

MINUTES

Executive Board



Representative Steven Haugaard, Chair
Senator Brock L. Greenfield, Vice Chair
Senator Troy Heinert, Ranking Minority Member

Sixth Meeting, 2019 Interim
Monday, November 18, 2019
Tuesday, November 19, 2019

Room 413 – State Capitol
Pierre, South Dakota

The sixth meeting of the Executive Board for the 2019 Interim was called to order by Representative Steven Haugaard at 10:40 a.m. in Room 413 of the State Capitol, Pierre, South Dakota. A quorum was determined with the following members answering the roll call: Representatives Spencer Gosch, Randy Gross, Chris Johnson, John Mills, Sue Peterson, Lee Qualm, and Jamie Smith; Senators Jim Bolin, Bob Ewing, Kris Langer, Jim Stalzer, and Jim White; Senator Troy Heinert, Ranking Minority Member; Senator Brock L. Greenfield, Vice Chair; and Representative Steven Haugaard, Chair.

Staff members present included Jason Hancock, Director; Sue Cichos, Deputy Director; Wenzel Cummings, Code Counsel; David Ortbahn, Chief Analyst for Research and Legal; Tamara Darnall, Chief Fiscal & Program Analyst; Scott Darnall, Information Technology Manager; and Cindy Tryon, Senior Legislative Secretary.

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents distributed at the meeting are attached to the original minutes on file in the Legislative Research Council office. This meeting was webcast live. The archived webcast is available at the LRC website at sdlegislature.gov.

Approval of Minutes

A motion was made by Senator Greenfield, seconded by Representative Gosch, to approve the minutes of the Monday, August 26, 2019, Executive Board meeting. Motion prevailed on a voice vote.

Management Reports

Ms. Sue Cichos, Deputy Director, said 130 Page applications have been submitted for the 2020 Legislative Session. The preference is to have between 140 and 150 applicants as some do not meet the criteria. There were 144 applications submitted for the 2019 session. Final page selections will need to be made by December 1. The number of press releases sent out from the LRC has increased as the LRC continues to grow the public relations program as requested by the Executive Board. There are over 1,300 followers of the LRC Facebook page. Public outreach will be conducted regarding the 2020 session. There will again be a flu shot clinic for Legislators and legislative session staff during the first week of session.

Mr. David Ortbahn, Chief Research and Legal Analyst, said the Research and Legal staff have been busy finalizing the interim committee meetings and reports. The staff also reviews the administrative rules and there were more rules than usual submitted this year. Staff is also preparing for the 2020 Legislative Session, as well as testing the new bill drafting program. A bill drafting session for the Executive Branch agencies was conducted. Over 100 bills come from state agencies and the UJS every year.

Mr. Scott Darnall, Information Technology Manager, said the IT staff's main focus right now is the new bill drafting program. The server infrastructure is in the process of being updated, including working with Dakota State University and SDN on the disaster recovery program. The technology in meeting rooms 423 and 464 will be Skype capable in time for the 2020 session.

Ms. Tamara Darnall, Chief Fiscal & Program Analyst, said the Fiscal and Program Analysts have been involved with the interim committee meetings and reviewing fiscal impact statements for administrative rules. The staff's main focus has been researching and writing the program evaluations. Agencies have submitted FY21 budget requests and staff is doing analysis on the requests. Additional data regarding agency budgets will be received after the December 3rd Governor's Budget Address.

Mr. Wenzel Cummings, Code Counsel, thanked the Executive Board members for having the confidence in him to hire him as the new Code Counsel. Mr. Cummings plans to bring a fresh perspective to the Code Counsel office. The Rules Review process is being updated and gaps in the process are being addressed and the process is being improved. A technical corrections bill will be submitted as there are 482 sections of the code referencing other sections of code that no longer exist.

