



MINUTES

Executive Board

**Fifth Meeting
2009 Interim
November 16, 2009**

**Room 413
State Capitol
Pierre, South Dakota**

The fifth 2009 interim meeting of the Legislative Research Council Executive Board was called to order by Chair Senator Jean Hunhoff at 9:00 a.m. (CT), November 16, 2009, in Room 413 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Dan P. Ahlers, Bob Gray, Jean M. Hunhoff (Chair), Ryan Maher, Kathy Miles, and Craig Tieszen; and Representatives Quinten L. Burg (Ranking Minority Member), Dustin Cronin, Shantel Krebs (Vice Chair), Larry Lucas, J.E. "Jim" Putnam, Tim Rave, Larry Tidemann, and Charles M. Turbiville. Senator Gene G. Abdallah was excused.

Staff members present included James Fry, LRC Director; and Teri Retrum, Administrative Assistant.

(Note): For the purpose of continuity, these minutes are not necessarily in chronological order. Also, all material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council (LRC). This meeting was web cast live. The archived web cast is available at the LRC web site at <http://legis.state.sd.us> under "Interim Information – Minutes and Agendas."

(Note): On Monday, November 16, 2009, the Investment Council Subcommittee met at 8:00 a.m.; the Legislative Interns Subcommittee met at 8:45 a.m.; and the Personnel Subcommittee met at 7:45 a.m.

Approval of Minutes

REPRESENTATIVE KREBS MOVED, SECONDED BY SENATOR MILES, THAT THE MINUTES OF THE AUGUST 17, 2009, MEETING BE APPROVED. The motion prevailed unanimously on a voice vote.

Approval of Agenda

Chair Jean Hunhoff asked that the following be added as agenda items:

1. Discussion by **Representative Larry Lucas** regarding an ethics forum for legislators; and
2. Discussion on whether to hold a small reception for Governor Rounds to note his appointment to President of Council of State Governments.

REPRESENTATIVE RAVE MOVED, SECONDED BY REPRESENTATIVE TIDEMANN, THAT THE AGENDA BE APPROVED WITH THE TWO ADDENDUMS. The motion prevailed unanimously on a voice vote.

South Dakota State Investment Council Report

Mr. Matt Clark, State Investment Officer, reviewed the Investment Council's comments (**Document #1**). The comments began with the fiscal year-to-date estimated returns (since June 30)—SDRS +16.6% (as of November 13). Trust fund returns range from +13.7% to +14.5% (as of November 13).

Mr. Clark informed the Board that the Investment Council also is planning to adjust its budget request to the Bureau of Finance and Management and the Appropriations Committee to remove the salary policy portion of any compensation increases—investment officers and senior staff would get zero increase—beginning to intermediate term staff would also be zero. They would continue to receive promotion related increases, which is the largest component for most.

According to Mr. Clark, the Council supports an amendment to the open meetings law to make it compatible with the new open records law with respect to proprietary confidential information. This would allow proprietary confidential information protected by the new open records law to be discussed in executive session. (A legislative proposal to this end was included in the report.)

Included in the information presented by Mr. Clark was a transmittal letter outlining the performance review of the Investment Council for the fiscal year ended June 30, 2009. In the letter, it was stated that the recovery of financial markets appears to be underway; however, the economy remains weak. Mr. Clark reiterated that the Council focuses attention on long-term performance rather than one-year results and noted that FY 2009 returns were significantly negative. However, positive markers are occurring in most internally managed portfolios, including global equity and fixed income.

The remainder of the report was a summary of trust fund value and asset allocation. Mr. Clark summarized his comments by stating that the Investment Council continues to focus on keeping its costs low.

South Dakota Retirement System (SDRS) Report

Mr. Rob Wylie, Executive Director/Administrator, SDRS, distributed copies of a report encompassing a funded status overview and legislative considerations as of June 30, 2009 (**Document #2**).

