



Legislative Research Council

MINUTES Executive Board

Three hundred twenty-seventh Meeting
Monday
February 27, 2006

LRC 1 & 2
State Capitol Building
Pierre, South Dakota

The three hundred twenty-seventh meeting of the Legislative Research Council Executive Board was called to order by Chair, Senator Ed Olson at 8:00 a.m. (CT), February 27, 2006, in LRC 1 and 2 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Mike Broderick, William Earley, Bob Gray, Gil Koetzle, Ed Olson, Jim Peterson; and Representatives H. Paul Dennert, Pat Haley, Phyllis Heineman, Jean Hunhoff, Barry Jensen, Gordon Pederson, and J.E. "Jim " Putnam. Senator Lee Schoenbeck and Representative Matthew Michels were excused.

Staff members present included Jim Fry, Director; and Linda Daugaard, Secretary.

(NOTE: For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Minutes.)

(Clarification: Voice votes that prevail with all members present voting "aye" will carry the disposition language "prevailed unanimously." Voice votes that prevail with a majority of all members present voting "aye" will carry the disposition language "prevailed." Voice votes that prevail without all members present voting "aye" will list those members casting "nay" votes if so requested by the dissenting voter.)

Approval of Amended Agenda

SENATOR BRODERICK MOVED, SECONDED BY REPRESENTATIVE PEDERSON, THAT THE AGENDA BE AMENDED TO INCLUDE THE MULTI-STATE HIGHWAY TRANSPORTATION AGREEMENT AND THAT THE BOARD ADOPTS THE AMENDED AGENDA. MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.

Use of Legislative Chambers

Mr. Fry presented two applications for use of the legislative chambers. The first was the South Dakota Student Council Association application to hold its state convention in the House Chambers on March 28, 2006. The second application was the South Dakota Arts Council request to hold a poetry contest in the Senate Chambers on April 12, 2006. Mr. Fry said deposits were collected and rules governing their use were given to the responsible parties.

REPRESENTATIVE DENNERT MOVED, SECONDED BY SENATOR BRODERICK, TO APPROVE THE USE OF THE LEGISLATIVE CHAMBERS BY THE SOUTH DAKOTA STUDENT COUNCIL FOR ITS STATE CONVENTION ON MARCH 28, 2006 AND FOR THE SOUTH DAKOTA ARTS COUNCIL FOR ITS POETRY CONTEST ON APRIL 28, 2006. The motion prevailed unanimously on a voice vote.

Membership Presentation of the Midwestern Higher Education Compact

Senator Olson said the Executive Board should look into the North Dakota model of joining the Midwestern Higher Education Compact (MHEC). Larry Isaak, Pamela Schutt, and Bill Goetz were present to provide the committee with information.

Larry Isaak, President of MHEC, presented a packet (Document #1) of information which included: a letter from Indiana Senator Teresa Lubbers, Chair of MHEC; a chart outlining the differences between MHEC and Western Interstate Commission for Higher Education (WICHE); the history of MHEC, per a PowerPoint handout; and two charts with "Program Savings for 12 Months" and "Cumulative Savings for MHEC Member States through June 2005". Mr. Isaak said he has a small central staff of nine people and all the business is done by committee members from all the states. The Policy Resources of MHEC focus on the issues affecting Midwest states with an on-line library as related to policy resources. Finally, Mr. Isaak said MHEC provides examples of indicators to develop trend lines with funding, population projections, and education performance and afford ability.

Bill Goetz, Chief of Staff of the North Dakota Governor, John Hoeven, and an MHEC Commissioner, talked about focusing on public policies. This cooperative agreement will

generate resources of information for policy making, such as South Dakota/North Dakota working together on water issues. Indiana is a frontrunner in providing transcripts electronically at the high school and college level.

Representative Dennert asked what savings there would be to South Dakota by joining MHEC. Mr. Isaak said the savings would be to the student in the case of the Midwest Student Exchange Program, not the state.

Representative Jensen expressed concern of the redundancy in higher education with MHEC, CSG, and Midwest Legislative Conference. Mr. Isaak said all work cooperatively.

Representative Heineman asked what would be missing if South Dakota did not join. Both Mr. Isaak and Mr. Goetz said the policy side would be missing. As far as education, states would collaborate on workforce issues and collectively find a solution. Mr. Goetz said the cost savings are greater than the annual fee for North Dakota. Mr. Isaak said the annual year is July 1 to June 30. The annual dues are \$90,000.

Senator Olson said a decision does not have to be made today, but we should look into dual membership like our sister state, North Dakota.

Senator Broderick said we should continue to look at this issue.

Senator Earley said South Dakota is especially unique regarding the Bureau of Information and Telecommunications and how it functions. WICHE dues are paid through the Board of Regents. Senator Olson said we need to adopt language similar to WICHE for MHEC. Discussion was closed on MHEC.

