

**Commission on Child Support
Meeting Minutes**

Thursday, August 26, 2021

1:00 p.m.-5:00 p.m. CDT

Kneip Building – Conference Room #3

700 Governors Drive

Pierre, SD 57501

Join Zoom Meeting

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Meeting ID: 968 4996 4504

Passcode: 235302

Commission Members Present: Chairman Justice Scott Myren; Virgena Wieseler, Department of Social Services (DSS) Chief of Children and Family Services; Lindsey Riter-Rapp, South Dakota State Bar. The following members participated via Zoom: Senator Arthur Rusch; Representative Mike Stevens; Terri Williams, Child Support Referee; Amber Kinney, Custodial Parent.

Commission Members Absent: Michael Bierle, Non-custodial Parent. Virgena Wieseler informed Commission members that Michael Bierle, appointed as the non-custodial parent representative, is not able to participate in Commission meetings due to work commitments. The Department has informed the Governor's Office of Bierle's resignation.

Others Present: Carmin Dean, Nichole Brooks, Jeremy Lippert, Marilyn Kinsman, and Max Wetz as DSS support staff; Suzanne Starr, Unified Judicial System; and Dr. Jane Venohr, Center for Policy Research (via Zoom). Tom Pischke, Jessica Steidel, Jay Miles, and Andy Braam were present via Zoom to provide testimony.

Call to Order, Roll Call, Introduction of Commission Members, and Introduction of Zoom

Participants and Onsite Attendees: Chairman Justice Myren called the meeting to order at 1:01 PM CDT. Roll was called and a quorum was determined. Commission members were welcomed and introductions of Commission members, Zoom participants, and onsite attendees were made.

Approval of August 26, 2021 Agenda: A motion was made by Senator Rusch to approve the revised agenda. Seconded by Virgena Wieseler. Motion carried.

Approval of Minutes from July 29, 2021 Meeting: A motion was made by Lindsey Riter-Rapp to approve the July 29, 2021 meeting minutes. Seconded by Virgena Wieseler whom advised that minutes of meetings are posted on the Boards and Commissions portal. Motion carried.

Dr. Jane Venohr, Center for Policy Research, New Economic Data on Child-Rearing Costs and Updating the Schedule:

Due to time constraints at the first Commission on Child Support meeting held on July 29, 2021, Dr. Jane Venohr, Center for Policy Research, was not able to complete her presentation regarding new economic data on child-rearing costs and updating the schedule. The Commission requested Dr. Venohr present additional information during the August 26, 2021 meeting.

Dr. Venohr reminded Commission members that federal law requires the review of child support guidelines every four years. She also reminded members there is a new federal requirement to consider 14 factors when imputing income and the current guidelines do not consider those factors. Next, Dr. Venohr referred members to slide 26 of her PowerPoint presentation that

provides a side by side comparison chart showing the assumptions and data underlying the existing schedule in comparison to updating alternatives such as new economic data on child-rearing expenditures and income realignment and price parity to adjust national data for South Dakota prices or incomes. Dr. Venohr shared assumptions and data underlying the existing schedule. The greatest impact of the child support guidelines schedule rests with one and two children families. Preliminary analysis of case file data suggests the combined net income is between \$2,340 and \$4,600 for 90% of cases. Dr. Venohr suggested the Commission set a more reasonable amount of child support at the front end so the agency doesn't have to go through certain child support enforcement actions.

