

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

948Y0485

HOUSE STATE AFFAIRS ENGROSSED NO. **SB 120** - 2/24/2017

Introduced by: Senators Peters, Bolin, Greenfield (Brock), Haverly, Maher, Monroe, Nelson, Novstrup, Otten (Ernie), and Wiik and Representatives Lust, Ahlers, Brunner, Clark, Conzet, Lake, Lesmeister, Mickelson, Otten (Herman), Peterson (Kent), Peterson (Sue), Rhoden, Rounds, Turbiville, and Willadsen

1 FOR AN ACT ENTITLED, An Act to repeal the Legislative Planning Committee and revise
2 certain provisions regarding agency performance reviews.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 2-6-26 be repealed.

5 ~~—2-6-26. There is hereby created the Legislature's Planning Committee to make a continuing~~
6 ~~study of emerging trends, assets, and challenges in South Dakota and to address the long-term~~
7 ~~implications of the decisions made by the Legislature.~~

8 Section 2. That § 2-6-27 be repealed.

9 ~~—2-6-27. The Legislature's Planning Committee shall be composed of the speaker of the~~
10 ~~House of Representatives, the president pro tempore of the Senate, the chair of the Executive~~
11 ~~Board of the Legislative Research Council, a member of the House appropriations committee~~
12 ~~appointed by the speaker of the House and a member of the Senate appropriations committee~~
13 ~~appointed by the president pro tempore of the Senate as ex officio members. In addition, the~~



1 ~~committee shall include three members of the House of Representatives appointed by the~~
2 ~~speaker of the House and three members of the Senate appointed by the president pro tempore~~
3 ~~of the Senate. The members of the Legislature's Planning Committee shall be appointed~~
4 ~~biennially for terms expiring January first of each succeeding even-numbered year and shall~~
5 ~~serve until their respective successors are appointed and qualified. In the event any appointed~~
6 ~~member does not continue as a current sitting member of the Legislature, a replacement shall~~
7 ~~be appointed by the speaker of the House if the member to be replaced is a member of the House~~
8 ~~of Representatives or by the president pro tempore of the Senate if the member to be replaced~~
9 ~~is a member of the Senate. Any ex officio member of the committee may serve only during the~~
10 ~~term during which they serve in their respective capacities and when succeeded, their successor~~
11 ~~shall assume their position on the committee. However, no fewer than two representatives, one~~
12 ~~from each party, and one senator shall be reappointed each biennium to provide continuity. The~~
13 ~~total membership shall be appointed in proportion to the political party makeup of the~~
14 ~~Legislature.~~

15 Section 3. That § 2-6-28 be repealed.

16 ~~— 2-6-28. Each year, the Executive Board shall identify up to six categories for the~~
17 ~~Legislature's Planning Committee to study.~~

18 Section 4. That § 2-6-29 be repealed.

19 ~~— 2-6-29. The Legislature's Planning Committee shall select a chair and a vice chair and shall~~
20 ~~be provided with staff assistance from the Legislative Research Council. The chair and vice~~
21 ~~chair shall be from different Houses.~~

22 Section 5. That § 2-6-30 be repealed.

23 ~~— 2-6-30. The Legislature's Planning Committee shall collect and analyze data and give special~~
24 ~~consideration to matters concerning demographics, education, labor, revenue, natural resources,~~

1 ~~assets, challenges, trends, and the growth and efficiency of government in South Dakota. The~~
2 ~~committee shall continuously identify long-term issues significant to South Dakota, set goals,~~
3 ~~and issue a yearly report of its findings. The committee shall draw upon public input from all~~
4 ~~those who may be concerned and knowledgeable in these areas. The committee may propose~~
5 ~~draft legislation and policy recommendations to the Legislature to effectuate its mission.~~

6 Section 6. That § 2-6-35 be amended to read:

7 2-6-35. The ~~Legislative Planning~~ Government Operations and Audit Committee shall
8 develop and implement a performance management review process that provides the Legislature
9 with a consistent system to evaluate the efficiency and effectiveness of state agencies and to
10 provide additional government transparency and accountability to the public.

11 Section 7. That § 2-6-37 be amended to read:

12 2-6-37. The ~~Legislative Planning~~ Government Operations and Audit Committee shall
13 establish a schedule whereby the committee reviews the performance management of each state
14 agency at least once every three years. The performance management review shall include the
15 following:

- 16 (1) The strategic goals of each agency with specific, quantifiable outcomes and
17 measurements to track progress toward those goals;
- 18 (2) A description of how the resources allocated to the agency's programs and strategies
19 will result in the agency's defined outcomes; and
- 20 (3) Identification of the performance measurements that will be used to determine if the
21 agency is achieving desired outcomes.

22 Section 8. That § 2-6-38 be amended to read:

23 2-6-38. ~~Once the Legislative Planning~~ After the Government Operations and Audit
24 Committee has completed a performance management review of a state agency, and the

1 committee has approved the agency's desired outcomes and accompanying performance
2 measures, the agency shall provide the committee with a report highlighting up to six of the
3 performance measures that show the progress being made toward the desired outcomes.
4 ~~Thereafter, the~~ The report shall be updated by the agency annually and submitted to the
5 committee no later than November fifteenth. Each agency report shall include the source of the
6 information and references to where legislators can obtain further information.

7 Section 9. That § 2-6-39 be amended to read:

8 2-6-39. The Legislative Research Council shall compile the reports provided pursuant to § 2-
9 6-38, and distribute a compiled report to ~~each member of the Legislative Planning Committee,~~
10 ~~the chair and vice chair of the Joint Committee on Appropriations, and the chair and vice chair~~
11 of the Government Operations and Audit Committee. During the first week of the legislative
12 session each year, members of the ~~Legislative Planning~~ Government Operations and Audit
13 Committee shall present and review the compiled report with legislators in each legislative
14 body. Individual reports may also be distributed to the chair of any standing committee of the
15 Legislature as determined by the chair of the ~~Legislative Planning~~ Government Operations and
16 Audit Committee.

17 To ensure public accountability, the Legislative Research Council shall develop a website
18 that contains the compiled report and the references where further information can be located.

19 Section 10. That § 13-48A-7 be amended to read:

20 13-48A-7. The Board of Regents and the Board of Education shall each provide to the
21 ~~Legislative Planning~~ Government Operations and Audit Committee an annual accountability
22 report as determined by the committee.