

MINUTES

Rules Review Committee



Representative Jon Hansen, Chair
Senator Jean Hunhoff, Vice Chair

Three hundred ninety-fifth meeting
Wednesday
March 10, 2021

Room 499
State Capitol
Pierre, South Dakota

The three hundred ninety-fifth meeting of the Rules Review Committee was called to order by Senator Jean Hunhoff at 12:28 p.m. (CT) on March 10, 2021, in Room 499 at the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members present: Representatives Ryan Cwach, Jon Hansen, and Kevin Jensen; and Senators Jean Hunhoff and Timothy Johns. Senator Troy Heinert was excused. Staff members present were Justin Goetz, Code Counsel, and Kelly Thompson, Senior Legislative Secretary.

All material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council (LRC). For continuity, these minutes are not necessarily in chronological order.

Approval of Minutes

Senator Hunhoff moved, seconded by Representative Cwach, that the December 7, 2020, meeting minutes be approved. Motion prevailed on a roll call vote with 5 ayes and 1 excused. Voting aye: Cwach, Hansen, Hunhoff, Jensen, and Johns. Excused: Heinert.

Election of Chair and Vice Chair

Senator Johns moved, seconded by Representative Jensen, to nominate Representative Hansen as Chair. Motion prevailed on a roll call vote with 5 ayes and 1 excused. Voting aye: Cwach, Hansen, Hunhoff, Jensen, and Johns. Excused: Heinert.

Senator Johns moved, seconded by Representative Cwach, to nominate Senator Hunhoff as Vice Chair. Motion prevailed on a roll call vote with 5 ayes and 1 excused. Voting aye: Cwach, Hansen, Hunhoff, Jensen, and Johns. Excused: Heinert.

Assignment of Agency Rules

A handout was provided indicating the current agency assignments for the three returning committee members, and the assignments vacated by former members Senators Craig Kennedy, Lance Russell, and Margaret Sutton. All returning members retained their current assignments for the 2021 Interim. Representative Jensen was assigned those agencies previously served by Senator Sutton. Senator Heinert received those agencies previously held by Senator Russell, while Senator Johns was given those managed by Senator Kennedy.

Service of Rules (Electronic vs. Hard Copy)

All returning members - with the exception of Representative Cwach - currently receive documents both electronically and by hard copy. Representative Cwach receives electronic service only. Those service preferences will remain unchanged for the 2021 Interim. Representative Jensen, and Senators Heinert and Johns, will receive both electronic and hard-copy service. LRC Staff will update Form 12 and Form E-3 as necessary, post the information on the LRC website, and notify agency rules contacts.

Interim Meeting Schedule

Staff distributed a handout entitled "2021 Interim Rules Review Committee Proposed Meeting Dates." Committee members agreed on the following 2021 Interim meeting schedule: April 6, May 10, June 7, July 12*, August 2, September 13, and November 1. All meetings will begin at 10:00 a.m. CT and will be held in Room 414 of the State Capitol, with remote participation available via Microsoft Teams.

**Following the meeting, due to a scheduling conflict, the July meeting was changed from July 12 to July 19.*

Administrative Rules Training

Mr. Justin Goetz, Code Counsel, presented a draft document outlining proposed administrative rules training for agency rules contacts, LRC staff, and committee members. The proposal was in response to comments made by Senator Hunhoff at the December 7, 2020, meeting regarding the importance of training for all groups associated with the administrative rules process.

Senator Hunhoff requested that committee members be given time to review the draft training document and provide feedback and suggestions at the April 6, 2021, meeting.

Closing Comments

Senator Hunhoff requested that LRC staff remind agencies to submit their rules documents to committee members in a timely manner, noting that in the previous year, she frequently received submissions by overnight delivery so as to meet the required deadline.

Representative Cwach said agencies should also be asked to ensure materials sent electronically are correct and complete before they are emailed to members. Multiple emails can be confusing and time-consuming for members to review, especially when received on late notice.

Adjournment

Senator Hunhoff moved, seconded by Senator Johns, that the meeting be adjourned. Motion prevailed on a unanimous voice vote.

Chair Hansen adjourned the meeting at 1:00 p.m.