

MINUTES - Ad Hoc Meeting

Interim Rules Review Committee



Representative Jon Hansen, Chair
Senator Taffy Howard, Vice Chair

Four hundred thirty-eighth meeting
Wednesday, November 12, 2025

Room 414 – State Capitol
Pierre, South Dakota

The four hundred thirty-eighth meeting of the Interim Rules Review Committee (IRRC) was called to order by Representative Jon Hansen, Chair, at 11:03 a.m. (CT) on November 12, 2025, in Room 414 at the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members present: Representatives Jon Hansen, Chair, Roger DeGroot (remote), and Erik Muckey; and Senators Taffy Howard, Vice Chair and Liz Larson. Senator Jim Mehlhaff was excused. Staff members present were Justin Goetz, Code Counsel; Kelly Thompson, Legislative Editor; and Dilyn Tramp, IT Support Specialist.

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. All referenced documents distributed at the meeting are hyperlinked to the document on the Legislative Research Council website. This meeting was live streamed. The archived live stream is available at sdlegislature.gov.

Approval of Minutes

Muckey moved, seconded by Senator Howard, that the [October 7, 2025, meeting minutes](#) be approved. Motion prevailed on a unanimous voice vote of all members present. [\(00:31.010\)](#)

Rules Reviewed

[Department of Social Services:](#) Amend rules relating to assistance payments to update statutory authority, repeal duplicative rules, and make style and form changes.

Mr. Greg Tishkoff, Department of Social Services, reviewed the proposed rules which represent the second half of a two-year clean-up process prompted by a rule review recommended by LRC staff in 2023. Mr. Tishkoff noted there is no fiscal impact with any of the rule changes. [\(01:19.190\)](#)

Representative Muckey moved, seconded by Senator Howard, that the review of the rules proposed by the Department of Social Services is complete. Motion prevailed on a roll call vote with 5 AYES and 1 EXCUSED. Voting AYE: DeGroot, Larson, Muckey, Howard, and Hansen. EXCUSED: Mehlhaff. [\(04:33.610\)](#)

[South Dakota Transportation Commission \(Department of Transportation\):](#) Amend rules to:

- In Edmunds County, extend the current forty-five mile per hour speed limit on U.S. Highway 12 westward from Ipswich past the intersection with 357th Avenue, clarify the starting points for speed zones, and revise speed zone measurements to the nearest one-tenth of a mile; and
- In Moody County, change the speed limit on State Trunk Highway 34 in and around the Interstate 29 interchange and revise speed zone measurements to the nearest one-tenth of a mile.

Ms. Karla Engle, Department of Transportation, reviewed the proposed rules, telling the committee members that the proposed changes for Edmunds County are the result of a petition received from an interested party while the rules for Moody County are the result of public comments received at a reconstruction project public meeting. [\(05:51.590\)](#)

Public Testimony

Mr. Michael Hammrich, Self, spoke in favor of the rule change to the Edmunds County speed zone, telling members as a paramedic, he has worked on fatal accidents on that road over the years; he commended the department for their efforts in making the area safer for drivers and residents. ([11:10.990](#))

Representative Muckey moved, seconded by Senator Howard, that the review of the rules proposed by the South Dakota Transportation Commission (Department of Transportation) is complete. Motion prevailed on a roll call vote with 5 AYES and 1 EXCUSED. Voting AYE: DeGroot, Larson, Muckey, Howard, and Hansen. EXCUSED: Mehlhaff. ([14:13.610](#))

Staff Report

Mr. Justin Goetz, Code Counsel, provided an update on recent corrections made to administrative rules pertaining to the reorganization of the Bureau of Human Resources and Administration. The changes were listed in the [South Dakota Register](#) as a means to provide the source note citation that indicates when the rules were updated. Mr. Goetz proposed that this be the practice for all technical corrections to the Administrative Rules of South Dakota going forward, if the committee is in support of that practice. The committee supported the idea. ([15:44.670](#))

