

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

400B0303

SENATE BILL NO. 36

Introduced by: The Committee on State Affairs at the request of the Department of Labor and Regulation

1 FOR AN ACT ENTITLED, An Act to revise the membership of the State Workers'
2 Compensation Advisory Council.

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

4 Section 1. That § 62-2-10 be amended to read:

5 62-2-10. The Governor shall appoint a State Workers' Compensation Advisory Council,
6 composed of ~~eight~~ nine members, four representing employees, two of whom shall be from
7 recommendations submitted by the South Dakota Federation of Labor. No employee
8 representative may be a member of a personnel department. Four shall represent employers. The
9 ninth member appointed shall serve as chair. The members may not be all of the same political
10 party. Expenses of council members shall be paid by the Department of Labor and Regulation.
11 The length of terms is three years with no more than three expiring each year. Members shall
12 serve until a new appointment is made by the Governor. The secretary of labor and regulation
13 is a nonvoting member. Five of the nine voting members of the council are a quorum for
14 meetings. ~~The lieutenant governor shall serve as the chair and has the right to vote.~~ Any
15 recommendations by the advisory council shall be by majority vote of the nine voting members.



1 The terms of members begin on October thirty-first of the calendar year in which the
2 Governor appoints the member, unless otherwise designated by the Governor. The appointee's
3 term expires on October thirtieth in the third year of appointment.

4 ~~Any member's term ending June 30, 2013, or thereafter is extended to October thirtieth in~~
5 ~~the year the term is to expire.~~

6 The council shall aid the Department of Labor and Regulation in reviewing the workers'
7 compensation program as to its content, adequacy, and effectiveness and make
8 recommendations for its improvement. The council shall meet as frequently as necessary but
9 not less than twice each year. The council shall make reports of its meetings that shall include
10 a record of its council discussions, including all issues voted upon and the vote count, and its
11 council recommendations. The council shall make an annual report to the Governor and
12 Legislature by December thirty-first of each year. The department shall make the reports
13 available to any interested persons or groups.