The report included the following graphs

1. Funded Status—7.75% Annual Return on Market Value of Assets (Assumes 2010 Corrective Action);
2. Funded Status Projection Based on FY 2010 Estimated Investment Returns—One Year at 13.00%, then 7.75% Annual Return on Market Value of Assets (Assumes 2010 Corrective Action);

3. SDRS Board of Trustee Corrective Actions Guidelines—Any corrective actions will consider the long-term nature of pension funding and past practices (no contribution increases will be requested);
4. Corrective Action Recommendations to be Effective July 1, 2010;
5. Other Potential Legislation—Fiduciary Responsibilities; and
6. National Institute on Retirement Security—Pensionomics Study—South Dakota Taxpayer Investment Factor (\$12.49—Number one ranked pension plan in the nation—Only 10% of SDRS pensions paid have been funded by South Dakota taxpayers' contributions—Average taxpayer funded rate by state is 20%).

Responding to questions from Board members, Mr. Wylie said that one of the pieces of proposed legislation is to amend state statute to specify that SDRS is independent. Mr. Wylie clarified that currently SDRS is tagged as part of the Department of Labor.

Stimulus Audit Update

Mr. Marty Guindon, Auditor General, distributed copies of State of South Dakota—American Recovery and Reinvestment Act of 2009 Expenditure by Grant and potential Audit Coverage as of October 17, 2009 (**Document #3**).

Regarding stimulus money, Mr. Guindon said that he needs to hire two more auditors to keep up-to-date in reviewing spending in stimulus projects and other state programs.

Board members agreed that Mr. Guindon can ask for the additional auditors when next year's state budget is put together. However, board members said the final decision will be up to the Legislature's Appropriations Committee.

REPRESENTATIVE PUTNAM MOVED, SECONDED BY REPRESENTATIVE RAVE, THAT THE EXECUTIVE BOARD APPROVE THE AUDITOR GENERAL'S REQUEST TO TAKE FORTH HIS REQUEST TO HIRE ADDITIONAL FTEs TO THE APPROPRIATIONS COMMITTEE.

Senator Dan Ahlers said that he does not think the Auditor General needs the Executive Board's permission to take his request to the Appropriations Committee.

Chair Hunhoff said that the Executive Board approved Mr. Guindon's initial budget request and that, now, he is requesting a deviation to that approved request.

Mr. Guindon said that SDCL 4-2-8 states that the Executive Board directs the activities of the Auditor General:

SDCL 4-2-8. Executive Board of Legislative Research Council to direct activities. The Executive Board of the State Legislative Research Council is hereby empowered to act on behalf of the Legislature in directing the activities of the auditor-general.

Representative Larry Tidemann said that he supports Mr. Guindon's request to take his proposal to the Appropriations Committee; however, Representative Tidemann said that he

will not support adding the auditors because the Legislature decided not to expand state government to manage stimulus programs.

Senator Bob Gray said that it does not matter what the Board does in this regard because the Auditor General has to appear before the Appropriations Committee to make his request.

Representative Putnam's motion prevailed on a roll call vote with 13 voting AYE, 1 voting NAY, and 1 EXCUSED. Those voting AYE: Gray, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those voting NAY: Ahlers. Those EXCUSED: Abdallah.

Legislative Research Council Year-End Finance Report

Mr. Jim Fry, LRC Director, reported that the LRC will revert \$126,138 to the general fund. Mr. Fry noted that \$249,063 was retained from the Fourth Floor remodeling account.

Mr. Fry drew the Board's attention to the quotes for printing the Red Books and the Bills, Journals, and Journal Indexes for the 2010 Legislative Session. Mr. Fry told the Board that the cost charged to the public for the materials is below the cost of printing them.

REPRESENTATIVE RAVE MOVED, SECONDED BY REPRESENTATIVE TIDEMANN, THAT THE EXECUTIVE BOARD ACCEPT THE PRINTING QUOTES AS PRESENTED.

Senator Gray said that it does not make sense to take a loss on the printed materials.

Representative J.E. "Jim" Putnam asked whether the printing contract was put up for bid.

Mr. Fry responded in the affirmative; however, he said that usually one bid is received due to the cost and the logistics of printing and delivering the materials.

Responding to **Senator Dan Ahlers**, Mr. Fry said that the printed material also is available digitally.

Representative Rave's motion prevailed on a roll call vote with 13 voting AYE, 1 voting NAY, and 1 EXCUSED. Those voting AYE: Ahlers, Gray, Maher, Miles, Tieszen, Burg, Cronin, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those voting NAY: Krebs. Those EXCUSED: Abdallah.