Draft Legislation for Committee Discussion and Action

Representative Hanson asked members for their comments and proposed action on three bill drafts that were originally presented to the committee by Senator Howard at its [September 9, 2025, meeting](#), and three additional bill drafts that were being offered today by Representative Muckey. Both legislators were asked to explain their proposed legislation. ([19:22.590](#))

Regarding [Draft 107](#), Senator Howard stated if an agency is required to fill out a form as part of the rule promulgation process, in the interest of transparency, the form should be posted on a single website, such as the [rules.sd.gov](#) website. ([20:10.790](#))

Representative Hansen moved, seconded by Senator Larson, that Draft 107, as presented, be adopted for introduction as a committee bill for the 2026 Legislative Session. Motion prevailed on a roll call vote with 5 AYES and 1 EXCUSED. Voting AYE: DeGroot, Larson, Muckey, Howard, and Hansen. EXCUSED: Mehlhaff. ([21:16.190](#))

The purpose of [Draft 117](#), according to Senator Howard, is to give LRC Fiscal staff more time to study financial resource information when reviewing proposed rule changes. ([22:49.610](#))

Representative Muckey moved, seconded by Senator Larson, that Draft 117, as presented, be adopted for introduction as a committee bill for the 2026 Legislative Session. Motion prevailed on a roll call vote with 5 AYES and 1 EXCUSED. Voting AYE: DeGroot, Larson, Muckey, Howard, and Hansen. EXCUSED: Mehlhaff. ([23:25.690](#))

Senator Howard asked that [Draft 126](#) be removed from consideration as a committee bill. ([24:39.250](#))

Representative Muckey presented [Draft 155](#) for consideration, noting that while it is not the type of bill normally brought forward by the IRRC as a committee bill, it addresses an issue raised by one of his constituents regarding transparency with rules that come before hearing examiners. ([25:01.350](#))

Senator Howard asked what the current appeal process is for decisions made by hearing examiners. Code Counsel Justin Goetz was asked to respond to the question. ([30:11.350](#))

Representative Hansen commented that in his work as a private attorney, he dealt with cases that were covered by this rule and while he shared Representative Muckey's concern, he was not ready to adopt the proposed legislation as a committee bill. [\(34:36.130\)](#)

Representative Muckey expressed his understanding that Draft 155 would not be an IRRC bill and that he would consider carrying the bill on his own. [\(36:58.510\)](#)

In presenting [Draft 156](#), Representative Muckey explained the issue was brought forward by a constituent with a uranium mining situation; the draft allows for interpreter or translator services for certain rules cases such as is the practice for cases brought before the Unified Judicial System. [\(37:31.870\)](#)

Senator Howard inquired as to whether people can hire their own interpreters now. Representative Muckey confirmed that they can. [\(39:39.770\)](#)

Senator Howard stated that due to concerns over the fiscal impact of the bill, she could not support it as a committee bill. Representative Muckey said he appreciated her concern and expressed his own concern about not being able to provide due process with the rule process without the option offered by this proposed legislation. [\(40:46.870\)](#)

Senator Larson moved, seconded by Representative Muckey, that Draft 156, as presented, be adopted for introduction as a committee bill for the 2026 Legislative Session. Motion failed on a roll call vote with 2 AYES, 3 NAYS, and 1 EXCUSED. Voting AYE: Larson and Muckey. Voting NAY: DeGroot, Howard, and Hansen. EXCUSED: Mehlhaff. (42:24.170)

Regarding [Draft 157](#), Representative Muckey noted that he is now not bringing it forward as a committee bill but he is working with the Governor's office on addressing their concerns with the bill and the issue to which it pertains. [\(43:04.550\)](#)

Public Comments: General Purposes

No additional public comments were received.

Closing Comments

Representative Hansen thanked LRC staff for their work with the committee for the 2025 Interim, as well as his fellow members for their diligence in completing their work for the year. [\(44:55.190\)](#)

Adjournment

Senator Howard moved, seconded by Representative Muckey, that the meeting be adjourned. Motion prevailed on a unanimous voice vote of all members present. (45:15.990)

Chair Hansen adjourned the meeting at 11:48 a.m. (CT).