- **Consideration:** South Dakota's existing schedule is based on the "income shares" model. Dr. Venohr suggested South Dakota continue to utilize the income shares guidelines model.
- **Consideration:** The existing schedule is based on how much it costs to raise children in South Dakota in 2016, for a family by the number of children they have and their combined income. Consider updating price levels from 2016 to 2021.
- **Consideration:** South Dakota's existing guidelines use the BR3 study methodology capturing expenditure data collected in 1998-2004. South Dakota will see a dramatic increase if the state changes to BR5 since the state did not update to BR4 in 2016. Mortgage payments, second mortgage payments, boat payments, etc. are factored into BR5, i.e., payments on loans and changes in tax liabilities due to recent tax reform have affected how much after-tax income families have to spend. It is recommended to use more current measurements of the child-rearing expenditures by updating to BR5, the newest study published in 2020.
- **Consideration:** The side by side comparison chart has insufficient data relative to combined net income beyond \$23,000. Dr. Venohr can extrapolate high income.
- **Consideration:** The existing schedule realigned the cost of living difference in South Dakota and the USA incomes as of 2007. Consider other alternatives such as price parity realignment or income realignment. Price parity assumes low income families spend the same as high income families when they actually do not. Price parity was not available in 2016. The existing South Dakota adjustment is based on an income realignment. South Dakota has a lower cost of living than the national average; income realignment is a better approach.
- **Consideration:** In the area of spending more/less of after-tax income, some states have capped their increase based on the modification threshold used by the state. A cap could be between 10-20% and would affect those incomes greater than \$10,000 and these cases would have attorney representation. This is a policy decision. The Commission should consider using the actual ratios with a cap.
- **Consideration:** Highly variable child-rearing expenses are excluded from the schedule. Childcare and most healthcare costs are not included in the existing schedule. The existing schedule excludes childcare expenses, health insurance expenses for the child, and medical out of pocket expenses except the first \$250 per child per year. It may be adjusted for actual childcare expenses or the actual cost of the child's health care. Out of pocket medical expenses differ for those who are on Medicaid and those who are on private insurance. Discussion was held that \$250 for uncovered medical expenses works well in South Dakota and saves significant litigation.
- **Consideration:** The low-income adjustment and minimum order for South Dakota currently incorporates a self-support reserve of \$871 per month, minimum order of \$79 per month for \$0-\$950 net combined, which applies to the obligated parent. Consider updating the self-support reserve from the 2016 federal poverty level (FPL) rate of \$871 per month to the 2021 FPL of \$1,073 per month.

- **Consideration:** In 2016, the South Dakota Legislature imposed a 4% cap that applies to incomes of about \$4,150-\$12,500. It is believed the cap was imposed by the Legislature as they thought what the Commission brought forward in 2016 was too much of an increase. The Legislature expected across the board increases similar to all incomes – there’s a price sticker shock. If the Commission wants to consider a cap, the existing order to the proposed amount should not be more than 10-20%.

Dr. Venohr left the meeting at 2:09 p.m. CDT and the Commission recessed briefly.

Commission Discussion Regarding Dr. Venohr’s Presentation: The Commission reconvened at 2:25 p.m. CDT. Chairman Justice Myren facilitated general discussion about the information presented to the Commission by Dr. Venohr. He advised that formal decisions would not be made during the meeting today as the Commission needs time to digest the information received, and the Commission also needs to hear from the public before making formal decisions. Chairman Justice Myren stated he hoped the Commission could reach a consensus on the approach to take based on the information the Commission had received in order to help Dr. Venohr show the impact of the chosen approach. Chairman Justice Myren led discussion based on page 26 of the presentation, *Assumptions and Data Underlying Existing Schedule and What Could Be Updated* and page 48, *Questions and Next Steps*.

- **Line 1: Guidelines model.** The current system is based on an income shares approach; there are other models available. Chairman Justice Myren asked if any member had objection to the income shares model. Group consensus was reached to use the income shares model.
- **Line 2: Price levels.** South Dakota is currently operating with price levels from 2016; data for 2021 is now available. Chairman Justice Myren asked for discussion on updating to 2021 data. Representative Stevens stated he is comfortable with Dr. Venohr’s recommendations including using a cap increase. Group consensus was reached to update price levels to the most current data.
- **Line 3: Measurement of child-rearing expenditures.** South Dakota is out of date using the BR3 study for expenditure data. Dr. Venohr recommended updating to BR5; other studies are also available such as USDA. Group consensus was reached to update to the BR5 study as recommended by Dr. Venohr.
- **Line 4: Extrapolate to higher incomes.** No further group discussion.
- **Line 5: Adjustments for state cost of living.** Chairman Justice Myren asked if there was any opposition or discussion around the use of price parity realignment vs income realignment. Group consensus was reached to use income realignment as recommended by Dr. Venohr.
- **Line 6: Spending more/less of after-tax income.** The basis of the existing schedule is to use actual ratios with a cap. Group consensus was reached to not use the District of Columbia approach or other alternatives; use actual ratios with a cap.
- **Line 7: Highly variable child-rearing expenses excluded from schedule.** Chairman Justice Myren asked Representative Stevens and Senator Rusch what they recalled about the 4% cap imposed by the Legislature. Representative Stevens’ recollection from the 2016 review, was that the Legislature felt there was too big of a jump in the amount of child support from what the Commission proposed, so they (the Legislature) imposed a 4% cap. However, as far as costs for child-rearing, the \$250 threshold has worked well. The custodial parent tends to spend appropriately since they pay the first \$250. Senator Rusch stated what was proposed by the Legislature in 2016 was based on an effort to find a way to keep child support costs lower. Chairman Justice Myren stated if the Commission makes a change, it seems likely it will run into the same problem and the report will need

to detail why the Commission should not take the approach suggested by the economist. Terri Williams, serving on the Commission as a child support referee, stated the custodial parent is responsible for the first \$250, but if shared parenting is in place, the custodial and non-custodial parent share equally in these expenses. She is comfortable with the idea that the \$250 threshold keeps away from litigation if the custodial parent had to show proof of the first \$250. No further group discussion.

