

SOUTH DAKOTA LEGISLATIVE RESEARCH COUNCIL

FISCAL NOTE, 2012 LEGISLATIVE SESSION

FISCAL NOTE 2012-HB1133A

HB 1133 establish the Legislature's Planning Committee.

HB1133, as amended, creates a new Legislature's Planning Committee to make a continuing study of emerging trends, assets, and challenges in South Dakota and to address the long-term implications of the decisions made by the Legislature. The Committee is to be comprised of 11 members, 4 ex officio¹ and 7 appointed by the Executive Board of the Legislative Research Council.

Each year the Executive Board shall identify up to 6 categories for the new Committee to study. In addition the Committee is charged with continuously identifying long-term issues significant to South Dakota, setting goals, and issuing a yearly report of findings. It may offer proposed legislation and policy recommendations to the Legislature. The Committee is to be staffed by the Legislative Research Council and may draw upon public input.

Based on actual expenditures for the Legislature's Executive Board in FY11, the following unit costs are estimated:

- Average per-member cost for travel and meals - 1 day meeting-----\$214.22
- Average per member cost for travel and meals - 2 day meeting-----\$290.44
- Per diem + taxes per day-----\$118.42

Applying these costs to the assumed 11-member Committee yields the following:

- Estimated cost for a 1-day meeting - - - - - \$3,659
- Estimated cost for a 2-day meeting - - - - - \$5,800

¹

One of the ex officio members is "the chair of the appropriations committee," which presents a problem. During session, the House and Senate standing committees on Appropriations typically operate as a Joint Appropriations Committee for purposes of agency hearings under Joint Rule 7-12. Under this arrangement which is permissive rather than mandatory, the chairs of the standing committees serve as co-chairs of the Joint Committee. In even numbered years, the Senate co-chair acts as Lead Chairman for Joint Committee purposes. The House co-chair assumes the Lead Chairman role in odd-numbered years. However, for purposes of voting on the general bill and all other appropriations measures, the two standing Appropriations committees act independently. In the interim, the "Special Interim Committee" created pursuant to SDCL 4-8A-2 takes the place of the standing Appropriations committees and the Joint Appropriations Committee. Because the statutes are silent on the chairmanship of this Special Committee, the practice has been to follow the procedure of the Joint Appropriations Committee in session with the Lead Chair position rotating each year.

Thus it is unclear which "chair of the appropriations committee" would serve for the designated 2-year term. Further, if both Appropriations chairs are made ex officio it brings the membership to an even-numbered 12, unless the Executive Board appointees are reduced from 7 to 6.

There are various work-arounds or the bill could be further amended. However, for purposes of this Fiscal Note a membership of 11 will be assumed.

It is not possible to extrapolate these estimates further to a total cost estimate for the following reasons:

- Whether costs of this Committee would be “in addition to” or “instead of” items in the Executive Board’s currently proposed budget.
- Whether the activities of this Committee would fall under the general Executive Board guidelines for interim committees.
- The number and length of meetings is unknown.
- The meeting attendance or the number of members simultaneously attending other meetings for cost-sharing is unknown.
- Location of members is unknown, i.e., varying travel distances.

APPROVED BY:____Signed_by_Jim_Fry_____DATE:___2/10/2012___