Mr. Jason Hancock, Director, said the work has started on the electronic lock on the back door of LRC. Once the programming is completed the key card reader will be installed on the door. Any future work contracts with General Security will need to include a timeliness clause as the work on the doors was supposed to be completed during the summer.

Interim Committee Reports

An early draft of the LRC 2019 Interim Committee Reports is available on the LRC website ([Document #1](#)). This is a report of 10 interim committees reporting at the November Executive Board meeting. The remaining interim committees will report at the December Ad Hoc Executive Board meeting. The full LRC 2019 Interim Committee Reports will be available on the LRC website after all committees conduct final meetings and all reports have been heard by the Executive Board.

Mr. Tom Lee, Vice Chair, Code Commission, gave the 2019 Code Commission Final Report which begins on page 3 of Document #1. The Code Commission supervises the publication of the South Dakota Codified Laws. The contract with West Publishing is overseen by the Commission. The Commission selects volumes needing to be replaced based on the pocketpart growth. The Commission does not select volumes that will be undergoing significant change in the near-future.

A representative from the State Library met with the Commission to discuss the historical statutes and related materials being made available electronically through the State Library. The Commission did authorize the project to continue through last year but there is an issue with copywrite approval.

The next meeting of the South Dakota Code Commission will be during the State Bar Convention in June.

Mr. Alex Timperley, LRC Legislative Attorney, gave the 2019 State-Tribal Relations Committee Final Report which begins on page 25 of Document #1. The committee met in November and elected Representative Shawn Bordeaux as Chair and Senator Jordan Youngberg as Vice Chair. The committee heard updates from various agencies. Information was presented regarding a possible celebration of the Thirtieth Anniversary of Native American Day which could include a parade. The committee will meet again in December.

Representative Nancy Rasmussen, Chair, Special Education Interim Legislative Committee, gave the 2019 Final Report which begins on page 23 of Document #1. The committee met three times and gathered information from many different sources, leading the committee to make two recommendations. The first recommendation is to make all information available to the House and Senate standing committees on education through links to minutes, documents and other resources. The second recommendation is to obtain more comprehensive information from the Department of Education and local school districts in order to develop recommendations as to how best to address increasing costs of special education services.

Senator Bolin who served as Vice Chair of the Special Education Interim Legislative Committee said the increasing number of students in Special Education is not unique to South Dakota. Another clear challenge for special education is the recruitment and retention of staff. This is a nationwide issue and will need to be addressed legislatively.

Representative Rasmussen said more information is needed regarding the reasons for the increasing numbers of special education students and regarding the out-of-district placements. Every idea and issue brought to the committee requires funding and there are so many different avenues of need. This should be a big concern for everyone.

Senator Ryan Maher, Chair, Government Operations and Audit Committee (GOAC), gave the committee's final report. The committee met eight times during the interim. The 60-page GOAC report starts on page 26 of the full interim committee final report ([Document #1](#)). Senator Maher listed the many agencies giving reports to GOAC during this interim. The committee works with agencies to achieve measurable outcomes and review what the state is getting for the dollars spent.

Senator Maher said GOAC did not approve the Department of Education's performance measures. The results for the measure became worse and worse each year. Representative Sue Peterson will be working with the Department through a GOAC subgroup.

Senator Bolin said he is concerned about the Department of Education's performance indicators. The Department has no control over test scores; there is no correlation between the test and the students' grades. Students are concerned about classroom tests and grades but not about the standardized tests as those tests have no effect on the student's future. Senator Bolin said he believes the performance evaluators for the Department of Education are very poor and these tests have limited value. Senator Heinert said too much emphasis is put on these tests and there must be other ways to evaluate the schools. Senator Maher said GOAC did ask the Department of Education to come up with other performance indicators and the Department refused. Representative Peterson said GOAC did authorize the subcommittee to research third party groups that may be of assistance in determining the changes that need to be made.

Senator Maher said GOAC asked the Department of Agriculture to conduct a customer satisfaction survey and the Department refused to do so. Representative Mills said the Department of Agriculture lists four goals but two of those are not actual goals. GOAC should require the Department of Agriculture to set solid quantitative goals.