SENATOR GRAY MOVED, SECONDED BY REPRESENTATIVE KREBS, THAT THE LEGISLATURE'S PRINTED MATERIALS WILL BE AVAILABLE FOR A CHARGE EQUAL TO THAT OF PRINTING THE MATERIALS.

SENATOR AHLERS MADE A SUBSTITUTE MOTION, SECONDED BY REPRESENTATIVE LUCAS, THAT THE LEGISLATIVE MATERIALS BE AVAILABLE ON-LINE TO BE PRINTED IN A PDF FORMAT AT NO CHARGE; ONLY THE REQUIRED NUMBER OF MATERIALS WILL BE PRINTED AS PAPER DOCUMENTS.

After Board discussion, Senator Ahlers withdrew his motion.

Senator Gray's motion prevailed on a roll call vote with 13 voting AYE, 1 voting NAY, and 1 EXCUSED. Those voting AYE: Gray, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those voting NAY: Ahlers. Those EXCUSED: Abdallah.

The Board recessed at 10:25 a.m. and reconvened at 10:35 a.m.

Ethics Forum for Legislators

At the direction of Chair Hunhoff, **Representative Larry Lucas** informed the Board that he spoke to the Attorney General about presenting information on ethics as outlined in Article III of the South Dakota Constitution. The Attorney General said that he would be able to provide that information the morning of the Governor's Budget Address on December 8, 2009.

The Board agreed to pursue Representative Lucas's proposal for the forum to be presented by the Attorney General.

Chair Hunhoff thanked Representative Lucas for his endeavors in this matter.

Legislative Travel

REPRESENTATIVE LUCAS MOVED, SECONDED BY REPRESENTATIVE BURG, THAT THE EXECUTIVE BOARD CONTINUE ITS CURRENT TRAVEL POLICY, EXCLUDING TRAVEL TO ALEC.

REPRESENTATIVE KREBS MADE A SUBSTITUTE MOTION, SECONDED BY REPRESENTATIVE TURBIVILLE, THAT TRAVEL BE LIMITED TO ONE OUT-OF-STATE MEETING, INSTEAD OF THE CURRENT TWO OUT-OF-STATE MEETINGS.

Representative Shantel Krebs stated that the Legislature needs to take responsibility for containing its travel in these economic times. She said that she quite often will attend meetings telephonically and recommended that more legislators do the same.

Representative Quinten Burg said that he could support the substitute motion if it contained the attendance at ALEC restriction moved by Representative Lucas.

Senator Kathy Miles said that some of the legislators have been appointed to committees of the national committees and expressed concern that a change in travel might disallow attendance to those meetings.

Senator Gray said that attendance at Streamlined Sales Tax meetings should be exempt.

Mr. Fry said that this group meets from four to six times per year and works on this tax issue so that all states will be able to receive revenue from some internet sales.

Senator Craig Tieszen said that attendance at two meetings seems to him to be a reasonable number, so Senator Tieszen said that he would resist the substitute motion.

Representative Kreb's motion to restrict travel to one meeting failed on a roll call vote with 3 voting AYE, 11 voting NAY, and 1 EXCUSED. Those voting AYE: Maher, Krebs, Turbiville. Those voting NAY: Ahlers, Gray, Miles, Tieszen, Burg, Cronin, Lucas, Putnam, Rave, Tidemann, Hunhoff. Those EXCUSED: Abdallah.

Representative Lucas agreed to add an exemption for attendance at Streamlined Sales Tax meetings to his motion.

Representative Lucas's motion failed on a roll call vote with 6 voting AYE, 8 voting NAY, and 1 EXCUSED. Those voting AYE: Ahlers, Maher, Miles, Tieszen, Burg, Lucas. Those voting NAY: Gray, Cronin, Krebs, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those EXCUSED: Abdallah.

REPRESENTATIVE RAVE MOVED, SECONDED BY SENATOR AHLERS, THAT THE EXECUTIVE BOARD CONTINUE ITS FY 2010 TRAVEL POLICY, WITH AN EXEMPTION FOR TRAVEL TO THE STREAMLINED SALES TAX MEETINGS. The motion prevailed on a roll call vote with 12 voting AYE, 2 voting NAY, and 1 EXCUSED. Those voting AYE: Ahlers, Gray, Maher, Miles, Tieszen, Burg, Cronin, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those voting NAY: Krebs, Lucas. Those EXCUSED: Abdallah.

