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at

packages

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A regular session of the Legislature shall be held each year and shall not exceed forty legislative days, excluding Sundays, holidays and legislative recess, except in cases of impeachment, and members of the Legislature shall receive no other pay or perquisites except salary and mileage.

Constitutional Amendment O

Title: An Amendment to the South Dakota Constitution changing the method for distributions from the cement plant trust fund.

Attorney General Explanation:

In 2001, the \$238 million in proceeds from the sale of the state cement plant were placed in a constitutionally created trust fund. Currently, the Constitution requires a yearly transfer of \$12 million from the cement plant trust fund to the state general In addition, under certain circumstances the Legislature must authorize distributions of cement plant trust fund earnings for the support of education.

Amendment O replaces the existing method for cement trust fund distributions. The amendment would require a yearly transfer of 4% of the market value of the cement plant trust fund to the state general fund for the support of education.

method for distributions from the cement plant trust fund. A vote "No" will leave the Con-

A vote "Yes" is for changing the

stitution as it is.

Full Text of Constitutional **Amendment O**:

That Article XIII, section 20 of

the Constitution of the State of South Dakota, be amended to read as follows: § 20. The net proceeds derived

from the sale of state cement enterprises shall be deposited by the South Dakota Cement Commission in a trust fund hereby created to benefit the citizens of South Dakota. The South Dakota Investment Council or its successor shall invest the trust fund in stocks, bonds, mutual funds, and other financial instruments as provided by law. Each fiscal vear befiscal vear 2001. shall be made from the trust fund to the state general fund as pro-

That Article XIII, section 21 of the Constitution of the State of South Dakota, be amended to read

vided by law.

§ 21. Except as provided in Arti ele XIII. section 20 of the Constitution of the State of South Dakota, the original principal of the trust fund shall forever remain inviolate. However, the The Legislature shall, by appropriation make distributions from the difference between the twelve million dollar annual general fund transfer and five percent of the market value of the trust fund for the support of education, but not for the replacement of state aid to general education or special edu cation, if the increase in the market value of the trust fund in that fiscal year was sufficient to main tain the original principal of the trust fund after such distributions Beginning with fiscal year 2006, the market value of the trust fund shall be determined by adding the market value of the trust fund at the end of the sixteen most recent ealendar quarters, and dividing that sum by sixteen transfer from the trust fund to the state general fund four percent of the lesser of the average market value of the trust fund determined by adding the market value of the trust fund at the end of the sixteen most recent calendar quarters as of December thirty-first of that year and dividing that sum by sixteen, or the market value of the trust fund at the end of that calendar year for the support of education in South Dakota. The transfer shall be made prior to June thirtieth of the

Constitutional Amendment P

subsequent calendar year.

Title: An Amendment to the South Dakota Constitution adding balanced budget requirements.

Attorney General Explanation: While the constitution currently restricts the State from incurring debt, it does not expressly require the State to have a balanced budget. Amendment P requires the Governor to propose a balanced budget. In addition, Amendment P prohibits legislative appropriations from exceeding anticipated revenues and existing available funds. The amendment is not intended to affect

other constitutional provisions A vote "Yes" will include bal-

Legal and Public 2010 **Legal and Public**

> anced budget requirements in the Constitution.

Notices

A vote "No" will leave the Constitution as it is.

Full Text of Constitutional

Amendment P: That Article XII of the Constitu-

tion of the State of South Dakota. be amended by adding a NEW SECTION to read as follows:

§ 7. The Governor shall propose a budget in which expenditures or appropriations may not exceed anticipated revenue and existing funds available for expenditure or appropriation. Appropriations by the Legislature may not exceed anticipated revenue and existing funds available for expenditure or appropriation. Nothing in this section is intended to limit, restrict, expand, modify, or otherwise affect any other provision of this Constitution, including Article

2012 Initiated Measure

was proposed by petition for submission to the voters. This initiated measure will not become effective unless approved by major-

The following initiated measure

Initiated Measure 15

Title: An initiated measure to increase state general sales and use taxes for additional K-12 public education and Medicaid funding

Attorney General Explanation: The initiated measure increases

the state general sales and use tax rate from 4% to 5%. The additional tax revenue will be split evenly between K-12 public education and Medicaid. The education funds will be provided to school districts based on enrollment, to be spent on improving education as school boards determine. The Medicaid funds will be spent only on payments to Medicaid providers and related state expenses.