- **Line 8: Low-income adjustment & minimum order.** Discussion was held regarding the need to address the minimum order [of \$79 per month for \$0-\$950 net combined]. Representative Stevens stated the Commission needs to address the minimum order for people who are incarcerated and asked if there should be an automatic hearing after a certain period of time. Virgena Wieseler stated the Commission also needs to see what the impact of an adjustment would be if it is decided to move from the existing self-support reserve of \$871 per month to \$1,073 per month. Group consensus was reached to ask Dr. Venohr to present the impact for Commission consideration.
- **Other Consideration:** Carmin Dean shared that the South Dakota's minimum wage increases on January 1 based upon statute. By the time the schedule is effective, those earning minimum wage may no longer be in the emboldened area. The Commission may want to ask Dr. Venohr to take into consideration what may happen with minimum wage over the next four years when updating the schedule.

Commission Discussion Regarding Federal Guideline Requirements – Federal Rule:

Virgena Wieseler advised the Commission will need to make decisions surrounding the 14 factors of the new federal rules for imputing income and add them to South Dakota statutes. Dr. Venohr had provided options of what other states have done. Some states took the new federal rule language and put it directly into their regulations as written; other states made changes to include federal requirements, but did not follow the federal language verbatim. Dr. Venohr had stressed the importance of taking into consideration all earnings and income of the noncustodial parent, as well as the ability to pay.

Carmin Dean referred members to the *Federal Requirement: Income Imputation* information on slide 14. Carmin also stated some states are literally dropping the federal rule into their regulations. For example, Montana is very close to using federal language. Statutes will need to be updated to meet the requirements of the new federal rules. Carmin suggested the Commission look at what normal employment would be for income imputation. For example, a medical doctor who is flipping burgers at Burger King would be considered under-employed. Or, if a construction worker is not being cooperative and you are not able to find wage information, you would not compute at minimum wage. Instead, you would use what the Department of Labor and Regulation (DLR) states that position earns. You would also look at the person's education, age, where he/she lives, areas where jobs are not as relevant.

- **Consideration:** Carmin recommended to take the federal guidelines as written and add them to South Dakota statutes. It is not only easier to get it through the State Plan for passage, but also provides guidance to child support staff, attorneys, and judges. Terri Williams does not like the inclusion of property in the 14 elements; need to leave property statute in place.
- **Consideration:** Incarceration is another area the Commission needs to look at. Currently, South Dakota imputes minimum wage on incarcerated individuals, but that may need to change. The incarcerated individual is responsible to file a petition for modification. Per new federal requirements, upon learning of an incarceration of an individual who has been incarcerated for at least 180 days, the state agency must provide the incarcerated,

obligated parent with the information of their right to request a review and/or modify their child support order.

Chairman Justice Myren questioned how the Commission would like to approach the new federal guidelines requirements and determine how to incorporate them. He proposed that Virgena and Division of Child Support staff work with Dr. Venohr and present at least two or three options to the Commission for consideration during later discussions. Virgena was in agreement. Chairman Justice Myren then established a subcommittee to review possible changes to statutes due to new federal regulations. Virgena Wieseler, Nichole Brooks, and Carmin Dean will take the lead in working with Dr. Venohr to look at options for the Commission to consider and bring forward options to the Commission. Jeremy Lippert, Director of Legal Services, will also participate on the subcommittee.

Commission Discussion Regarding Abatements (Abatement History, Prior Commission Action / Legislation, Abatement Information for Other States, Center for Policy Research Abatement Summary, and Referee Survey Results): Virgena Wieseler stated members of the public had questions on abatement during the first Commission on Child Support meeting held last month, so the Department gathered information about abatement history, legislation, and prior Commission action as topics for the August meeting.

