



Meeting
Tuesday
January 9, 2007

Room 413
State Capitol Building
Pierre, South Dakota

Tuesday, January 09, 2007

The meeting of the Legislative Procedures was called to order by Chair Representative Thomas Deadrick at 9:00 a.m. (CT), January 9, 2007, in Room 413 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Bob Gray, Jim Lintz, Dave Knudson, Ed Olson, Gary Hanson, Scott Heidepriem, and Ben Nesselhuf; and Representatives Tim Rave, Roger Hunt, J.E "Jim" Putnam, Larry Rhoden, Margaret Gillespie, Dale Hargens, and Thomas Deadrick

Staff members present included Jim Fry, Director; Reuben D. Bezpaletz, Chief of Research and Legal Services; Jacquelyn Storm, Principal Legislative Attorney; Doug Decker, Code Counsel; and Lisa Shafer, Legislative 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.)

Legislative Rules

SENATOR OLSON MOVED, SECONDED BY REPRESENTATIVE HUNT, TO ADOPT JOINT RULE 13-2 AS PROPOSED. The motion prevailed unanimously on a roll call vote with 14 voting AYE, 0 voting NAY, and 0 EXCUSED. Those voting AYE: Lintz, Knudson, Olson, Hanson, Heidepriem, Nesselhuf, Rave, Hunt, Putnam, Rhoden, Gillespie, Hargens, Gray, and Deadrick.

Representative Ryan Olson presented the proposed new Joint Rule 6B-3.1.

SENATOR NESSELHUF MOVED, SECONDED BY SENATOR KNUDSON, TO NOT ADOPT THE PROPOSED NEW JOINT RULE 6B-3.1. The motion prevailed on a roll call vote with 13 voting AYE, 1 voting NAY, and 0 EXCUSED. Those voting AYE: Lintz, Knudson, Olson, Hanson, Heidepriem, Nesselhuf, Rave, Hunt, Putnam, Gillespie, Hargens, Gray, and Deadrick. Those voting NAY: Rhoden.

Senator Jason Gant spoke in favor of the new proposed Senate Rules with three possible changes.

REPRESENTATIVE PUTNAM MOVED, SECONDED BY REPRESENTATIVE HUNT, TO ADMEND RULE 6.1 OF THE PROPOSED HOUSE RULES AS FOLLOWS: ON LINE 2, after “representative.” insert “Upon being seconded, the motion is debatable, and passage of the motion requires a majority vote of the members elect.” The motion passed unanimously on a voice vote.

SENATOR KNUDSON MOVED, SECONDED BY SENATOR LINTZ, TO ADMEND RULE 8.1 OF THE PROPOSED SENATE RULES AS FOLLOWS: ON LINE 2, after “senator.” insert “Upon being seconded, the motion is debatable, and passage of the motion requires a majority vote of the members elect.” The motion passed unanimously on a voice vote.

SENATOR KNUDSON MOVED, SECONDED BY SENATOR OLSON, THAT ON PAGE 1 OF THE PROPOSED SENATE RULES, RULE 8.3 BE AMENDED on line 6, after “Senate Rules” insert “of the State of South Dakota.” The motion passed unanimously on a voice vote.

REPRESENTATIVE HUNT MOVED, SECONDED BY REPRESENTATIVE GILLESPIE, THAT ON PAGE 1 OF THE PROPOSED HOUSE RULES, RULE 6.3 BE AMENDED on line 6, after “House of Representative Rules” insert “of the State of South Dakota.” The motion passed unanimously on a voice vote.

REPRESENTATIVE HARGENS MOVED, SECONDED BY REPRESENTATIVE HUNT, THAT ON PAGE 1 OF THE PROPOSED HOUSE RULES, STRIKE RULE 6.3 AND RENUMBER THE RULES THAT FOLLOW ACCORDINGLY. The motion passed on a voice vote.

SENATOR LINTZ MOVED, SECONDED BY SENATOR NESSELHUF, THAT ON PAGE 1 OF THE PROPOSED SENATE RULES, STRIKE RULE 8.3 AND RENUMBER THE RULES THAT FOLLOW ACCORDINGLY. The motion failed on a roll call vote with 2 voting AYE, 5 voting NAY, and 0 EXCUSED. Those voting AYE: Lintz and Nesselhuf. Those voting NAY: Knudson, Olson, Hanson, Heidepriem, and Gray.

