



Mon., July 31, 2017

David Bordewyk
South Dakota Newspaper Association
1125 32nd Avenue
Brookings, SD 57006

Dear Mr. Bordewyk:

As the Executive Director of the South Dakota Newspaper Association, I am asking for your assistance to address a problem that has occurred during the legislative review of administrative rules. A recurring problem has evolved concerning the legal obligation to publish certain notices in newspapers in a timely manner. The problem is that state government agencies are making the request to publish but these newspapers are not publishing the notices as requested.

On more than one occasion at the Rules Review Committee's meeting July 17, 2017 an agency of state government disclosed the failure to publish a notice as required by either SDCL 1-26-4(3) or 1-26-4.1. The agencies had submitted the required notices in a timely fashion and the newspapers either did not publish when requested, published the notice later or did not publish the notice. Accordingly, the agency then had a procedural error in the adoption of the rule which made it necessary to start the rule adoption process over incurring additional costs.

We are reminded by print media frequently of the importance to continue public notices in their publications. To support this endeavor I ask you to remind your newspapers of the need to be more responsive to the requests of the agencies to publish notices when requested so that the State, the agencies, and ultimately the taxpayers can avoid increased costs.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Doug".

Doug Decker
Staff for the Rules Review Committee

*Agency adopt rules
- failed
all first 20 dec 15
P#6*