

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0237

HOUSE BILL NO. 1030

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

1 FOR AN ACT ENTITLED, An Act to revise the membership of the State Board of Podiatry
2 Examiners, the State Board of Pharmacy, and the State Board of Funeral Service.

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

4 Section 1. That § 36-8-2 be amended to read as follows:

5 36-8-2. The State Board of Podiatry Examiners shall include ~~three~~ four professional
6 members appointed by the Governor, each of whom shall be a resident podiatrist of this state.
7 The term of each shall be three years, commencing on the first day of July. No member may
8 serve more than three consecutive full terms. The Governor shall, by appointment, fill any
9 vacancy. The appointment of a person to an unexpired term is not considered a full term.

10 Section 2. That § 36-11-4 be amended to read as follows:

11 36-11-4. The State Board of Pharmacy shall include ~~three~~ four professional members who
12 shall hold their offices for terms of three years or until their successors are appointed and
13 qualified. No member may serve more than three consecutive full terms. The appointment of
14 a person to an unexpired term is not considered a full term. The Governor may remove any
15 member of the board for just cause.



Section 3. That § 36-19-2 be amended to read as follows:

36-19-2. The State Board of Funeral Service shall include the ~~secretary of health or the~~
~~secretary's designee~~ and five professional members who shall be licensed to practice funeral
service. The Governor shall appoint the professional members of the board. However, no person
may be appointed as a professional member of the board who has not been licensed in this state,
as an embalmer and funeral director, or to practice funeral service, for at least five years prior
to appointment. The term of office of appointed members shall be three years. The Governor
shall, by appointment, fill any vacancy.

The State Board of Funeral Service shall also include two lay members who are users of the
services regulated by the board. The term, lay member who is a user, refers to a person who is
not licensed by the board but, where practical, uses the service licensed. The term shall be
liberally construed to implement the purpose of this section. The Governor shall appoint the lay
members. The lay members shall have the same term of office as other members of the board.

No board member may serve more than three consecutive full terms. However, appointment
to fill an unexpired term is not considered a complete term for this purpose. The Governor may
stagger the terms to enable the board to have different terms expire each year. Any member
appointed to the board prior to July 1, 2005, shall serve the five-year term to which the member
was originally appointed. Any member appointed to the board after July 1, 2005, shall serve a
three-year term.

The State Board of Funeral Services shall also include the secretary of health or the
secretary's designee as a nonvoting member.