REPRESENTATIVE GILLESPIE MOVED, SECONDED BY REPRESENTATIVE HARGENS THAT ON PAGE 1 OF THE PROPOSED HOUSE RULES, Rule 6.1, BE AMENDED AS FOLLOWS: on line 3, delete “nine” and insert “eight” and on line four after “Representative” insert “consisting of four members of the majority party and four members of the minority party.” The motion failed on a voice vote.

REPRESENTATIVE HUNT MOVED, SECONDED BY REPRESENTATIVE HARGENS, THAT ON PAGE 1 OF THE PROPOSED HOUSE RULES, RULE 6.1, ON LINE 6, DELETE “SEVEN” AND INSERT “SIX”. The motion failed on a voice vote.

REPRESENTATIVE GILLESPIE MOVED, SECONDED BY REPRESENTATIVE HARGENS, THAT ON PAGE 1 OF THE PROPOSED HOUSE RULES, RULE 6.1 BE AMENDED AS FOLLOWS: ON LINE 4, after “Representative”, insert “with representation of the committee to be proportionate to the members of the body.”

REPRESENTATIVE GILLESPIE MOVED A SUBSTITUTE MOTION, SECONDED BY REPRESENTATIVE HARGENS, THAT ON PAGE 1 OF THE PROPOSED HOUSE RULES, RULE 6.1 BE AMENDED AS FOLLOWS: ON LINE 7 after “minority leader.” insert “No

more than five members may be of the same political party.” The motion passed unanimously on a voice vote. “

SENATOR KNUDSON MOVED, SECONDED BY SENATOR OLSON, THAT ON PAGE 1 OF THE PROPOSED SENATE RULES, RULE 8.1 BE AMENDED AS FOLLOWS: LINE 7 after “minority leader.” insert “No more than five members may be of the same political party.” The motion passed unanimously on a voice vote.”

REPRESENTATIVE HARGENS MOVED, SECONDED BY REPRESENTATIVE GILLESPIE, THE ON PAGE 1 OF THE PROPOSED HOUSE RULES, RULE 6.8, BE AMENDED AS FOLLOWS: ON LINE 2, strike “two-thirds” and insert “three-fourths”, and on line 4 of Rule 6.8, delete “three-fifths” and insert “three-fourths”. The motion failed on a voice vote.

SENATOR KNUDSON MOVED, SECONDED BY SENATOR OLSON, TO ADOPT THE PROPOSED SENATE RULES 8.1- 8.8 AS AMENDED. The motion prevailed on a roll call vote with 7 voting AYE, 0 voting NAY, and 0 EXCUSED. Those voting AYE: Lintz, Knudson, Olson, Hanson, Heidepriem, Nesselhuf, and Gray.

REPRESENTATIVE RHODEN MOVED, SECONDED BY REPRESENTATIVE PUTNAM, TO ADOPT THE PROPOSED HOUSE RULES 6.1- 6.7 AS AMENDED. The motion passed on a roll call vote with 7 voting AYE, 1 voting NAY, and 0 EXCUSED. Those voting AYE: Rave, Hunt, Putnam, Rhoden, Gillespie, and Deadrick. Those voting NAY: Hargens.

SENATOR KNUDSON MOVED, SECONDED BY SENATOR NESSELHUF, TO REPEAL JOINT RULES 1-11 AND 1A-11. The motion prevailed on a roll call vote. Those voting AYE: Lintz, Knudson, Olson, Hanson, Heidepriem, Nesselhuf, Rave, Hunt, Putnam, Rhoden, Gillespie, Gray, and Deadrick. Those voting NAY: Hargens.

Adjournment

REPRESENTATIVE GILLESPIE MOVED, SECONDED BY REPRESENTATIVE RAVE, THAT THE COMMITTEE ADJOURN. THE MOTION PASSED UNAMIOUSLY ON A VOICE VOTE.

The committee adjourned at 10:20 a.m.



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