Carmin Dean provided an overview of the information. There are not federal regulations that require states to have an abatement or calculation for abatement; it is left up to each state. Carmin referred members to the 1996, 2000, 2004, and 2008 abatement summaries included in the meeting packet. Nothing on abatements was included during the 2012 and 2016 reviews. While providing an overview regarding Region VIII and bordering state's abatement information, Carmin shared that some states have complicated information for parenting time while other states have the abatement built right into the schedule. Those states with shared parenting calculate at 1.5% like South Dakota does; however, South Dakota does not use *consecutive days in a row* language. Dr. Venohr also had done research regarding abatements for the state of Wyoming, which is also included in the meeting packet.

Virgena Wieseler stated information about abatements was also gathered through a survey Suzanne Starr sent out to child support referees on behalf of the Department. Eight of 12 responses were received. Suzanne shared there was not a lot of consistency in responses received.

Terri Williams shared that discussion has been held at conferences about the abatement process and what referees do. Training is provided annually to child support referees including how to determine if an abatement is appropriate. Abatement and shared parenting is initially ordered by the courts. More and more cases are going to the Department of Social Services to have child support established whether they are a IV-D case or not. Unmarried couples go through the Division of Child Support to establish orders. The case goes to the Department to fill out a petition to come through the referee system, then the recommendation becomes an order of the courts. Referees are ending up being the investigator. Some referees say they can't do that; the case needs to go through the courts to determine if an abatement should be granted.

The abatement percentage can range anywhere from 38% to 60% by statute and 10 overnights a month. Although this can be allowed, the focus should be not to have a negative impact on a child(ren). As a child support referee, Terri follows the statute and looks at whether the abatement will have a negative impact on the child; no focus on whether it should or shouldn't be appropriate on the household. A petition may be filed to get the abatement percentage calculated. Some

referees are doing so without an order from the court. It was asked if the referees should make the parties go back to court to get an order which allows for an abatement and an order indicating the percentage to calculate as intended by the statute. If the referees are to determine the abatement, then modification forms need to be changed to get information for the referee. If there is no evidence taken by a referee regarding abatement, the judge would not be able to consider any new evidence.

- **Consideration:** The Department of Social Services' forms should be updated to include a section on what effect an abatement would have on each home, e.g., Are they incurring day care expenses? Are the children enrolled in a number of activities? The custodial parent cannot afford to pay extra activities and pay child support and daycare expenses, etc.
- **Consideration:** Lindsey Riter-Rapp stated there was some need or desire for clarity in the survey results regarding the role of the referee. Terri Williams advised there is agreement among child support referees that abatement is a good thing to have in statute, but referees need guidance. Chairman Justice Myren suggested there is a need to provide more guidance to child support referees regarding abatement and the impact to children when it's not granted.
- **Consideration:** Senator Rusch stated it is critical to define what the circuit court can hear on appeal; look at records and not take new evidence. Make it clear in statutes the role of the child support referee and the courts.
- **Consideration:** Representative Stevens advised the need to also address incarceration.
- **Consideration:** Lindsey Riter-Rapp brought forward consideration on if the Commission was in consensus about how to deal with concerns regarding the 2016 report where the Legislature was concerned and imposed caps.

Justice Myren established a subcommittee to review and report to the Commission on abatements. Representative Stevens, Senator Rusch, and Terri Williams volunteered to serve on the subcommittee. Chairman Justice Myren also asked Suzanne Starr to participate in the subcommittee meetings to provide policy guidance.

Chairman Justice Myren led discussion asking what justifies a cap, other than an arbitrary cap. If the Commission recommends imposing a cap, it seems the reason to impose it would be to avoid the 4% the Legislature imposed in the past. Reasons for imposing a cap would need to be explained to the Legislature. The bill failed in the House in 2016 due to the large increase. It was reintroduced through the Senate by Senator Rusch, and Representative Johns carried it through the House and Representative Stevens carried it in testimony.

- **Consideration:** Representative Stevens suggested an educational session may help colleagues understand how child support works. Representative Stevens and Senator Rusch are willing to present an hour long educational presentation regarding child support enforcement and abatement during the first week of session.

Dr. Venohr returned to the meeting at 3:35 p.m. CDT to address questions of the Commission. Chairman Justice Myren informed Dr. Venohr that discussion had been held regarding the low-income adjustment and minimum order and a possible change in the current self-support reserve amount of \$871 to one that relates to the current federal poverty guidelines for one person, which is \$1,073. The group also had discussion regarding the 4% cap that was imposed by the Legislature in 2016, and whatever it might be going forward. He explained that Representative Stevens had questioned how the schedule might recognize the impact of the pandemic and increases in food prices, used cars, housing, gas, etc.