The additional funds cannot replace or reduce state funding levels set for fiscal year 2012 relating to existing Medicaid and K-12 public education programs, including state aid to education. Currently, state aid is to be adjusted annually by 3% or the rate of inflation, whichever is less. Under the measure, this annual adjustment cannot exceed the growth rate in state general fund revenues. Any resulting shortfall in state aid will be made up in subsequent years.

A vote "Yes" is for the proposed law.

A vote "No" is against the pro-

Full Text of Initiated Measure Commencing January 1. 1

2013, twenty percent of the monies collected pursuant to the South Dakota sales and use taxes imposed by SDCL chapters 10-45 and 10-46 shall be placed in a special fund known as the Moving South Dakota Forward fund. The monies in the Moving South Dakota Forward fund shall be allocated into the following two subfunds within the Moving South Dakota Forward fund (1) fifty per-

ing K-12 Education Forward subfund; and (2) fifty percent shall be allocated to the Moving Healthcare Forward subfund.

cent shall be allocated to the Mov-

2. Monies allocated in Section 1 of this initiated measure shall be disbursed as follows:

(1) Monies in the Moving K-12 Education Forward sub-fund are continuously appropriated to the public school districts of South Dakota, to be distributed pro rata based upon each school district's relative share of fall enrollment as defined in SDCL chapter 13-13. compared to the fall enrollment of all school districts. Funds deposited in the Moving K-12 Education Forward subfund in the preceding calendar quarter shall be distributed, provided above, to the public school districts of South Dakota by the first business day of February, May, August, and November of each year, commencing May 1, 2013. Funds received by a school district form the Moving K-12 Education Forward subfund shall be used at the sole discretion of the public school district's governing board for the purpose of improving pub-

(2) Eighty percent of the monies in the Moving Healthcare Forward subfund shall be spent only for the purpose of funding payments to providers to the South Dakota Medicaid program, which are incurred due to increases in expenses related to the reimbursement rates paid to service provid-

lic education;

Vermillion Plain Talk

Announcements -**Lost - Found Pets** 1570 Lost: Friendly white cat w/tan spots & striped tail. Last seen around North Crawford-Vermillion. (605)624-9126

> 1605 **Apartments For Rent** 3-Bedroom Apartments. River Court Apartments, Vermillion. Rent based on income. Must qualify by family size and income. One unit is Handicapped Accessible with roll in shower. Equal Housing Opportunity. 605-202-0008 or Skogen Company 605-263-3941.

For Rent -Vermillion. 2-Bedroom apt, washer/dryer, deck. Call (605)202-0093.

For Rent: One and Two Bedroom Apt. for elderly or perwith disabilities at River Court Apt. 24 E. Duke, Vermil-HDC accessible. qualify by income. Rent based on income. Equal Housing Opportunity. 202-0008 or Skogen Company (605)263-3941.

New large 2 or 3-bedroom, Master bedroom w/master bath, his & her walk-in closets. Handicap accessible. No pets. No parties. 214 Bower St, Vermillion, SD. Next to WalMart. (712)899-0505

Newer 2-bedroom, 2-bath apts, central heat & air, \$650 rent, \$650 deposit. Apartments Vermillion. Call located in (605)280-6432. First month

1615 **Houses For Rent**

For Rent: Like new newly remodeled two story home in rural Tyndall area. 5-bedrooms, single bath with laundry room. Home is energy efficient with seamless steel siding and tripanel glass windows. (605)660-4306.

