

# MINUTES

## Executive Board



Representative Steven Haugaard, Chair  
Senator Brock L. Greenfield, Vice Chair  
Senator Troy Heinert, Ranking Minority Member

**First Meeting, 2019 Interim  
Friday, March 29, 2019**

**Room 413 – State Capitol  
Pierre, South Dakota**

The first meeting of the Executive Board for the 2019 Interim was called to order by Representative Steven Haugaard at 5:45 p.m. in room 413 of the State Capitol, Pierre, South Dakota. A quorum was determined with the following members answering the roll call: Representatives Spencer Gosch, Randy Gross, Chris Johnson, John Mills, Sue Peterson, Lee Qualm, and Jamie Smith; Senators Jim Bolin, Bob Ewing, Kris Langer, Jim Stalzer, and Jim White; Senator Troy Heinert, Ranking Minority Member; Senator Brock L. Greenfield, Vice Chair; and Representative Steven Haugaard, Chair.

Staff members present included Jason Hancock, Director; Sue Cichos, Deputy Director; Doug Decker, Code Counsel; David Ortbahn, Chief Analyst for Research and Legal; Tamara Darnall, Chief Fiscal and Program Analyst; Scott Darnall, Information Technology Manager; Hilary Carruthers, IT Support Specialist; and Cindy Tryon, Senior Legislative Secretary.

*NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents distributed at the meeting are attached to the original minutes on file in the Legislative Research Council office. This meeting was web cast live. The archived web cast is available at the LRC web site at [sdlegislature.gov](http://sdlegislature.gov).*

### **Opening Remarks**

Representative Steven Haugaard announced the agenda items to be considered at this meeting will be a shortened version of the published agenda due to the final day of Session going longer than originally expected and the meeting having to start at such a late hour. Representative Haugaard did point out that contrary to what was published elsewhere, the published agenda found on the LRC website is the only agenda considered for this meeting, and there was never anything else on the agenda.

### **LRC Staffing Update**

**Mr. Jason Hancock, Director**, announced that Mr. Doug Decker, Code Counsel, will be retiring in June. The Executive Board does the hiring of the Code Counsel and will be responsible for finding Mr. Decker's replacement.

**Mr. Doug Decker, Code Counsel**, addressed the Board stating he has worked for the State of South Dakota for 36 years and most of those years have been with the Legislative Research Council. Mr. Decker plans to retire June 8. The Board members thanked Mr. Decker for his many years of excellent service to the Legislature and Mr. Decker received a standing ovation from the Board and those in the audience.

### **Executive Board Appointments**

**Ms. Sue Cichos, Deputy Director**, presented information regarding appointments the Executive Board makes to various commissions and organizations.

The Executive Board appoints one Senator and one Representative to the Education Commission of the States. Traditionally, the chairs of the House and Senate Education Committees have been appointed. ([Document #1](#))

***A motion was made by Senator Greenfield, seconded by Representative Mills, to appoint the Chairs of the Education Committees, Representative Lana Greenfield and Senator Alan Solano, to the Education Commission of the States for the 2019-2020 term. Motion prevailed on a roll call vote with 15 voting AYE. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Heinert, Greenfield, and Haugaard.***

The Executive Board appoints two members to the Dakota Corps Scholarship Board. Traditionally, the appointments are one member from each chamber with one being a democrat and one being a republican. ([Document #2](#))

Representative Sue Peterson asked about the process by which legislators are informed about the vacancies to these organizations. Ms. Cichos explained that there is not a formal process used in making the selections, but Executive Board members generally reach out to legislators or use past tradition. Representative Peterson asked that an email be sent to all legislators asking who would be interested in serving. Ms. Cichos will use Representative Peterson's suggestion for future appointments.

***A motion was made by Senator Greenfield, seconded by Senator Bolin, to appoint Senator Susan Wismer and Representative Bob Glanzer to the Dakota Corps Scholarship Board for the 2019-2020 term. Motion prevailed on a roll call vote with 14 voting AYE; one EXCUSED. Voting AYE: Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Heinert, Greenfield, and Haugaard. EXCUSED: Gosch.***

The Executive Board appoints two members to the Streamlined Sales Tax Governing Board. It is stated in statute, SDCL 10-45C-3, that the Executive Board shall appoint one Senator and one Representative to represent this state. Representative Reed is currently an officer on the Streamlined Sales Tax Governing Board. ([Document #3](#))

***A motion was made by Senator Greenfield, seconded by Senator Bolin, to appoint Senator Jack Kolbeck and Representative Tim Reed as members, and Senator Reynold Nesiba and Representative Ray Ring as alternates, to the Streamlined Sales Tax Governing Board for the 2019-2020 term. Motion prevailed on a roll call vote with 15 voting AYE. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Heinert, Greenfield, and Haugaard.***

