

Committee: Joint Legislative Procedure

Monday, January 27, 2020 3:00 PM

Roll Call

Present: Rep. Qualm, Rep. Beal, Rep. Gosch, Rep. Diedrich, Rep. Hansen, Rep. Jamie Smith, Sen. Langer, Sen. Bolin, Sen. Novstrup, Sen. Schoenbeck, Sen. Kolbeck, Sen. Nesiba, Rep. Haugaard, and Sen. Brock Greenfield

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Brock Greenfield

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 14TH

Moved by: Nesiba
Second by: Langer
Action: Prevailed by voice vote

Senator Greenfield provided introductory remarks for the proposed amendment to Joint Rule 6A-2.

6A-2. Format of bills and joint resolutions. If a bill amends an existing statute, the new matter shall be underscored and the omitted matter shall be overstricken. If an entire title, chapter, or section is to be repealed, only the code citation need be listed. A bill may also create, amend, suspend, or repeal any administrative rule.

Responding to questions concerning SDCL 1-26-6.8, and how it relates to the proposed amendment, Wenzel Cummings, Code Counsel provided background information and clarification and responded to several committee questions. His opinion was that the Legislature cannot amend administrative rules by legislation.

A motion was made to adopt (see below); but first, after much discussion, a motion to call the question was made.

MOTION: CALL THE QUESTION

Moved by: Bolin
Second by: Beal
Action: Prevailed by Majority Members Present (13-1-0-0)

Voting Yes: Qualm, Beal, Gosch, Diedrich, Hansen, Jamie Smith, Langer, Bolin, Novstrup, Schoenbeck, Kolbeck, Nesiba, and Haugaard

Voting No: Brock Greenfield

MOTION: TO ADOPT PROPOSED AMENDMENT TO JOINT RULE 6A-2

Moved by: Langer
Second by: Bolin
Action: Failed by Majority Members Present (6-8-0-0)

Voting Yes: Langer, Bolin, Novstrup, Schoenbeck, Kolbeck, and Brock Greenfield

Voting No: Qualm, Beal, Gosch, Diedrich, Hansen, Jamie Smith, Nesiba, and Haugaard

Senator Greenfield announced the committee will take no action on the proposed amendment to Joint Rule 12-6, which had been deferred from the January 14, 2020 Joint Legislative Procedure meeting.

MOTION: ADJOURN

Moved by: Nesiba
Second by: Kolbeck
Action: Prevailed by voice vote

Rena Ortbahn, Committee Secretary

/s/ BROCK L. GREENFIELD
Brock L. Greenfield, Chair