Very nice 5-bedroom house, 2-bathrooms. Dining room, fireplace, dishwasher/garbage disposal. 3-car garage fenced in backyard. \$1000/month. Available May 1st. (605)661-9279.

Houses For Sale



204 Brown St., Gayville \$139.900

4-Bedroom 2-full bath. Home (605)660-7537 Warranty www.yankton.net/204brown/

Home for Sale: Prime S.E. neighborhood, close to high school, hospital, golf course, 4 bedroom, 2 bath, walk-in cedar lined closet, gas fireplace, multi-level deck, hot tub, landscaped. 414 Bulow St-Vermillion. \$137,500. Contact: Linda (605)202-0194

Vermillion 4-Bedroom, 1-Bath, central air, new windows, roof, furnace, all appliincluded. \$75,000. ances (605)370-3447.

1655 Mobile Homes For Sale HIGHEST CASH PRICES PAID FOR MOBILE HOMES Call (605)624-8001.

1700 Merchandise

White wedding decor. Would be beautiful for a winter wedding. Can also add your own colors. Enough for 40 tables. (402)329-6387.

1705 Items \$100 or Less

For Sale: GE 30" elect. range, self cleaning. \$70. Nutone over rage vent, \$5.00, Microwave, \$10.00. (605)624-9782

For Sale: U shaped base cabinet w/top & double sink. \$100. (605)624-9782

Sharp cash register, model XE-A106, works shall devible shall devible ducting 15' \$8. (605)760-2614.

Antiques - Collectibles

Red Tag Sale. Great buys. Large inventory of antique/vintage/primitive furniture & more. Elk Point exit 15, storage units east of Kum & Go. October 20, 8am-5pm

Lawn - Garden

At Clark's Rentals we rent trenchers, skidloaders, mini-excavators. Dynalifts, paint sprayers, scaffolding, and so much more. We even rent a tree spade! Call (605)665-3343- Clark Rentals, tree 800 E. 4th St., Yankton.

1800 Sports Equipment 2010 **GUN SHOW DTGCA at** Mitchell, SD

Davison County Fairgrounds. I-90 Exit 330. 1 1/2 miles West of Ramada, Mitchell, SD. October 27 9:00am-5:00pm. October 28 9:00am-3:00pm. Admission \$5.00. (605)-268-0254.

1815 Miscellaneous **CULVERTS** STEEL FOR SALE: New, ΑII sizes. (605)661-5050 or Ulmer Farm (605)387-5660. Service, Menno, SD.

Firewood for sale: Cut, split, seasoned. Big loads, reasona-Delivered priced. (605)661-1556 or (605)668-9886.

I-Beams for Various sale. lengths and width. CAII (402)369-2534 or (402)369-2350

If you used Pradaxa and suffered internal bleeding, hemorrhaging, required hospitalization or a loved one died while taking Pradaxa between October 2010 and the present. You may be entitled to compensation. Call Attorney Charles H. Johnson 1-800-535-5727.

Will buy complete household estates. Also guns, four wheelers, and miscellaneous. Call Ron, (402)750-9972.

1830 Rummage Sales Garage Sale

> Saturday, Oct. 13th, 8:00am-1:00pm 24 Cypress Dr., Vermillion

collectibles, cowboy hats & boots, furniture, guitars, girls clothes, coats & miscellaneous

Agriculture 1850 Chopped corn silage with innoculent: Also have round corn bales. Will deliver. stock (402)369-2534 or (402)369-2350.

1895 Utility - Livestock Trailer

Gooseneck 1997 96"x28' Two 10,000 lb. axles, traile. adjustable hitch, electric brakes, blue, new 10-ply tire. (605)660-4306.