Representative Hugaard said there are some additional items GOAC needs to consider for further review. Those items include the Community College of Sioux Falls; the Second Century Habitat Fund; and nursing home funding.

Mr. Michael Loesevitz, LRC Senior Legislative Attorney, gave the 2019 Ag Land Assessment Task Force Final Report which begins on page 1 of Document #1. The task force met in October and November. Senator Gary Cammack was elected Chair and Representative Lee Qualm was elected Vice Chair. The October meeting included discussion on the three methodologies tested in studying the impact of changes to the methodology of rating soils. All three models would produce undesirable tax shifts.

The November meeting included a review of the history of taxable property in South Dakota starting in 1997. This study provided an analysis of factors causing ag land and non-ag land valuations to change over time. The Department of Revenue updated the committee on the implementation of the new web soil survey and how the current valuation model has improved the accuracy of valuations.

The committee agreed to sponsor two pieces of legislation. The first bill would authorize the Secretary of the Department of Revenue to contract for purposes of maintaining a database; and the second bill would require certain adjustments to the assessed values.

Senator John Wiik, Lead Co-Chair, Joint Committee on Appropriations (JCA), gave the 2019 Interim Committee Final Report which begins on page 15 of Document #1. The Interim JCA held three meetings during the interim with the fourth meeting to be held in December. The committee approved Letters of Intent (LOI) at the first meeting of the interim. Although the LOIs do not have the force of law, the LOIs allow for fiscal oversight of state agencies regarding the appropriations approved during session. The July meeting included LOI follow-up, as well as hearing a report on the year-end financial numbers and the revenue and expenditure estimates. The December meeting will include LOI reports and reviewing the school waiver requests.

The JCA took part in tours of East River state funded facilities in August and West River state funded facilities in November. Senator Wiik said the tours are very productive. Representative Karr will be the lead co-chair beginning with the start of the 2020 Legislative Session.

Representative Steven Haugaard, Chair, Offenses Regarding Controlled Substances, gave the 2019 Final Report which begins on page 19 of Document #1. The committee members had varied experiences and a wide breadth of knowledge. Much of the committee discussion revolved around SB 70, which the legislature passed in 2013, and the lack of follow-up on that legislation. Success or failure of the legislation is difficult to determine for several reasons including the lack of facilities available and the lack of funding.

The committee adopted four recommendations. The Unified Judicial System (UJS) reported that there is a need for an additional 20 court service officers (CSOs). The UJS will be requesting seven additional CSOs in this year's budget proposal. The committee recommended the legislature provide additional funding to the UJS for additional CSOs. The second committee recommendation is to provide additional funding to the Department of Corrections for additional parole officers. The third recommendation is to introduce a bill to create an incentive program to provide diversion opportunities for certain substance abuse officers. And, finally, the committee recommends a review and improvement of processes and procedures are needed regarding the preparation of individuals being released from prison for successful reentry into society.

The committee did discuss drafting legislation to change the penalty for ingestion from a felony to a misdemeanor but decided it is ill-advised to move forward with that legislation at this time. The testimony regarding this legislation was reducing the charge to a misdemeanor would remove options for prosecutors.

The committee also discussed how people can have a felony expunged from criminal records. Once someone does the work to turn their life around they need the opportunity to move on with their lives, and a felony can deter them from being able to do so. The legislature may want to take action on this issue. Senator Langer said people do not understand the ramifications of a felony on their record. The legislature needs to be sure people can expunge their records upon rehabilitation.

Senator Troy Heinert, Chair, Fighting Methamphetamine Addiction Subgroup, gave the 2019 Final Report which begins on page 14 of Document #1. The subgroup met twice during the interim. The group heard how Pennington County has developed programs to keep people out of the court system and are providing the resources necessary. The group was not able to get a firm handle on the Governor's plan to address the meth problems. SB 70 from 2013 had the right idea but did not follow-up with the necessary resources.