Conversion of Fourth Floor to Legislative Control

Mr. Fry started the conversation by stating that the legislature can take control of fourth floor in the Capitol on July 1, 2007. He would like to get rid of the congestion outside Rooms 412 and 413. A Smart conference room was suggested, making it audio and video connected. There would be a problem working around the support pillars. Last year when this project was brought up, the cost was estimated at \$400,000. The money was not available, but \$20,000 would be available to study the conversion.

Senator Earley said we should move ahead with draft proposals, citing that Canfields in Sioux Falls puts together Smart rooms. He suggested we get three groups together to look at our possibilities.

Representative Heineman suggested we look into moving people differently between third and fourth floors. Mr. Fry commented that we would have to add another entity, the Capitol Beautification Committee, to the project when we make major structural changes.

Representative Pederson gave us the history of adding committee-chair office spaces and said we need another large committee room, similar to Room 412.

Senator Olson said we need to seek suggestions on our needs for this space.

Representative Jensen said we need to get a plan for 4th floor even if we don't have the money to complete the entire plan.

Session Calendar for 2007 Session

Discussion was held on the three proposed Legislative calendars for the 2007 Legislature. **Representative Jensen** said the House doesn't want session on Saturdays. Retired Legislators would like a four day legislative session, but those with full time jobs would like the five day work week. **Senator Koetzle** said the four day legislative week was talked about years ago with no meetings on Fridays. **Senator Peterson** said in polling the ten Senate Democrats, seven Senators wanted to be finished with the session by March second, agreeing with Plan B. No Senate Democrats wanted Plan C.

REPRESENTATIVE PUTNAM MOVED, SECONDED BY SENATOR GRAY, THAT THE EXECUTIVE BOARD APPROVES "PLAN A" FOR THE 2007 LEGISLATIVE SESSION. The motion prevailed unanimously on a roll call vote with 13 voting AYE, 0 voting NAY, and 2 EXCUSED. Those voting AYE: Broderick, Earley, Gray, Koetzle, Peterson, Dennert, Haley Heineman, Hunhoff, Jensen, Pederson, Putnam, Olson. Those voting NAY: 0. those EXCUSED: Schoenbeck and Michels.

Executive Board 2006 Meeting Schedule

The dates suggested for upcoming Executive Board 2006 meetings are April 18, May 15, June 12, August 7, and November 27-28. A discussion followed, debating between Mondays versus Tuesday meeting days.

REPRESENTATIVE HEINEMAN MOVED, SECONDED BY REPRESENTATIVE JENSEN, THAT THE EXECUTIVE BOARD ACCEPTS THE PROPOSED CALENDAR FOR THE 2006 MEETING SCHEDULE. The motion prevailed by 7 voting AYE, 4 voting NAY, and 4 EXCUSED. Those voting AYE: Broderick, Dennert, Heineman, Hunhoff, Jensen, Pederson, Olson. Those voting NAY: Gray, Koetzle, Peterson, and Haley. Those EXCUSED: Earley, Schoenbeck, Michels, and Putnam.

Multi-State Highway Transportation Agreement

Representative Pederson started the discussion about the Multi-State Highway Transportation Agreement (MHTA). It is established for the purpose of solving problems in the highway transportation industry, to provide communication and information among participating members, and to recommend changes in law or policy. Representative Pederson gave the example of using one ticket to travel from Arizona to South Dakota and back to Arizona carrying lettuce one way and grain back the other way.

Myron Rau, President of the South Dakota Truckers Association, presented two handouts (Documents #2) stating the purpose of MHTA, its structure, and laws in effect in other states. The second handout was the Agenda Draft of the MHTA Summer Transportation Conference. Discussion followed about sending the two Transportation Chairs, Representative Pederson and Senator Kelly, and an LRC staffer to the two conferences, one in the summer and one in the fall, to learn about these agreements before looking at changing the statute.

REPRESENTATIVE JENSEN MOVED, SECONDED BY REPRESENTATIVE HEINEMAN, THAT THE EXECUTIVE BOARD ALLOWS EXPENSES FOR THE SUMMER AND FALL MEETINGS FOR THE TWO TRANSPORTATION CHAIRS, PLUS AN LRC STAFFER. A roll call vote unanimously passed, with 11 AYES, 0 NAYS, 4 EXCUSED. Those voting AYE: Broderick, Gray, Koetzle, Peterson, Dennert, Haley, Heineman, Hunhoff, Jensen, Pederson, Olson. Those voting NAY: 0. those EXCUSED: Earley, Schoenbeck, Michels, and Putnam.

Adjournment

REPRESENTATIVE HEINEMAN MOVED, SENATOR BRODERICK SECONDED, THAT THE MEETING BE ADJOURNED. MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.

The Executive Board adjourned at 9:30 a.m.