

REPRESENTATIVE STEVEN G. HAUGAARD, CHAIR | SENATOR BROCK L. GREENFIELD, VICE CHAIR  
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June 3, 2019

Mr. Paul Thronson and Mr. Nick Zachariasen  
South Dakota Community Action  
7301 S. Valencia Drive  
Sioux Falls, SD 57108

RECEIVED  
JUN 03 2019  
S.D. SEC. OF STATE

Dear Mr. Thronson and Mr. Zachariasen:

This office is required to review each initiated measure to determine whether it is written in a clear and coherent manner in the style and form of other legislation and worded so that the effect of the measure is not misleading or likely to cause confusion among voters in accordance with SDCL 12-13-24. Further, in accordance with SDCL 12-13-25, this office is required to provide written comments to assist the measure's sponsor in complying with SDCL 12-13-24, including assistance regarding the substantive content of the measure in order to minimize any conflict with existing law and ensure the measure's effective administration. You are under no obligation to accept any of the suggestions contained in this letter, but please keep in mind the legal standards established in SDCL 12-13-24 and 12-13-25.

Attached is a copy of your proposed initiated measure regarding the expansion of Medicaid expansion in the state with our suggested changes in overstrikes and underscores. You may also consider limiting the expansion to those under the age of sixty-five, due to those sixty-five and over being eligible for Medicare. If you have any questions regarding our suggested changes, please feel free to contact us.

It has been determined during this review that this proposed initiated measure may have an impact on revenues, expenditures, or fiscal liability of the state and its agencies and political subdivisions. Please provide the Legislative Research Council a copy of the initiated measure as submitted in final form to the Attorney General, so we can develop any fiscal note required by SDCL 2-9-30.

This letter constitutes neither an endorsement of your initiated measure nor a guarantee of its sufficiency. It does constitute fulfillment of your responsibility pursuant to SDCL 12-13-25 to submit your draft to this office for review and comment. If you proceed with your initiated measure, please take care to ensure that your statements or advertising do not imply that this office endorses or approves your proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Hancock". The signature is fluid and cursive.

Jason Hancock  
Director

JH:DO:ct

Enclosure

CC: The Honorable Steve Barnett, Secretary of State  
The Honorable Jason Ravnsborg, Attorney General

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

Section 1. That chapter 28-6 be amended by adding thereto a NEW SECTION to read:

The ~~minimum~~ income standard the Department of Social Services may impose on a person for eligibility for the medical assistance program established and ~~operated~~ administered pursuant to § 28-6-1 and in accordance with Title XIX of the federal Social Security Act, as amended to January 1, ~~14, 2004~~2019, is at and under one hundred thirty-eight percent of the federal poverty level established by the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, 124 Stat. 119 (2010), as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, 124 Stat.1029.