

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

568U0713

SENATE BILL NO. 223

Introduced by: Senator Brown and Representative Lust

1 FOR AN ACT ENTITLED, An Act to clarify the open meetings requirement as applied to the
2 Public Utilities Commission.

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

4 Section 1. That § 49-1-12 be amended to read as follows:

5 49-1-12. Every vote and official action of the Public Utilities Commission shall be entered
6 of record ~~and its proceedings shall be.~~ The proceedings of the Public Utilities Commission are
7 open to the public as prescribed in chapter 1-25 when the Public Utilities Commission is
8 exercising its regulatory or adjudicatory authority pursuant to Title 49.

9 Section 2. That chapter 49-1 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 However, the Public Utilities Commission is not subject to the requirements of chapter 1-25
12 when one or more commissioners are meeting among themselves or staff to discuss the internal
13 management of the Public Utilities Commission regarding such things as:

- 14 (1) Planning or developing activities or proposed legislation;
15 (2) Organizing the internal structure of the Public Utilities Commission;



- 1 (3) Selecting, appointing, promoting, removing or managing personnel;
- 2 (4) Developing reports; or
- 3 (5) Developing budgets and expending funds.