

JOURNAL OF THE SENATE

NINETY-SIXTH SESSION

FIRST DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Tuesday, January 12, 2021

BE IT REMEMBERED, That on the twelfth day of January, A.D., two thousand twenty one, at the hour of twelve o'clock meridian, being the date and hour fixed by the Constitution of the State of South Dakota, for the convening of the Legislature, the Ninety-sixth regular session of the Senate of the State of South Dakota was called to order by Lieutenant Governor Larry Rhoden in the Senate Chamber in the Capitol, in the City of Pierre, the seat of our government.

The following prayer was offered by the Chaplain, Reverend Craig Wexler, Pierre/Ft. Pierre Ministerial Association:

We begin with an old prayer of the Church, a prayer long before my time—"Most gracious God, we humbly beseech you for our nation. Fill it with all Truth, in all peace. Where it is corrupt, purify it; where it is in error, direct it; where anything is amiss, reform it; where it is right strengthen and confirm it; where it is in want, provide for it; where it is divided and rent asunder, heal the breaches thereof"...We desperately need you in this time of chaos, disparity, division, and shortsightedness. Oh come, Oh come, Emmanuel—God with us...give us the peace that surpasses all understanding, through Jesus Christ our Savior, and Lord. Amen.

The Pledge of Allegiance to the flag of the United States was led by Senate page Kayla Andersen.

1 Unless there is an objection, we will place the Secretary of State's certification of members
 2 of the Senate for the Ninety-sixth Legislative Session in the record without reading.

3 Hearing no objections, the certification is submitted.

4 I, STEVE BARNETT, Secretary of State of the state of South Dakota, do hereby certify that the
 5 following members, having been duly elected to the Senate at the general election held on
 6 November 3, 2020, and were certified on November 10, 2020. I do hereby certify that these are
 7 the members of the South Dakota Senate for the 2021 Legislative Session.

