevity compensation may not be affected by any other compensation and
13 classification plan except that the longevity compensation shall be distributed in the same manner
14 and form as prescribed in § 3-8-6. It is payable annually in one lump sum. The commissioner of

1 the Bureau of Personnel shall promulgate rules pursuant to chapter 1-26 to determine the state
2 employee position categories that are eligible for longevity pay, the criteria for payment for prior
3 years of service, the date for payment, and the type of service that may be used to calculate
4 longevity. The only Board of Regents' employees eligible for longevity pay are those nonfaculty
5 permanent full-time employees who are customarily employed for twenty hours or more a week
6 at least six months a year and who are not exempt from the Federal Fair Labor Standards Act
7 as amended to January 1, 2001.

8 Any agent, patrolman, or employee of the Division of Highway Patrol of the Department of
9 Commerce and Regulation may elect to receive longevity pay under this section or under
10 § 32-2-10, but may not receive longevity pay under both provisions at the same time.