

# INITIATIVE PETITION

WE, THE UNDERSIGNED qualified voters of the state of South Dakota, petition that the following proposed law be submitted to the voters of the state of South Dakota at the general election on November 7, 2006 for their approval or rejection pursuant to the Constitution of the State of South Dakota.

The substance of the proposed law is as follows:

Be it enacted by the people of South Dakota.

An initiative to place certain restrictions on the use of state-owned aircraft.

Section 1. That § 5-25-1.1 be amended to read as follows:

5-25-1.1. Vehicles owned or leased by the state may be used only in the conduct of state business. No state officer or employee, except the Governor, law enforcement officers of the South Dakota Highway Patrol, law enforcement officers of the Division of Criminal Investigation, and conservation officers may use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business. Nothing in this section prohibits any use of any state vehicle, if, in order to provide for the most efficient use of state equipment or personnel, supervisory personnel issue written instructions to any state employee to use a state vehicle for transportation:

(1) Between the employee's permanent residence and work station; or

(2) Between the employee's temporary residence or eating place and work station if assigned to a locality other than the employee's permanent residence.

For purposes of this section, any aircraft owned or leased by the state may be used only in the conduct of state business. None of the exceptions listed above are applicable regarding the use of any aircraft owned or leased by the state or any of its agencies.

A violation of this section is a Class 2 misdemeanor. The violator is also subject to a civil action by the State of South Dakota in circuit court for the recovery of a civil penalty of not more than one thousand (\$1,000) dollars plus ten times the cost incurred by the state for misuse of the vehicle. An action for the recovery of a civil penalty or compensatory damages shall, upon demand, be tried by a jury.

### INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN <i>R. F. Nesiba - 605-335-6998</i> 1 PRINT Reynold F. Nesiba	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2204 S. Holly Ave. CITY OR TOWN SIOUX FALLS, SD	DATE OF SIGNING 12/19/05 COUNTY OF REGISTRATION Minnehaha
SIGN 2 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER  CITY OR TOWN	DATE OF SIGNING  COUNTY OF REGISTRATION
SIGN 3 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER  CITY OR TOWN	DATE OF SIGNING Filed this 21 <sup>st</sup> day of December, 05 COUNTY OF REGISTRATION

*Chris Nelson*  
SECRETARY OF STATE

RECEIVED  
DEC 21 2005  
S.D. SEC. OF STATE