8 District No. 1 Brown, Day, Marshall and Roberts Counties
 9 Michael H. Rohl, Aberdeen

10 District No. 2 Brown, Clark, Hamlin and Spink Counties
 11 Brock L. Greenfield, Clark

12 District No. 3 Brown County
 13 Al Novstrup, Aberdeen

14 District No. 4 Brookings, Codington, Deuel, and Grant Counties
 15 John Wiik, Big Stone City

16 District No. 5 Codington County
 17 Lee Schoenbeck, Watertown

18 District No. 6 Lincoln County
 19 Herman Otten, Tea

20 District No. 7 Brookings County
 21 V.J. Smith, Brookings

22 District No. 8 Lake, Miner, Moody and Sanborn Counties
 23 Casey Crabtree, Madison

24 District No. 9 Minnehaha County
 25 Wayne Steinhauer, Hartford

26 District No. 10 Minnehaha County
 27 Maggie Sutton, Sioux Falls

28 District No. 11 Minnehaha County
 29 Jim Stalzer, Sioux Falls

30 District No. 12 Lincoln and Minnehaha Counties
 31 Blake Curd, Sioux Falls

32 District No. 13 Lincoln and Minnehaha Counties
 33 Jack Kolbeck, Sioux Falls

34 District No. 14 Minnehaha County
 35 Larry Zikmund, Sioux Falls

36 District No. 15 Minnehaha County
 37 Reynold F. Nesiba, Sioux Falls

38 District No. 16 Lincoln and Union Counties
 39 Jim Bolin, Canton

40 District No. 17 Clay and Turner Counties

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- 1 Arthur L. Rusch, Vermillion
 - 2 District No. 18 Yankton County
 - 3 Jean Hunhoff, Yankton
 - 4 District No. 19 Bon Homme, Douglas, Hanson, Hutchinson and McCook Counties
 - 5 Kyle Schoenfish, Scotland
 - 6 District No. 20 Aurora, Davison and Jerauld Counties
 - 7 Joshua Klumb, Mount Vernon
 - 8 District No. 21 Bon Homme, Charles Mix, Gregory and Tripp Counties
 - 9 Erin Tobin, Winner
 - 10 District No. 22 Beadle and Kingsbury Counties
 - 11 David Wheeler, Huron
 - 12 District No. 23 Campbell, Edmunds, Faulk, Hand, McPherson, Potter, Spink and Walworth
 - 13 Counties
 - 14 Bryan J. Breitling, Miller
 - 15 District No. 24 Hughes, Hyde, Stanley and Sully Counties
 - 16 Mary Duvall, Pierre
 - 17 District No. 25 Minnehaha County
 - 18 Marsha Symens, Dell Rapids
 - 19 District No. 26 Brule, Buffalo, Jones, Lyman, Mellette and Todd Counties
 - 20 Troy E. Heinert, Mission
 - 21 District No. 27 Bennett, Haakon, Jackson, Oglala Lakota and Pennington Counties
 - 22 Red Dawn Foster, Pine Ridge
 - 23 District No. 28 Butte, Corson, Dewey, Harding, Perkins and Ziebach Counties
 - 24 Ryan M. Maher, Isabel
 - 25 District No. 29 Butte, Meade and Pennington Counties
 - 26 Gary L. Cammack, Union Center
 - 27 District No. 30 Custer, Fall River and Pennington Counties
 - 28 Julie Frye-Mueller, Rapid City
 - 29 District No. 31 Lawrence County
 - 30 Timothy R. Johns, Lead
 - 31 District No. 32 Pennington County
 - 32 Helene Duhamel, Rapid City
 - 33 District No. 33 Meade and Pennington Counties
 - 34 David Johnson, Rapid City
 - 35 District No. 34 Pennington County
 - 36 Michael Diedrich, Rapid City
 - 37 District No. 35 Pennington County
 - 38 Jessica Castleberry, Rapid City

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the state
2 of South Dakota, this 12th day of January 2021.

3 Steve Barnett
4 Secretary of State

5 The oath of office was administered by the Honorable Patricia DeVaney, Justice of the Supreme
6 Court of the state of South Dakota, to the following Senators:

7	Jim Bolin	Al Novstrup
8	Bryan Bretiling	Herman Otten
9	Gary L. Cammack	Michael H. Rohl
10	Jessica Castleberry	Arthur Rusch
11	Casey Crabtree	Lee Schoenbeck
12	Blake R. Curd	Kyle Schoenfish
13	Michael Diedrich	V.J. Smith
14	Helene Duhamel	Jim Stalzer
15	Mary Duvall	Wayne H. Steinhauer
16	Red Dawn Foster	Maggie Sutton
17	Julie Frye-Mueller	Marsha Symens
18	Brock L. Greenfield	Erin Tobin
19	Troy Heinert	David Wheeler
20	Jean Hunhoff	John Wiik
21	Timothy R. Johns	Larry P. Zikmund
22	David Johnson	
23	Joshua Klumb	
24	Jack Kolbeck	
25	Ryan Maher	
26	Reynold F. Nesiba	

27 Which was subscribed to and placed on file in the office of the Secretary of State.

28 When the roll was called, all members were present.

29 **COMMUNICATIONS AND PETITIONS**

30 Mr. PRESIDENT:

31 The Committee on Legislative Procedure respectfully reports that the Governor has been
32 notified that the Legislature is duly organized and ready to meet in Joint Session to receive any
33 communications she may desire to transmit and that the Governor is ready to appear before the
34 Joint Session to deliver her message.

35 Also Mr. PRESIDENT:

36 The Committee on Legislative Procedure respectfully reports that arrangements have been
37 made for a Joint Session of the Senate and the House of Representatives to receive the message of
38 the Governor. And:

39 That the Senate and the House will convene in Joint Session in the Chamber of the House
40 of Representatives at 1:00 p.m., January 12, 2021.