Representative Gosch asked if prosecutors are able to go on the reservations and bring the accused back to the community where he or she was arrested. Senator Heinert said there have been discussions on joint powers agreements but each tribe is different. The Tribal Relations Office has been reaching out to the tribes. The tribes

would like to be able to adjudicate tribal members in tribal courts and non-members could be adjudicated off the reservation. Senator Haugaard suggested bringing different groups together to further discuss jurisdiction issues regarding meth.

Senator Alan Solano, Chair, Electric Services in an Annexed Area, gave the 2019 Final Report which begins on page 5 of Document #1. The committee was established through SB 66 and met three times during the interim. The committee had two pieces of legislation drafted and those are included in the online report, along with dissenting statements and other issues for further discussion. There is much work that remains to be done. The entities involved in this issue will continue to discuss and debate in order to reach a compromise that is fair to all parties.

Representative Gosch requested the LRC staff be directed to work with the electric services lobbyist groups to come to some sort of language agreement regarding this issue. Senator Solano said he will continue to work with LRC in setting meetings and making sure the discussion continues until his resignation is effective on November 30, 2019.

Senator Alan Solano, Chair, Interim Rules Review Committee, gave the 2019 Final Report which begins on page 21 of Document #1. The committee met eight times during the interim and reviewed a total of 65 rules packets. Five packets were reverted back to the agency for various reasons. The Code Counsel serves as staff for the Rules Review Committee and Mr. Cummings will be looking at ways to update the statutes regarding administrative rules.

Capitol Third and Fourth Floor Window Locks

Commissioner Scott Bollinger, Bureau of Administration (BOA), said an HVAC company was hired to evaluate the steam traps in the Capitol. As a result of the study several steam traps were replaced. An evaluation was done on how to better control the heat in the building and the HVAC company said part of the problem is people opening windows in the public areas. Due to a recommendation by the HVAC company, BOA placed locks on all the windows in public areas on third and fourth floors of the Capitol.

Representative Gosch said comfortability is in the eye of the beholder and requested at least one window in each of the private lobbies be able to be opened. Commissioner Bollinger said to try a year with the windows all locked during session and then the Commissioner will be open to further discussion.

Judicial Opinions Report

Mr. Alex Timperley, LRC Legislative Attorney, presented the 2019 Judicial Opinions Report ([Document #2](#)). The LRC is required by statute to prepare an annual report noting "opinions of state and federal courts issued in the preceding year." The report may include recommendations for "corrective action if it is determined that the opinion of the court may be adverse to what was intended by the Legislature or if the court's opinion has identified an appropriate area for legislative action." The report includes summaries of nine cases and recommendations for addressing the courts' findings.

Representative Haugaard said he would like the report to go to the Judiciary Committee and the committee should bring the necessary legislation to address these findings.

Representative Peterson asked that the past three years of recommendations from the Judicial Opinions Reports be reviewed to see if and how the recommendations were addressed.

LRC Bill System and Training Update

Ms. Hilary Carruthers, LRC IT Support Specialist, and Mr. Brandon Hartman, LRC Lead Software Engineer, updated the board members on the new bill drafting system. Mr. Hartman said portals for legislators are being tested. The

LRC will do a full run-through of the system this week. Ms. Carruthers said information on the new system will continue to be included in the Legislator Update which is sent monthly to all legislators. Training on the system continues in different areas of the state and will be available in Pierre during the week of the Governors' Budget Address. A new IT support cell phone number will be made available so legislators can contact the IT staff quickly for support.

Representative Haugaard suggested finding a way towards the end of session for legislators to comment about what does and does not work with the new drafting system.