Dr. Venohr stated she is glad to hear the Commission is looking at the low-income adjustment and minimum order. The intent of the federal rule is to make it easier for low-income parents to succeed. Low paying jobs are in and out of the labor market. The cost of living is higher - costs for food prices, cars, housing, etc. have increased; there is continued saga with COVID. Economists think things will level out. Look at schedule changes of decreases at low income, and increases at middle to high income. South Dakota has a higher minimum wage than the federal government. South Dakota took action in 2016 with the reference to 35 hours per week (1,820 hours). South Dakota could keep the 35 hours per week language, but add the federal language into it.

Chairman Justice Myren stated that Dr. Venohr had previously indicated consideration of a cap at 10-20%. The cap appears to be an arbitrary number. Is there a rational explanation? Dr. Venohr agreed the 4% increase in 2016 was arbitrary. Last year inflation was 5%. Vehicles saw a 15% increase, and housing saw an 18% increase. There has been a 13% inflation increase since 2016 which could be used for discussion purposes. The current South Dakota child support guidelines were based on 1998-2004 data. South Dakota has not adopted any of the new studies that have been done since then. The inflation amount is not arbitrary. Other studies suggest 20% is consistent with the agency threshold for modification; however, 20% is a price sticker shock. It could also be capped lean at 10% if the Commission wishes to round down to 10%; however, 13% would be reasonable based upon the most current information available.

Dr. Venohr asked what direction the Commission is leaning towards as far as language on meeting federal guidelines. Chairman Justice Myren stated discussion has been driven by page 26 of the presentation (*Assumptions and Data Underlying Existing Schedule & What Could Be Updated*). Dr. Venohr suggested the group also look at slide 14, *Federal Requirement: Income Imputation* regarding South Dakota provisions for rebuttable presumption of employment at minimum wage. South Dakota treats the parties equal in statutes now. The federal requirements include the factors to consider. Look at the 14 factors and then use 1,820 hours. South Dakota is being progressive by using 35 hours. It's a policy decision if South Dakota wants to take it further and shake it up, e.g., may want to consider natural catastrophes, the pandemic, substance abuse, or a gambling problem, etc. Louisiana specifically mentions hurricanes; some states are using quarterly wage data which not all parents have; Colorado is ordering employment activities. Chairman Justice Myren shared with Dr. Venohr that the consensus of the group was to recommend placing federal language in, but also look at the statute regarding property that Terri Williams brought before the group. Dr. Venohr suggested if the Commission is attached to 35 hours, start thinking about low-income adjustments.

Chairman Justice Myren asked Terri Williams to explain her concerns regarding the property statute to Dr. Venohr. Terri stated she had specific concerns with including the language that includes assets of the custodial or noncustodial parent. The first step is to look at income, and if not sufficient, then look at assets; South Dakota has separate statutes on assets and deviation for the under-employed. Dr. Venohr stated that when the new federal guidelines were drafted, it was aimed at the low-income; with higher income, the term *assets* means something totally different. For example, low-income people may have a restored sports car. If someone made minimum wage or didn't work, this would mean to consider the assets right off the bat, instead of looking at assets if the needs are not being met for the child(ren). Dr. Venohr gave an example if imputation of income is authorized when someone has a million dollar home, but no income. Terri shared that South Dakota statutes allow minimum wage. South Dakota does not look at potential income. Currently, South Dakota law states if someone is not working to impute at minimum wage unless there is a mental or physical disability that justifies not putting them there.

- **Consideration:** Dr. Venohr suggested to focus on the schedule for child support; depending on that, may focus on deviation factors to increase or decrease amount. If South Dakota wants to remove the word *assets* from the federal verbiage, it probably will still meet the requirement and the federal government and would not lose funding, e.g., Utah has one word missing. Dr. Venohr stated she was bothered that South Dakota has no language about potential income. A voluntary quit is a deviation. In the example provided above, it should not have to move to a deviation. Dr. Venohr does not like to ask states to do a heavy lift, but if someone quits a job at \$30-\$60/hour, that should be taken into the calculation.

Terri Williams stated if someone comes through the Department of Social Services to have child support established, the statutes indicate if there is not sufficient documentation, to use minimum wage or whatever the standard is with other sources. DLR determines true income as published by DLR at \$4,097 per month as of 2020. Is the \$79 minimum obligation an appropriate amount? Once the regulations are adopted, more obligors will fall into the emboldened section of the guidelines schedule. Other states are around \$200-\$240 (federal minimum wage) for low-income obligors.