41 That the President of the Senate preside over the Joint Session and that the Secretary of
42 the Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

1 That the Justices of the Supreme Court and the elective and appointed officials of the state
2 government be invited to attend the Joint Session.

3 That when the message of the Governor has been received, the Joint Session be dissolved.

4 That the message of the Governor be printed in the Senate Journal.

5 Also Mr. PRESIDENT:

6 The Committee on Legislative Procedure respectfully reports that arrangements have been
7 made for a Joint Session of the Senate and the House of Representatives to receive a message of
8 the Chief Justice of the Supreme Court. And:

9 That the Senate and the House convene in Joint Session in the Chamber of the House of
10 Representatives at 1:30 p.m., January 13, 2021.

11 That the President of the Senate preside over the Joint Session and that the Secretary of
12 the Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

13 That the Justices of the Supreme Court, the Governor and elective and appointed officials
14 of the state government be invited to attend the Joint Session.

15 That when the message of the Chief Justice has been received, the Joint Session be
16 dissolved.

17 That the message of the Chief Justice be printed in the Senate Journal.

18 Also Mr. PRESIDENT:

19 The Committee on Legislative Procedure respectfully reports that arrangements have been
20 made for a Joint Session of the Senate and the House of Representatives to receive a message of
21 the State of the Tribes from a Tribal Chairman. And:

22 That the Senate and the House convene in Joint Session in the Chamber of the House of
23 Representatives at 1:30 p.m., January 14, 2021.

24 That the President of the Senate preside over the Joint Session and that the Secretary of
25 the Senate and the Chief Clerk of the House of Representatives act as clerks of the Joint Session.

26 That the Justices of the Supreme Court, the Governor and elective and appointed officials
27 of the state government be invited to attend the Joint Session.

28 That when the message of the Tribal Chairman has been received, the Joint Session be
29 dissolved.

30 That the message of the Tribal Chairman be printed in the Senate Journal.

31 **MOTIONS AND RESOLUTIONS**

32 Sen. Cammack moved that the Senate do now proceed with the organization of the Senate.

33 Which motion prevailed.

34 Sen. Cammack moved that Sen. Lee Schoenbeck be elected President Pro tempore of the
35 Senate for the 2021-2022 legislative term.

1 The question being on Sen. Cammack's motion that Sen. Schoenbeck be elected President Pro
2 tempore of the Senate for the 2021-2022 legislative term.

3 And the roll being called:

4 Yeas 35, Nays 0, Excused 0, Absent 0

5 Yeas:

6 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
7 Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher,
8 Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
9 Steinhauer, Sutton, Marsha Symens, Tobin, Wheeler, Wiik, and Zikmund

10 So the motion having received an affirmative vote of the majority of the members-elect, the
11 President declared the motion carried.

12 The oath of office was administered by the Honorable Patricia DeVaney, Justice of the Supreme
13 Court of the State of South Dakota, to President Pro tempore Sen. Schoenbeck.

14 Which was subscribed to and placed on file in the office of the Secretary of State.

15 Sen. Cammack moved that Kay Johnson be elected Secretary of the Senate for the
16 Ninety-sixth Legislative Session.

17 The question being on Sen. Cammack's motion that Kay Johnson be elected Secretary of the
18 Senate for the Ninety-sixth Legislative Session.

19 And the roll being called:

20 Yeas 35, Nays 0, Excused 0, Absent 0

21 Yeas:

22 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
23 Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher,
24 Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
25 Steinhauer, Sutton, Marsha Symens, Tobin, Wheeler, Wiik, and Zikmund

26 So the motion having received an affirmative vote of a majority of the members-elect, the
27 President declared the motion carried.

28 The oath of office was administered by the Honorable Patricia DeVaney, Justice of the
29 Supreme Court of the State of South Dakota, to Secretary of the Senate Kay Johnson.

