

GOAC Subpoena Motion (SDCL 2-6-4):

Meeting Date: January 2, 2025

Motion: To issue a subpoena to Michael Houdyshell, Secretary of the Department of Revenue, and Rosa Yeager, Director of the Division of Motor Vehicles requiring them to appear before the Committee on a date to be determined and to provide testimony in an executive session on matters related to the past and present operations of the Division of Motor Vehicles, to specifically include:

- Any and all information related to all Division of Motor vehicle programs and their associated organizational structures, electronic systems, and internal processes;
- Any and all historical information regarding Division of Motor Vehicles internal controls and oversights, specifically including any policies or procedures regulating when an employee can order and approve titles and under what circumstances employees are allowed to take state property, including documents, to their homes;
- Any and all changes that have been made to the organizational structure, electronic systems, and internal processes, controls, and oversights;
- Any and all planned changes that have been made to the organizational structure, electronic systems, and internal processes, controls, and oversights that have not yet been implemented;
- With regard to the investigation into former Division of Motor Vehicles employee Sandra O'Day:
 - The nature of the investigation conducted by the Department of Revenue;
 - Any deficiencies of the internal controls and programs of the Department that were identified;
 - Any internal policies, processes, or controls that were violated by Ms. O'Day;
 - Any and all information relating to the method by which the Division of Motor Vehicles was made aware of the issues related to Ms. O'Day;
 - Any changes made specifically as a result of this investigation;
 - Any and all information regarding documents that were in her personal possession after her retirement from state government employment, including what specific documents she possessed and when they were discovered;
 - When and to whom the Division of Motor Vehicles or the Department reported its concerns;

and to request that the Executive Board of the Legislative Research Council ratify the issuance of this subpoena.

In accordance with SDCL 2-6-4.2, the Committee has determined:

1. The following Legislative purpose exists: GOAC is conducting an inquiry and review of the operations of the Department of Revenue in general and more specifically the Division of Motor Vehicles under SDCL 2-6-2 and is exercising its legislative authority to

examine the general management of the Department of Revenue and the Division of Motor Vehicles under SDCL 2-6-4. This inquiry may lead to policy recommendations regarding the management of the Division of Motor Vehicles and its internal controls.

2. The subpoenaed individuals are relevant and material to accomplish the legislative purpose because they are the current leaders of the Department and the Division; and
3. The information sought is not otherwise practically available because the department has declined to answer questions during a voluntary appearance before the Committee.