Program Evaluations Scope and Work Plan

Ms. Amanda Doherty-Karber, Senior Fiscal and Program Analyst, presented the draft Dual Credit Program Evaluation report ([Document #3](#)). The Dual Credit Program allows eligible high school students to receive both secondary and postsecondary credit from courses completed at the South Dakota Universities and Technical Institutes. State statute established the reduced tuition rate and subsidizes two-thirds of the cost with state general funds. The program evaluation examines state program policies, analyzes student outcomes, and compares the program with similar programs in surrounding states.

Dr. Barry Dunn, President, South Dakota State University (SDSU), said one positive impact of the Dual Credit Program is time to degree is decreasing for those students, therefore the cost for the degree is decreasing. In response to a question about the program, Dr. Dunn explained the courses are offered within a semester and there are benchmarks with quizzes and discussion groups and required papers. All has to be completed within a specific timeframe.

Dr. Paul Beran, Executive Director and CEO, SD Board of Regents (BOR), said some Dual Credit courses are live and through technology the high school student attends with the college students. The on-line courses can be taken at any time but do have a deadline as to when the course must be completed.

Mr. Nick Wendell, Executive Director, SD Board of Technical Education, said the technical institutions support the dual credit programs. The likelihood a student will attend the technical institution is much higher after taking part in one of the courses. The student is able to try higher education through the Dual Credit program.

Mr. Jeff Mehlhaff, Senior Fiscal and Program Analyst, presented the draft Community Vitality Program Evaluation report ([Document #4](#)). The Community Vitality Program identifies and builds on the skills, assets, and opportunities available to communities, with the goal of strengthening community sustainability and vibrancy. The program provides research-based knowledge and skills in the processes, tools, and techniques with three core service areas which include leadership development, entrepreneurial development, and community capacity building.

Dr. Barry Dunn, President, South Dakota State University (SDSU), Brookings, said community vitality is always part of a team and includes various other agencies when working with a community. A consultant was hired a year ago and has been working to address the concerns expressed in the findings of the program analysis.

Ms. Karla Trautman, SDSU Extension, Brookings, said the program analysis was an exercise in self-learning and that she enjoyed working with the LRC staff. The Extension Service works with the especially small communities that do not have the resources for programs that can help the community remain vital, including housing, education, and envisioning the future. The staff finds ways to capitalize on the human resources when working with the communities. Community building is a collaboration.

A motion was made by Senator Greenfield, seconded by Representative Smith, to accept the program evaluation reports and allow LRC to prepare the reports for publication. Motion prevailed on a roll call vote with 14 voting

AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

Lean Contracts Review

Director Hancock presented information regarding Lean studies for the Board of Regents (BOR) and the Department of Social Services (DSS). The draft contract for the BOR Lean study can be found in [Document #5](#) and the scoring of the companies submitting RFPs can be found in [Document #6](#). The draft contract for DSS can be found in [Document #7](#) and the scoring of the companies submitting RFPs can be found in [Document #8](#).

Senator Bolin said the goal of the Lean studies is improved efficiency and wise use of taxpayer dollars.

Director Hancock said the Lean studies are funded through the LRC's regular appropriation but if needed the Legislative Priority Fund can be used.

A motion was made by Senator Greenfield, seconded by Representative Gosch, to allow Director Hancock to enter into a contract with ReEngine to conduct a Lean study for the Board of Regents and enter into a contract with DPA to conduct a Lean study for the Department of Social Services. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

The Executive Board recessed at 5:30 PM.

The Executive Board reconvened on Tuesday, November 18, 2019, at 8:00 AM.

Investment Council and SD Retirement System Report

Mr. Matt Clark, State Investment Officer, introduced Mr. Travis Almond, the new SDRS Executive Director.

Mr. Travis Almond, Executive Director, SD Retirement System (SDRS), thanked Mr. Clark for the role he and the SD Investment Council play in making the SD Retirement System so successful. Mr. Almond gave the SDRS PowerPoint presentation ([Document #9](#)). Managing a system with fixed contributions means there will need to be some changes to the system in the future. SDRS has spent the last few years focusing on sustainability and it is time to focus on membership services and build on what is already being done at SDRS.