30 Which was subscribed to and placed on file in the office of the Secretary of State.

31 Unless there is an objection, we will waive the reading of the appointments of the
32 employees of the Senate for the Ninety-sixth Legislative Session.

33 Hearing no objection, the reading was waived.

1 The President announced the appointment of the following named persons as employees of
2 the Senate for the Ninety-sixth Legislative Session:

3 First Assistant to the Secretary – Mike Oakland

4 Second Assistant to the Secretary – Marcy Fifield

5 Chief Chaplain – Craig Wexler

6 Secretary to the Minority Party – Brooke Abdallah

7 Appropriations Secretary – Mary Stewart

8 Committee Secretaries – Mary Kirk, Courtney Rose Merchant, Lorna Shell,
9 Hannah Weinheimer, Sharon Welch

10 Sergeant at Arms – Dave Bonde

11 Assistant Sergeants at Arms – Jerry Stites, Lou Raisler

12 Pages (1st term) – Kayla Andersen, Shaye Beardsley, Noah Greble, Billie Kilness,
13 Trinity Peterson, Allison Vacanti

14 Pages (2nd term) – Abbey Allen, Addyson Boltjes, Lydia Hoffman, Allie Huizenga,
15 Jaydan Kass, Echo Koskan, Makenna Miller, Everett Paul, Savannah Shrake

16 Pages (3th term) – Quinn Bormann, Issac Estabrook, Teigen Hadrack, Maggie Hovde,
17 Claire Koenecke, Allison McManus, Warren Russell, Makaivry Schatz,
18 Marlee Smeenk, Chynna Story

19 Pages (4th term) – Sequoia Altamirano, Ellen Boomgarden, Collin Engebretson,
20 Claire Grismer, Paige Hoffman, Kaitlynn Koll, Breanna Roth, Amanda Schroeder,
21 Regan Simons, Isaac Trefz

22 Pages (5th term) – Kerstyn Fast, Nolan Hansen, Madisen Vetter, Nora Winckler

23 Legislative Interns – Elizabeth Benzmiller, Tyler Busch, Rueben Engelhart, Ashley Gustafson,
24 Logan Mays, Adam Miller, Kahden Mooney, Tim Morgan, Vanessa Tschetter

25 The oath of office was administered by the Honorable Patricia DeVaney, Justice of the
26 Supreme Court of the State of South Dakota, to the following named employees:

27 First Assistant to the Secretary – Mike Oakland

28 Second Assistant to the Secretary – Marcy Fifield

29 Chief Chaplain – Craig Wexler

30 Secretary to the Minority Party – Brooke Abdallah

31 Appropriations Secretary – Mary Stewart

32 Committee Secretaries – Mary Kirk, Courtney Rose Merchant, Lorna Shell,
33 Hannah Weinheimer, Sharon Welch

34 Sergeant at Arms – Dave Bonde

35 Assistant Sergeants at Arms – Jerry Stites, Lou Raisler

1 Pages – Kayla Andersen, Shaye Beardsley, Noah Greble, Billie Kilness, Trinity Peterson,
2 Allison Vacanti

3 Legislative Interns – Elizabeth Benzmilller, Tyler Busch, Rueben Engelhart, Ashley Gustafson,
4 Logan Mays, Adam Miller, Kahden Mooney, Tim Morgan, Vanessa Tschetter

5 Which was subscribed to and placed on file in the office of the Secretary of State.

6 Sen. Cammack moved that the permanent joint rules of the Ninety-fifth Legislative Session
7 with the recommended changes to those joint rules for the Ninety-sixth Legislative Session as
8 adopted in March, 2020, be adopted as the temporary joint rules for the Ninety-sixth Legislative
9 Session.

10 The question being on Sen. Cammack's motion that the permanent joint rules of the Ninety-
11 fifth Legislative Session with the recommended changes to those joint rules for the Ninety-sixth
12 Legislative Session as adopted in March, 2020, be adopted as the temporary joint rules for the
13 Ninety-sixth Legislative Session.