Representative Krebs said that nothing has been changed regarding travel and that, in her opinion, the public expects the Legislature to do its part to curb spending.

Reception for Governor Rounds

In concurrence with Chair Hunhoff, the Executive Board agreed to hold an acknowledgement reception for Governor Rounds on his appointment as President of the Council of State Governments. The reception will be held after the Governor's Budget Address on December 8.

Reports of Interim Committees

(Note: Copies of each interim draft committee report are compiled and labeled Document #4).

Ag Land Assessment Advisory Task Force

Mr. Fred Baatz, Principal Research Analyst, reviewed the Task Force's Final Interim Report.

Mr. Baatz said that the Task Force is proposing one piece of legislation to clarify whether the director of equalization may use certain sales data to document the adjustment for certain factors that affect the productivity of the land.

Chair Hunhoff said that this is a task force, and no action by the Board is needed.

Alcoholic Beverage Control and Licensing Laws

Senator Tom Nelson, Chair, reported on the activities of the Alcoholic Beverage Control and Licensing Laws Committee.

Questions from Board members centered on the proposed draft legislation to repeal certain sign display requirements. The draft repeals the requirement to display a sign warning women about alcoholic beverage consumption when pregnant.

Senator Nelson said that it is not a federal government requirement, and the committee agreed that it was unnecessary.

REPRESENTATIVE TURBIVILLE MOVED, SECONDED BY REPRESENTATIVE PUTNAM, THAT THE EXECUTIVE BOARD ACCEPT THE REPORT OF THE ALCOHOLIC BEVERAGE CONTROL AND LICENSING LAWS COMMITTEE, MINUS THE DRAFT TO REPEAL CERTAIN SIGN DISPLAY REQUIREMENTS.

Senator Tieszen said that the sign requirement is what he calls a "feel good" measure to make the Legislature think that they are doing something to help prevent fetal alcohol syndrome. He spoke about his experiences as a former law enforcement officer. Senator Tieszen said that what is needed is money to educate pregnant women on the hazards of alcohol consumption and the means to prevent this consumption. A tax on alcohol, the revenue of which would go toward prevention of alcohol consumption by pregnant women, would go a long way to help in this matter.

Representative Lucas urged the Board to keep the discussion on whether this issue is part of the committee's scope of study. In his opinion, Representative Lucas said that this issue should be disallowed because it is not within the scope of the committee's study assignment.

Representative Turbiville's motion prevailed on a roll call vote with 12 voting AYE, 2 voting NAY, and 1 EXCUSED. Those voting AYE: Ahlers, Gray, Miles, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those voting NAY: Maher, Tieszen. Those EXCUSED: Abdallah.

Joint Committee on Appropriations

Representative Larry Tidemann, Chair, discussed the Appropriations Committee's interim study. He said that the committee approved six letters of intent—Department of Tourism and State Development, Board of Regents, Department of Corrections, Bureau of Finance and Management, Department of Agriculture, and Department of Education. Representative Tidemann also informed the Board that the Appropriations Committee appointed the following three subcommittees:

1. FTE Utilization;
2. Closing of Driver's License Stations;
3. School for the Deaf.

Chair Hunhoff said that this is a standing committee of the Legislature and declared the report accepted by the Board.

Bureau of Personnel Agency Review

Mr. Terry Miller, Senior Fiscal Analyst, reviewed the report of the Bureau of Personnel Agency Review Committee. Mr. Miller said the committee had excellent cooperation from the Bureau.

The committee adopted legislation to revise awkward or archaic language and amend statutes related to the Bureau of Personnel that are gender specific to modernize language and make the statutes consistent with current drafting style.

REPRESENTATIVE TIDEMANN MOVED, SECONDED BY REPRESENTATIVE TURBIVILLE, THAT THE EXECUTIVE BOARD ACCEPT THE REPORT OF THE BUREAU OF PERSONNEL AGENCY REVIEW COMMITTEE. The motion prevailed on a roll call vote with 14 voting AYE and 1 EXCUSED. Those voting AYE: Ahlers, Gray, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those EXCUSED: Abdallah.