- **Consideration:** Impute at minimum wage or annual pay standard – referees use labor market data. Take jobs in South Dakota and publish it in a report. Do not be reactionary; if there is anything broken, now is the time to fix it.

Dr. Venohr asked where the group landed on discussion surrounding incarceration. Chairman Justice Myren stated the Commission needs to hear public comments formally before making decisions relative to incarceration. He shared that discussion was held regarding what an appropriate amount for child support should be for someone in prison. There are options for what other states are doing; some states are going with a minimum amount and some are going to \$0. The approach the Department follows now is that the incarcerated individual is responsible to petition for change (takes up to 6 weeks). Another option is for the Department to hold an automatic hearing upon receiving notice of incarceration; however, there is no consensus on that yet. Individuals could earn money in the prison system. What should be an appropriate amount for someone in prison?

- **Consideration:** Dr. Venohr reminded the Commission that federal law states if someone is incarcerated for at least 180 days, it warrants a modification. Representative Stevens indicated there are some prisoners who have sources of income, i.e., land, and noted the possibility of adding wording to the disability statute. Other states include language whether it's defining disability, incarcerated, incapacitated by mental institute, child with special needs, etc.

Public Comment at 4:30 pm - 15 minutes for the public to address the Commission:

Chairman Justice Myren invited the public to address the Commission and informed participants that a public hearing will also be held tonight from 6:00-8:00 p.m. CDT.

Tom Pischke stated he is strongly disappointed that the non-custodial parent was not in attendance. He shared that he had made an invitation to Governor Noem to be considered and appointed [for the non-custodial position on the Commission] and indicated he remains interested. Chairman Justice Myren stated it is up to Governor Noem to make the appointment; it is not within the scope of the Commission.

Jessica Steidel has concerns about income imputation. She shared her personal experience of incurring a lot of costs to subpoena employment records that her ex-husband failed to provide. The child support referee indicated there were under-estimates of income, and there was not

enough information to make a determination, which resulted in his wages being calculated at \$17,900. Prior to her husband filing for divorce, his wages went from \$46,000 in 2018 to \$17,900 the last two years resulting in a \$750 child support obligation. She has paid 100% of all expenses, i.e., school, medical, dental, vision, eye glasses, extra-curricular, plus \$250 for uncovered medical expenses.

Jay Miles shared concerns about the extraordinary amount of child support he has to pay for the limited time he gets to see his kids. He asked the Commission to look at considerations like college funds that non-custodial parents are doing for their kids. He stated he has been on both sides of the equation. As a parent, he is going to do his best to make sure his kids succeed in this world, e.g., makes sure the car is in order for the child who is driving, buys things the children need; if they don't have it, he buys it. Both the non-custodial parent and custodial parent are buying clothes and school supplies. Most parents would do anything for their kids when they can afford it.

Andy Braam shared concerns regarding divorces. When the relationship ends, one parent has to find a new place to live. The federal government has been throwing out a lot of money in subsidies, stimulus payments, \$300 child tax credit, etc. Non-custodial parents get none of it; it all goes to the custodial parent. Some of it will continue going forward and should be considered either in the calculation, or tables, or in worksheets. If the non-custodial parent's income increases and/or gets a second part-time job, the non-custodial parent pays more child support.

Chairman Justice Myren stated e-mails can be sent to the Commission at dcs@state.sd.us for anyone wishing to provide additional input.

Reminders: Chairman Justice Myren reminded members about upcoming meetings and the ability to provide testimony during the evening public hearing. Future meeting dates are as follows:

- **Sioux Falls:** Thursday, September 30, 2021 at 1:00 CT – evening public hearing 6-8.
- **Rapid City:** Wednesday, October 27, 2021 at 1:00 MT – evening public hearing 6-8.
- **Pierre:** Thursday, November 18, 2021 at 1:00 PM CT – final meeting in Pierre with Zoom and in-person options.

Commission members are to let Virgena Wieseler know if arrangements are needed for a room or other accommodations.

Adjourn / Recess: Motion to adjourn by Lindsey Riter-Rapp. Seconded by Virgena Wieseler. Members voted unanimously to adjourn. Motion carried. Meeting adjourned at 4:49 p.m. CDT. The Commission will recess until 6:00 p.m. when the Commission reconvenes for the public hearing.