2010 Legal and Public Notices NOTICE OF APPLICATION

FOR EXECUTIVE

CLEMENCY

MATTHEW BYRON N D E R SON, who was sentenced from CLAY COUNTY, the 18th day of July, 2008, to two and one-half (2 1/2) years, two and one-half (2 1/2) years of which were suspended, a Five Hundred Dollar (\$500,00) fine and additional court costs, for the crime of Possession of a Controlled Substance. to-wit: Cocaine, A Class 4 Felony,

MATTHEW BYRON N D E R -SON has applied to the South Dakota Board of Pardons and Paroles for a Pardon.

Dated this 21st day of S e p t e m -ber, 2012

Tim Hogan Attorney for the Applicant McCann, Ribstein & McCarty,

PO Box 78 Brookings, SD 57006 (605)692-6193

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> 2012 Constitutional Amendments

The following amendments to the State Constitution are submitted to the voters by the Legislature. The amendments will not become effective unless approved by majority vote.

Title: An Amendment to the

Constitutional Amendment M

Attorney General Explanation: The Constitution currently contains certain restrictions on the Legislature's authority to enact laws regarding corporations. For example, corporate directors must be elected by cumulative voting,

corporations.

ing certain provisions relating to

follows:

appointed.

South Dakota Constitution regard-No person may serve more than four consecutive terms or a total of eight consecutive years in the senate and more than four consecutive terms or a total of eight consecutive years in the house of representatives. However, this restriction does not apply to partial

Legal and Public 2010 Notices

email: classifieds@plaintalk.net

in which a shareholder may choose to cast all votes for a single candidate or spread the votes among two or more candidates. Corporate stock or bonds may only be issued for money, labor or property received by the corporation. Corporate stock or debt may not be increased without prior notice to and consent of current stockholders.

Constitutional Amendment M removes these restrictions, and allows the Legislature to: (1) authorize alternative methods of voting in elections for corporate directors; (2) expand the types of contributions a corporation may receive for the issuance of stock or bonds; and (3) establish procedures governing the increase of corporate stock or debt.

A vote "Yes" will remove the constitutional restrictions.

A vote "No" will leave the Constitution as it is. Full Text of Constitutional

Amendment M: That Article XVII, section 1 of the Constitution of the State of South Dakota, be amended to read

as follows:

§ 1. No corporation shall be created or have its charter extended, changed or amended by special laws, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the state; but the Legislature shall provide, by general laws, for the organization of all corporations hereafter to be created. The Legislature shall have the authority to enact laws governing the operation and dissolution of corporations.

That Article XVII, section 5 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 5. In all elections for directors or managers of a corporation, each member or shareholder may cast the whole number of for one candidate, or distrib ute them upon two or more candias he may prefer votes in the manner consistent with laws enacted by the Legislature

That Article XVII, section 8 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 8. No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received, or for the reasonable value of other contribution to the corporation; and all fictitious increase of stock or indebtedness shall be void. The stock and indebtedness of corporations shall not be increased except in of general without the consent of the persons holding the larger amount in value of the stock first obtained, at a meeting to be held after sixty days notice given in pursuance of law the manner consistent with laws

Constitutional Amendment N

enacted by the Legislature.

Title: An Amendment to the South Dakota Constitution repealing certain reimbursement restrictions for travel by legislators to and from a legislative session.

Attorney General Explanation:

The Constitution fixes the mileage reimbursement rate for legislators at five cents per mile for their travel to and from a legislative session.

Constitutional Amendment N repeals this constitutional limitation and allows legislator travel reimbursement to be set by the Legis-

A vote "Yes" will eliminate the fixed travel reimbursement rate.

A vote "No" will leave the Constitution as it is.

Full Text of Constitutional Amendment N: That Article III, section 6 of the Constitution of the State of South

Dakota, be amended to read as

§ 6. The terms of office of the members of the Legislature shall be two years; they legislators shall receive for their services the salary fixed by law under the provisions of § 2 of article XXI of this Constitution, and five cents every mile of necessary travel going to and returning from the place of meeting of the Legislature on the most usual route.

terms to which a legislator may be