Government Operations and Audit Committee

Mr. Tim Flannery, Legislative Audit, distributed the "Report of the Government Operations and Audit Committee 2009" (**Document #5**).

Mr. Flannery discussed the executive summary and reviewed the Government Operations and Audit Committee's interim activities. Among those activities was the review of the semi-annual Juvenile Corrections Monitor Reports, as well as any reports on substantiated cases of abuse or neglect involving juveniles in the custody and care of the Department of Corrections, and semi-annual reports on the same in private contracted facilities.

Responding to Representative Krebs, Mr. Flannery said that the Chair of the committee determines which facilities the committee tours. Sometimes, when there are new members of the committee, the Chair wants to provide those members the opportunity to tour some of the facilities that are audited by the department.

Representative Tidemann stressed the importance of having a plan in place for when to review agencies and fund balances.

Senator Tieszen commented that one of the charges of the Department of Legislative Audit is to review the Juvenile Corrections Monitor Reports. The consensus was that the juvenile corrections facilities are run well and when deficiencies are noted, they are dealt with in a proper manner.

Chair Hunhoff said that this is a standing committee of the Legislature and declared the report accepted by the Board.

State-Tribal Relations Committee

Mr. Tom Magedanz, Principal Research Analyst, said that the committee is an on-going interim committee that was created in statute (SDCL 2-6-20) in 1993.

Mr. Magedanz said that the committee held a meeting at the Rosebud Sioux Tribe Water Resources Conference Room in Rosebud. On the second day of the meeting, the committee toured several facilities on the Rosebud Reservation.

Throughout the interim, Mr. Magedanz stated that the committee heard valuable testimony on various issues of interest to the state and the tribes.

Chair Hunhoff said that this is a committee established in statute and declared the report accepted by the Board.

Medicaid Reimbursement Study Committee

Representative Tim Rave, Chair, stated that the committee resolved that the Medicaid formula was adequate but was not adequately funded. The committee adopted no legislation for the 2010 Legislation Session.

Representative Lucas said that the topics of nursing home care and adult dental care and the costs involved are challenges to meet.

REPRESENTATIVE RAVE MOVED, SECONDED BY REPRESENTATIVE TURBIVILLE, THAT THE EXECUTIVE BOARD ACCEPT THE REPORT OF THE MEDICAID REIMBURSEMENT STUDY COMMITTEE. The motion prevailed on a roll call vote with 14 voting AYE and 1 EXCUSED. Those voting AYE: Ahlers, Gray, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those EXCUSED: Abdallah.

The Board recessed at 12:10 p.m. and reconvened at 2:30 p.m.

Selection of Agencies for Review during the 2010 Interim

Representative Krebs suggested that the Board eliminate the Bureau of Finance and Management from the review process during the 2010 interim because the agency is working on federal funding issues, such as the stimulus and health care, and the Executive Board will be able to receive more information on those matters at a later time. She suggested that the Board select the Bureau of Administration and the Department of Environment and Natural Resources for legislative review during the 2010 interim.

Representative Rave commented that the Department of Health and the Department of Human Services could be combined as one review study.

Chair Hunhoff said that perhaps the Department of Health would be a good choice for review to learn more about the department's plans in the event of a health-related pandemic.

Representative Tidemann expressed support for the suggestion brought forth from Representative Krebs.

REPRESENTATIVE TIDEMANN MOVED, SECONDED BY REPRESENTATIVE KREBS, THAT THE EXECUTIVE BOARD REVIEW THE BUREAU OF ADMINISTRATION AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES DURING THE 2010 INTERIM. The motion prevailed on a roll call vote with 13 voting AYE and 2 EXCUSED.

Those voting AYE: Ahlers, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those EXCUSED: Abdallah and Gray.

Reports of Interim Committees (Continued)

Long-Term Highway Needs and Department of Transportation Agency Review Committee

Representative Shantel Krebs, Chair, reviewed the committee's report. Representative Krebs reported that the committee agreed to recommend an increase in taxes used to support state and local roads—10 cent per gallon increase in the state gas tax; 1 percent increase in the excise tax on vehicle sales; and an increase in the annual vehicle registration fee. Legislation was approved to address those recommendations.