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

16 Yeas:

17 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
18 Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher,
19 Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
20 Steinhauer, Sutton, Marsha Symens, Tobin, Wheeler, Wiik, and Zikmund

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 President declared the motion carried.

23 Sen. Cammack moved that the permanent rules of the Senate for the Ninety-fifth Legislative
24 Session be adopted as the temporary Senate rules for the Ninety-sixth Legislative Session with the
25 following changes:

26 **New Rule**

27 **S2-5. Time allowed for a member to speak.** No member may speak for longer than ten
28 minutes on a pending subject. However, a member may speak an additional ten minutes if the time
29 is yielded by another member of the body. Each member may speak on the pending subject before
30 any member speaks twice. No member may speak more than twice on the same subject without
31 the consent of a majority of the members present. (See revised **JR 1-5**)

32 **New Rule**

33 **S2-6 Covid-19 restrictions in Senate areas.** Each member of the Senate is expected to
34 wear a mask while on the Senate floor. Any member of the Senate not wearing a mask shall, as
35 much as practical, remain at least six feet distance from any legislative staff. Any person not a
36 member of the Senate shall wear a mask while on the Senate floor, in a Senate lobby, in the Senate
37 gallery, or in any area adjacent to the rotunda and the Senate on the third or fourth floor of the
38 Capitol. Signs shall be posted to notify persons of these restrictions.

39 **Revised Rule**

40 **S4-1. Standing committees.** The presiding officer of the Senate shall announce the
41 members of the following standing committees after their selection by the president pro tempore
42 and the minority leader. The number of members is indicated after each committee:

-
- 1 1. Agriculture and Natural Resources ~~(9)~~ (7)
 - 2 2. Appropriations (9)
 - 3 3. Commerce and Energy ~~(7)~~ (9)
 - 4 4. Education (7)
 - 5 5. Government Operations and Audit (5)
 - 6 6. Health and Human Services (7)
 - 7 7. Judiciary (7)
 - 8 8. Legislative Procedure (7)
 - 9 9. Local Government (7)
 - 10 10. Military and Veterans Affairs (5)
 - 11 11. Retirement Laws (5)
 - 12 12. State Affairs (9)
 - 13 13. Taxation (7)
 - 14 14. Transportation (7)

15 The president of the Senate is an ex officio member of the committee on legislative procedure.

16 **New Rule**

17 **S4-4 COVID-19 restrictions in committee.** Each member of the Senate is expected to
 18 wear a mask while attending a Senate committee. Any member of the Senate not wearing a mask
 19 shall, as much as practical, remain at least six feet distance from any legislative staff. Any person
 20 not a member of the Senate shall wear a mask while attending a Senate committee meeting. The
 21 committee chair may allow a person to remove his or her mask when speaking to the committee.
 22 Signs shall be posted to notify persons of these restrictions.

23 The question being on Sen. Cammack's motion that the permanent rules of the Senate for
 24 the Ninety-fifth Legislative Session with the recommended changes be adopted as the temporary
 25 Senate rules for the Ninety-sixth Legislative Session.

26 And the roll being called:

27 Yeas 35, Nays 0, Excused 0, Absent 0

28 Yeas:

29 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster,
 30 Frye-Mueller, Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher,
 31 Nesiba, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer,
 32 Steinhauer, Sutton, Marsha Symens, Tobin, Wheeler, Wiik, and Zikmund

33 So the motion having received an affirmative vote of a majority of the members-elect, the
 34 President declared the motion carried.

1 Sen. Cammack moved that a committee of four on the part of the Senate be appointed to meet
2 with a committee of four on the part of the House for the purpose of arranging a memorial
3 recognition of deceased former members of the Senate and House.

4 Which motion prevailed and the President announced as such committee Sens. Cammack,
5 Greenfield, Schoenbeck, and Heinert.

