

MINUTES

Rules Review Committee



Representative Jean Hunhoff, Chair
Senator Alan Solano, Vice Chair

Three hundred sixty-second meeting
Wednesday
March 8, 2017

Room 363
State Capitol
Pierre, South Dakota

The three hundred sixty-second meeting of the Rules Review Committee was called to order by Mr. Doug Decker, Code Counsel, at 11:30 a.m., CT, on March 8, 2017, in Room 363 at the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members present: Senators Craig Kennedy, Lance Russell, and Alan Solano; and Representatives Julie Bartling, Steven Haugaard, and Jean Hunhoff. Staff members present were Doug Decker, Code Counsel, and Kris Schneider, Senior Legislative Secretary.

All material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council (LRC). For continuity, these minutes are not necessarily in chronological order.

Staff Report

Mr. Decker provided a brief background of the statutory authority that provided for the Interim Rules Review committee (SDCL § 1-26). Additional information briefly discussed included the committee procedure, a checklist for reviewing the rules, a Supreme Court opinion regarding the delegation of authority, an Issue Memorandum regarding the rule promulgation process, and the *South Dakota Register*.

Election of Chair and Vice Chair

Senator Lance Russell moved, seconded by Senator Craig Kennedy, to nominate Representative Jean Hunhoff as chair. Motion prevailed unanimously on a voice vote.

Senator Kennedy moved, seconded by Senator Russell, to nominate Senator Alan Solano as vice chair. Motion prevailed unanimously on a voice vote.

Assignment of Agency Rules

Mr. Decker explained that each member chairs the review of the agencies they are assigned to. In order to divide the agencies amongst the new members, it was noted that the agency assignments previously assigned to Senator Bradford were assigned to Senator Kennedy, Senator Heineman's agencies were assigned to Senator Russell, Senator Vehle's agencies were assigned to Senator Solano, Representative Gibson's agencies were assigned to Representative Julie Bartling, Representative Johns' agencies were assigned to Representative Steven Haugaard, and Representative Hunhoff's agencies remained the same. Following a brief discussion on the number of rules reviewed by the committee over the past two

years, Representative Hunhoff stated that if any members wish to change agencies, to let staff know no later than noon on Friday.

Service of Rules (Electronic vs. Hard Copy)

The committee briefly discussed the service of documents as part of the rule-making process. Individual committee member preferences were noted and staff will update Form 12 and Form 17 to show same and will post the information on the LRC's website.

Interim Meeting Schedule

Staff proposed a schedule for the upcoming interim. Following a brief discussion regarding the number of rules that were currently pending and the fact that most of the members were newly appointed, it was decided to hold a small first meeting of the interim at 8:30 a.m. on Tuesday, March 28th. The interim schedule was set as follows: May 1, June 5, July 17, August 22, September 25, and November 14. Staff will tentatively schedule DDN sites for the July, August, September and November meetings.

Adjournment

Representative Bartling moved, seconded by Senator Kennedy, that the meeting be adjourned. Motion prevailed on a voice vote.

Vice chair Solano adjourned the meeting at 12:18 p.m.