Legislative Intern Update

Ms. Amanda Marsh, Senior Research Analyst, Mr. Jeff Mehlhaff, Senior Fiscal & Program Analyst, and Ms. Sakura Rohleder, Fiscal & Program Analyst, the LRC intern coordinators, gave an update on the 2020 LRC intern program. Ms. Marsh said the LRC received a total of 36 applications for the 2020 Legislative Intern program. Leadership is making the final selections and a total of 22 interns will be hired for the 2020 Legislative Session.

LRC Issue Memos

Ms. Anita Thomas, Principal Legislative Attorney, presented the Traumatic Brain Injuries (TBI) Issue Memorandum ([Document #10](#)). The memo presents information on TBI causes, statistical limitations, the National Concussion Surveillance System, the effects of a TBI, TBIs in South Dakota, federal legislation, trust funds, and the Department of Justice complaint. The memo concludes that without a surveillance system or registry it is not possible to

determine how many South Dakotans sustain a TBI or live with a TBI-related disability. Without this data the state's ability to pursue federal funding is limited.

A motion was made by Senator Greenfield, seconded by Senator Bolin, to adopt the Traumatic Brain Injury Issue Memo as presented. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

Ms. Tamara Darnall, Chief Fiscal & Program Analyst, presented the Federal Grant Funds Received by the State Issue Memorandum ([Document #11](#)) and ([Document #12](#)). The memo examines the impact of federal grants, the different types of federal grants, and legislative oversight of federal funds. Federal funds make up approximately one-third of state expenditures. Ten years ago federal grants were 41% of state expenditures. The majority of federal grants that come to the state are formula grants. Medicaid makes up the largest portion of federal funds in South Dakota. Although the legislature makes decisions on federal funding authority levels, there is no formal oversight process.

A motion was made by Representative Qualm, seconded by Senator Greenfield, to adopt the Federal Grant Funds Received by the State Issue Memo as presented. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

Mr. Wenzel Cummings, Code Counsel, and Mr. Jeff Mehlhaff, Senior Fiscal & Program Analyst, presented the Sales Tax Reduction from Remote Sales Issue Memorandum ([Document #13](#)). SDCL 10-64-9 was created through HB 1182 passed during the 2016 Legislative Session. The amended House Bill included a section directing the sales tax rate to decrease based on additional net revenues from taxes on remote sales. The memo describes the process of interpretation of statutes, how that process applies to SDCL 10-64-9, and the possible need for the Legislature to consider amending the law.

A motion was made by Senator Greenfield, seconded by Senator Ewing, that Mr. Cummings and Mr. Mehlhaff continue to work on the Sales Tax Reduction from Remote Sales Issue Memo, work with the Bureau of Finance and Management on this issue, and report back to the Executive Board at the December meeting. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

Legislative Joint Rule and Law Changes

Director Hancock presented proposed changes to Legislative Joint Rules. The proposed changes to the rules and statutes can be found in the following documents: Joint Rule & Statutory Changes Related to New System and Paper Reduction ([Document #14](#)) and Rule and Statutory Changes to Session Staff Compensation ([Document #15](#)).

Many of the suggested changes are to adopt rules to the new bill drafting system and make the rules more electronic-friendly. The Executive Board recommends proposed changes to the Joint Rules to the Legislative Procedures Committee for final action.

A motion was made by Senator Stalzer, seconded by Senator Langer, to approve for submission to the Joint Legislative Procedure Committee the proposed changes to the Joint Rules as written. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

The suggested statutory changes have to do with prefiled bill delivery, paper delivery of bills and journals, and prison impact statements being electronically attached to bills. The Executive Board does have the authority to introduce bills regarding these statutory changes.

A motion was made by Senator Bolin, seconded by Representative Qualm, to move forward on behalf of the Executive Board the draft legislation as presented. Motion prevailed on a roll call vote with 13 voting AYE, 2 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Ewing and Heinert.

