

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

400R0331

SENATE BILL NO. 44

Introduced by: The Committee on Judiciary at the request of the Public Utilities Commission

1 FOR AN ACT ENTITLED, An Act to authorize the Public Utilities Commission to conduct
2 certain rule-making proceedings by teleconference.

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

4 Section 1. That § 1-25-1 be amended to read as follows:

5 1-25-1. Except as otherwise provided by law, the official meetings of the state and the
6 political subdivisions thereof, including all related boards, commissions and other agencies, and
7 the official meetings of boards, commissions and agencies created by statute or which are
8 nontaxpaying and derive a source of revenue directly from public funds, shall be open to the
9 public, except as provided in this chapter. It does not constitute an official meeting if members
10 of a political subdivision of this state are attending a meeting of the state or one of its political
11 subdivisions, a board, a commission, an association, an agency, or any other public entity for
12 which public notice is provided pursuant to § 1-25-1.1 for the purpose of providing information
13 or observing, and the notice requirements in § 1-25-1.1 do not apply. Meetings, including
14 executive or closed meetings may be conducted by teleconference. Members shall be deemed
15 present if they answer present to the roll call taken by teleconference. Any vote at a meeting held



1 by teleconference shall be taken by roll call. Except for executive or closed meetings held by
2 teleconference, there shall be provided one or more places at which the public may listen to and
3 participate in the proceeding. Except for executive or closed meetings held by teleconference
4 of related boards and commissions of the state, there shall be provided two or more places at
5 which the public may listen to and participate in the proceeding. Except for the Digital Dakota
6 Network and for proceedings conducted by the Public Utilities Commission, no teleconference
7 may be used in conducting hearings or taking final disposition pursuant to § 1-26-4.
8 Teleconference meetings are subject to the notice provisions of chapter 1-25.

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