Regarding the agency review, the committee adopted draft legislation to make style and form revisions to statutes concerning the Aeronautics Commission and one making similar changes to the statutes regarding the rest of the department.

Representative Krebs also noted that the committee adopted a Concurrent Resolution urging Congress to pass a balanced, well-funded, multiyear federal highway program which provides connectivity and mobility to both rural and urban areas.

Representative Lucas suggested that the Board ask LRC to prepare a report on the condition of the state's roads and how they are used now compared to times past.

The Executive Board agreed with Representative Lucas's suggestion and requested that LRC staff prepare an Issue Memorandum explaining how revenue has declined while the cost of building and maintaining roads has risen substantially. The report will be distributed to all legislators and be placed on the Legislature's Web site.

Representative Putnam said that cost savings and efficiencies also need to be included in the report.

The Board agreed that this document will help to explain to the public why the Long-Term Highway Needs and Department of Transportation Agency Review Committee recommended increases in taxes used to support state and local roads.

REPRESENTATIVE KREBS MOVED, SECONDED BY REPRESENTATIVE LUCAS, THAT THE EXECUTIVE BOARD ACCEPT THE REPORT OF THE LONG-TERM HIGHWAY NEEDS AND DEPARTMENT OF TRANSPORTATION AGENCY REVIEW COMMITTEE. The motion prevailed on a roll call vote with 13 voting AYE and 2 EXCUSED. Those voting AYE: Ahlers, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those EXCUSED: Abdallah and Gray.

Sex Offender Registry Study Committee

Mr. Reuben Bezpaletz, Chief of Research Analysis and Legal Services, addressed the committee's report. Among the committee's interim activities were reviews of South Dakota's sex offender registry statutes, recent state sex offender legislation, and illustrations of the state's and neighboring states' sex offender Web sites.

Mr. Bezpaletz said that the committee adopted eight pieces of legislation and one committee resolution.

Senator Tiezen commented that local law enforcement personnel are in charge of registering and monitoring sex offenders. He said that South Dakota has a good monitoring system and commended the committee for its efforts.

SENATOR TIESZEN MOVED, SECONDED BY SENATOR MILES, THAT THE EXECUTIVE BOARD ACCEPT THE REPORT OF THE SEX OFFENDER REGISTRY STUDY COMMITTEE. The motion prevailed on a roll call vote with 13 voting AYE and 2 EXCUSED. Those voting AYE: Ahlers, Maher, Miles, Tieszen, Burg, Cronin, Krebs, Lucas, Putnam, Rave, Tidemann, Turbiville, Hunhoff. Those EXCUSED: Abdallah and Gray.

Subcommittee Reports

Personnel Subcommittee

As Chair of the Personnel Subcommittee, Executive Board Chair Hunhoff reported that the subcommittee members recommended that the Executive Board review the Legislative Research Council's pay-range scale and compensation for LRC staff. Also, the subcommittee recommended that the end-of-session survey be expanded to provide more input from legislators regarding LRC staff and the services they provide to the Legislature.

Legislative Interns Subcommittee

Representative Tidemann, Chair of the Legislative Interns Subcommittee, said that the intern applications have been good this year. Twenty-seven majority applications have been received, and 18 minority applications have been received. Of these applicants, 14 interns will be assigned to the majority party, and 8 interns will be assigned to the minority party for the 2010 Legislative Session.

At this time, **REPRESENTATIVE KREBS MOVED, SECONDED BY REPRESENTATIVE TURBIVILLE, THAT THE BOARD GO INTO EXECUTIVE SESSION FOR THE PURPOSES OF A PERFORMANCE REVIEW OF THE LRC DIRECTOR.** The motion prevailed on a voice vote.

The Executive Board went into Executive Session at 3:40 p.m. and came out of Executive Session at 3:55 p.m.

Adjournment

The Executive Board adjourned at 3:57 p.m.



All Legislative Research Council committee minutes and agendas are available at the South Dakota Legislature's Homepage: <http://legis.state.sd.us>. Subscribe to receive electronic notification of meeting schedules and the availability of agendas and minutes at **MyLRC** (<http://legis.state.sd.us/mylrc/index.aspx>).