Director Hancock presented proposed changes to rules and statutes regarding Legislative Session staff. Ms. Cichos explained any additional funding needed for these changes was included in the budget request the Executive Board approved at an earlier meeting. Ms. Cichos said she recruits the session staff and the Speaker and the President Pro Tem make the final selections.

Senator Greenfield said these proposed changes will streamline the legislative process and reflect current procedures.

A motion was made by Representative Gross, seconded by Representative Peterson, to approve for submission to the Joint Legislative Procedure Committee the rule change to 3.1 as presented. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

A motion was made by Representative Gross, seconded by Senator Bolin, to move forward on behalf of the Executive Board the draft legislation regarding SDCL 2-5-8 and 2-5-9. Motion prevailed on a roll call vote with 13 voting AYE, 2 EXCUSED. Voting AYE: Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Gosch and Heinert.

LRC Personnel Manual Update

Director Hancock presented the proposed changes to the LRC Employee Personnel Manual (***Pg. 6 of [Document #16](#)***). The changes clarify the staff comp time rules.

A motion was made by Representative Peterson, seconded by Senator Ewing, to adopt the changes to the LRC Personnel Manual as presented. Motion prevailed on a roll call vote with 14 voting AYE, 1 EXCUSED. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Greenfield and Haugaard. EXCUSED: Heinert.

Capitol Security Changes

Mr. Craig Price, Secretary, and Colonel Rick Miller, SDHP Superintendent, Department of Public Safety, met with the Executive Board to discuss upcoming changes to Capitol Security. A screening room is being built in an office located just inside the back doors of the Capitol and visitors entering the building will go through a screening process. Capitol employees including legislators will have key cards allowing them to bypass the screening checkpoint. The estimated time for a visitor to go through the screening is 19 seconds. The checkpoint area will be staffed during regular public hours.

Senator Greenfield said he would have preferred the legislature be brought into the process and encouraged better communication moving forward.

Representative Gosch asked about the funding for the security upgrade. Secretary Price said the construction will be \$60,000 and the equipment is funded through homeland security dollars and will cost \$37,000. The construction costs are being shared between the Department of Public Safety and the Bureau of Administration.

Senator Greenfield said he wanted to publicly state that the Executive Branch's new "Meth, I'm on it" campaign is distasteful, and meth addiction should not be made a punchline.

2020 Executive Board Meeting Dates

Director Hancock presented possible meeting dates for the 2020 Executive Board. Due to one of the proposed dates being close to the primary election in June the Board asked the Director to revise the schedule for consideration and action at the December Board meeting.

Other Business

Representative Haugaard shared his concerns about the South Dakota LRC being one of the most underfunded and understaffed legislative offices in the nation. So much is put on the LRC staff and there is not enough time in the day for them to address everything for all legislators. Expending extra dollars could save ten-fold in the possible results. Representative Haugaard said he welcomes input from the members and will put something together for the next Executive Board meeting.

Representative Qualm said the GOAC subgroup will need funding for the project regarding the Department of Education.

A motion was made by Representative Qualm, seconded by Representative Johnson, to allow up to \$150,000 from the Legislative Priority Fund for the purpose of the project conducted by the GOAC Education Subgroup.

Senator Bolin said he absolutely objects to this motion as it is a fundamental waste of money.

Representative Peterson said this is a matter for the Government Operations and Audit Committee to address and does not fall within the scope of the Executive Board to second guess that committee.

Senator Langer asked that more information be provided before action is taken on the motion.

Representative Qualm withdrew the motion with the consent of Representative Johnson.

The next Executive Board meeting will be at 9:00 AM, December 3, 2019, in Pierre.

Adjourn

A motion was made by Senator Langer, seconded by Senator Ewing, that the Executive Board be adjourned. The motion prevailed on a voice vote.

The Board adjourned at 12:30 p.m.