

## DIRECTIONS FOR SUBMITTING THE FINAL DRAFT

**Rules Review Meeting Schedule:** The Interim Rules Review Committee will have an informal meeting near the close of the Ninety-first Legislative Session to set the tentative meeting schedule for the 2016 interim.

- A. Final Draft to the Legislative Research Council:** Bring the final draft of the adopted rules to this office at least five days before the committee meeting date for signature for legality and for form and style, please include the following items:
1. The edited copy of the first draft;
  2. One legible copy of the final draft, to be left here. The final draft should be double spaced, contain only rules being amended, repealed, or adopted, and show changes from current printed rules by means of overstrikes and underscores;
  3. The original Form #11 which contains the signature of the officer empowered to adopt the rules or the signatures of a majority of the members of a board or commission which has the rule-making authority; and
  4. Copies of the following:
    - a. The minutes of all public hearings, (a summary of the minutes if needed);
    - b. Rules Presentation Format; and
    - c. The affidavit of mailing to Rules Committee members – Form #12.
- B. Service on Committee:** The following information is to be served on the Interim Rules Review Committee at least five days before the committee meeting date:
1. The final draft of the adopted rules (three-hole punched and numbered by page);
  2. The minutes of the public hearing;
    - a. Include a summary of the hearing if a verbatim transcript is used;
    - b. Include a summary of any subsequent hearing if the public hearing is continued or final action is taken at a later date;
  3. A summary of the written comments or copies of the written comments;
  4. The Impact Statement on Small Business;
  5. The Fiscal Note;
  6. Rules Presentation Format; and
  7. Agency financial resource information if the agency proposes a rule to increase a fee.
- First class mail, e-mail, or both should be used (See Form #12).
- C. Filing with the Secretary of State's Office:** (After appearing before the Interim Rules Review Committee)
1. Each agency must complete and sign all documents before filing the certificate of compliance with Chapter 1-26 and the final draft of the rules with the Secretary of State's Office. Although it is not required by statute, the Secretary of State's Office would like to have a copy of the approval signature sheet with the filing of the final draft and the certificate.

Department/Board/Commission Name \_\_\_\_\_

## Interim Rules Review Committee Rules Presentation Format

When you submit the final draft to the Legislative Research Council (LRC) and the Rules Review Committee, please answer these questions to show that the SDCL § 1-26 rule-making process is complete. Use this format to organize your presentation to the Committee.

- Approval to proceed? Yes \_\_\_\_\_ No \_\_\_\_\_ Date \_\_\_\_\_
  
- The date of your public hearing. Date \_\_\_\_\_
  
- The date you submitted the proposed rules and the supporting documents to LRC and the Bureau of Finance and Management: Date \_\_\_\_\_ *(Note - This must be completed at least 20 days before your public hearing.)*
  - any publication incorporated by reference;
  - the fiscal note;
  - the impact statement on small business; and
  - the notice of hearing.
  
- The date and the name of the newspapers where you published the notice of the public hearing.
  - Date \_\_\_\_\_ Newspaper \_\_\_\_\_
  - Date \_\_\_\_\_ Newspaper \_\_\_\_\_
  - Date \_\_\_\_\_ Newspaper \_\_\_\_\_
  
- Summarize how and when interested persons, if any, were contacted and how many were contacted. \_\_\_\_\_
  
- Provide the page numbers in the minutes where it mentions how the agency considered amendments, data, opinions, or arguments regarding the proposed rules, along with any changes and final action. \_\_\_\_\_
  
- If the rules are implementing a bill from last session, identify the bill number. \_\_\_\_\_
  
- The date you submitted the final rules and supporting documents to the LRC and the Rules Review Committee: Date \_\_\_\_\_ *(Note - This must be received no later than 5 days before the Rules Review Committee meeting.)*
  - the "Approval of Rules" - Form 11 (LRC only);
  - the style and form copy (LRC only);
  - the "Affidavit" of mailing - Form 12 (LRC only);
  - the final copy of the rules (Both);
  - the minutes of the hearing (Both);
  - the record of written comments (Both);
  - the impact statement on small business – Form 14 (Committee only);
  - the fiscal note – Form 5 (Committee only);
  - the budgetary information required to increase a fee (Committee only); and
  - the Rules Presentation Format (Both).