The Executive Board appoints two members to the Midwestern Higher Education Compact (MHEC). SDCL 13-53C-2 states that the Executive Board shall appoint one member of the Senate and one member of the House of Representatives to MHEC. Although not required by statute, the Executive Board has traditionally opted to also appoint two alternates to MHEC. ([Document #4](#))

***A motion was made by Senator Greenfield, seconded by Senator Bolin, to appoint Senator V.J. Smith and Representative Erin Healy as members, and Senator Reynold Nesiba and Representative Marli Wiese as alternates, to the Midwestern Higher Education Compact for the 2019-2020 term.***

***A substitute motion was made by Representative Johnson, seconded by Gosch, that the LRC staff email all members of the Legislature inquiring who is interested in serving on MHEC and make the appointments at the April Executive Board meeting based on those responses. Motion failed on a roll call vote with 7 voting AYE; 8 voting NAY. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, and Haugaard. Voting NAY: Smith, Bolin, Ewing, Langer, Stalzer, White, Heinert, and Greenfield.***

Senator Troy Heinert said the legislative leadership has known about these appointments and has had ample time to talk to their members to determine who is interested in serving on these boards and commissions.

The Board then acted on the original motion:

***A motion was made by Senator Greenfield, seconded by Senator Bolin, to appoint Senator V.J. Smith and Representative Erin Healy as members, and Senator Reynold Nesiba and Representative Marli Wiese as alternates, to the Midwestern Higher Education Compact for the 2019-2020 term. Motion prevailed on a roll call vote with 15 voting AYE. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Heinert, Greenfield, and Haugaard.***

### **Proposed Interim Committee Study Topics and Selection Process**

Mr. Hancock explained the process used by LRC in gathering suggested study topics for the Executive Board's final decision. The 2019 Proposed Interim Studies ([Document #5](#)) and the Interim Study Rankings ([Document #6](#)) were distributed to and discussed by the board members. Mr. Hancock also distributed a document listing the 2019 interim committees and task forces set in statute, as well as a historical listing of interim committees and task forces going back through 2015 ([Document #7](#)). The LRC staff will email all Legislators asking that they respond to a survey on which interim studies they would like to serve. The results of that survey will be presented at the April 23 Executive Board meeting.

***A motion was made by Senator Bolin, seconded by Senator White, to limit the additional interim study committees to not more than two.***

***A substitute motion was made by Representative Gosch, seconded by Representative Peterson, to adopt only those studies established through Legislative Act and no others.***

Senator Bolin said he supports the substitute motion.

Senator Heinert said the top two ranked topics of the proposed interim studies are issues that the Legislature will be dealing with again next year and need to be studied.

Representative Haugaard said SB 167 is to study offenses regarding controlled substances and perhaps the study of the meth epidemic could be a part of that study. That legislation requires 15 members to serve on the committee, in fact there will be about 55 total members on the four studies set by Legislative Acts.

Representative Smith said the first ranked topic is the hemp issue and that was an important issue for both parties in both chambers this past session. Representative Qualm agreed stating there were a lot of questions regarding this issue and an interim study could help find those answers.

Senator Greenfield said some Legislators may choose to serve on more than one committee, and the board could direct some of the studies to get started right away. These are important issues South Dakota is facing.

Representative Gosch, with the consent of Representative Peterson, withdrew the substitute motion.

***A substitute motion was made by Senator White, seconded by Senator Langer, to add one interim study, the study of hemp, to the list of statutory studies, and to add the study of methamphetamine addiction as a subgroup of the SB167 study. Motion prevailed on a roll call vote with 15 voting AYE. Voting AYE: Gosch, Gross, Johnson, Mills, Peterson, Qualm, Smith, Bolin, Ewing, Langer, Stalzer, White, Heinert, Greenfield, and Haugaard.***

Representative Haugaard said the Executive Board will appoint the committee members, chairs, and vice chairs at the April 23 Executive Board meeting, as well as finalize the scope for each study topic.

### Other Business

Mr. Hancock said the 2019 Executive Board meeting schedule is in the packet of information ([Document #8](#)). Future meeting dates are April 23, June 10, August 26, and November 18. The Executive Board retreat is scheduled for May 20-21.

### Adjourn

***A motion was made by Representative Smith, seconded by Senator Stalzer, that the Executive Board be adjourned. The motion prevailed unanimously on a voice vote.***

The Board adjourned at 7:00 p.m.