

Interstate Compact for Adult Offender Supervision State Council

Current Member	Chamber	Appointing Authority	Term Expires	New Appointment
Barthel, Doug	House	Executive Board	12/31/2018	_____

Statutory Authority

SDCL [24-16A-1](#). Article I states in part: It is the purpose of this compact and the Interstate Commission created hereunder, through means of joint and cooperative action among the compacting states: to provide the framework for the promotion of public safety and protect the rights of victims through the control and regulation of the interstate movement of offenders in the community; to provide for the effective tracking, supervision, and rehabilitation of these offenders by the sending and receiving states; and to equitably distribute the costs, benefits and obligations of the compact among the compacting states.

In addition, this compact will: create an Interstate Commission which will establish uniform procedures to manage the movement between states of adults placed under community supervision and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies which will promulgate rules to achieve the purpose of this compact; ensure an opportunity for input and timely notice to victims and to jurisdictions where defined offenders are authorized to travel or to relocate across state lines; establish a system of uniform data collection, access to information on active cases by authorized criminal justice officials, and regular reporting of compact activities to heads of state councils, state executive, judicial, and legislative branches and criminal justice administrators; monitor compliance with rules governing interstate movement of offenders and initiate interventions to address and correct noncompliance; and coordinate training and education regarding regulations of interstate movement of offenders for officials involved in such activity.

The compacting states recognize that there is no "right" of any offender to live in another state and that duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any offender under supervision subject to the provisions of this compact and bylaws and rules promulgated hereunder.

It is the policy of the compacting states that the activities conducted by the Interstate Commission created herein are the formation of public policies and are therefore public business.

Article IV states in part: While each member state may determine the membership of its own state council, its membership must include **at least one representative from the legislative**, judicial, and executive branches of government, victims groups and compact administrators.

Extraordinary Cost Oversight Board

Current Member	Appointing Authority	Term Expires	New Appointment
NA	Executive Board	12/31/2020	_____

Statutory Authority

SB1 (2019). ENTITLED, An Act to add a legislator to the membership of the Extraordinary Cost Oversight Board, to establish the board in statute, and to repeal the administrative rules creating the board.

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

Section 1. That chapter 13-37 be amended by adding a NEW SECTION to read:

There is hereby established an Extraordinary Cost Oversight Board within the Department of Education. The board shall review all school district requests for extraordinary cost funds as provided in § 13-37-40. The board shall meet at least once a year and recommend to the secretary of education those school districts that should be approved for extraordinary cost fund expenditures and those school districts that should not be approved for extraordinary cost fund expenditures. The secretary has the final authority to approve or deny extraordinary cost fund expenditures.

Section 2. That chapter 13-37 be amended by adding a NEW SECTION to read: The oversight board established in section 1 of this Act shall consist of seven members. **The membership shall include one member of the Legislature appointed by the Executive Board of the Legislative Research Council**, and six members appointed by the secretary of education. The members appointed by the secretary shall include representatives from each of the following:

- (1) The Department of Education;
- (2) A school district with a fall enrollment of six hundred or more;
- (3) A school district with a fall enrollment of more than two hundred, but less than six hundred; and
- (4) A school district with a fall enrollment of two hundred or less.

The secretary shall use a staggered appointment schedule when appointing members, and no member may serve on the board for more than five years. The secretary shall also appoint alternate board members to serve in place of any board member representing a school district who may have a conflict of interest. An alternate shall serve the same term as the equivalent board appointee.

Section 3. That § 13-37-46 be amended to read:

13-37-46. The secretary of the Department of Education shall promulgate and review rules which further define special education processes regarding student identification and the placement committee process. Any appeal of a local district's determination relating to special education or special education and related services shall be referred to the secretary of the Department of Education. The hearing shall be conducted by the secretary in accordance with the contested case provisions of chapter 1-26.

Section 4. That ARSD 24:05:33.01:01 be repealed.

Section 5. That ARSD 24:05:33.01:02 be repealed.

Section 6. That ARSD 24:05:33.01:03 be repealed.

Section 7. That ARSD 24:05:33.01:04 be repealed.