6 Sen. Cammack moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on
7 Wednesday, January 13, the 2nd legislative day.

8 Which motion prevailed.

9 Unless there is an objection, we will waive the reading of the President Pro Tem's Appointments
10 of Standing Committees and place them in the record.

11 Hearing no objections, the reading was waived.

12 The President announced the appointment of the following standing committees:

13 **** Denotes Chair**

*** Denotes Vice-Chair**

14 **Agriculture and Natural Resources (7)**

15 ****Smith (V.J.), *Klumb**, Cammack, Duvall, Frye-Mueller, Otten (Herman), Heinert

16 **Appropriations (9)**

17 ****Hunhoff, *Breitling**, Greenfield (Brock), Johnson (David), Kolbeck, Maher, Sutton, Wiik,
18 Nesiba

19 **Commerce and Energy (9)**

20 ****Crabtree, *Schoenbeck**, Novstrup, Stalzer, Steinhauer, Tobin, Wheeler, Zikmund, Foster

21 **Education (7)**

22 ****Curd, *Schoenfish**, Bolin, Smith (V.J.), Steinhauer, Tobin, Heinert

23 **Government Operations and Audit (5)**

24 ****Schoenfish, *Wheeler**, Hunhoff, Steinhauer, Nesiba

25 **Health and Human Services (7)**

26 ****Steinhauer, *Tobin**, Curd, Duvall, Rusch, Smith (V.J.), Foster

27 **Judiciary (7)**

28 ****Rusch, *Duhamel**, Diedrich, Johns, Rohl, Schoenbeck, Wheeler

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Legislative Procedure (7)

****Schoenbeck, *Cammack,** Crabtree, Diedrich, Duhamel, Schoenfish, Nesiba

Local Government (7)

****Otten (Herman), *Diedrich,** Bolin, Cammack, Frye-Mueller, Klumb, Foster

Military and Veterans Affairs (5)

****Johnson (David), *Castleberry,** Smith (V.J.), Stalzer, Zikmund

Retirement Laws (5)

****Bolin, *Zikmund,** Duvall, Heinert, Nesiba

State Affairs (9)

****Cammack, *Diedrich,** Bolin, Crabtree, Duhamel, Rohl, Schoenbeck, Schoenfish, Heinert

Taxation (7)

****Johns, *Symens,** Castleberry, Klumb, Novstrup, Otten (Herman), Stalzer

Transportation (7)

****Duvall, *Castleberry,** Crabtree, Schoenfish, Symens, Zikmund, Heinert

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 47: FOR AN ACT ENTITLED, An Act to make an appropriation for the maintenance and repair of state-owned dams and to declare an emergency.

Introduced by: The Committee on Appropriations at the request of the Office of School and Public Lands

SB 52: FOR AN ACT ENTITLED, An Act to revise the permit duration on certain concentrated animal feeding operations.

Introduced by: The Committee on Agriculture and Natural Resources at the request of the Department of Environment and Natural Resources

SB 53: FOR AN ACT ENTITLED, An Act to revise certification and renewal fees for water supply and treatment system operators.

Introduced by: The Committee on Agriculture and Natural Resources at the request of the Department of Environment and Natural Resources

1 **SB 63:** FOR AN ACT ENTITLED, An Act to correct technical errors and outdated provisions
2 regarding the Department of Environment and Natural Resources.

3 Introduced by: The Committee on Agriculture and Natural Resources at the request of the
4 Department of Environment and Natural Resources

5 Were read the first time and referred to the Committee on Agriculture and Natural Resources.

6 **SB 8:** FOR AN ACT ENTITLED, An Act to revise various provisions related to banks and trusts.

7 Introduced by: The Committee on Commerce and Energy at the request of the Department of
8 Labor and Regulation

9 **SB 9:** FOR AN ACT ENTITLED, An Act to revise various provisions related to bank trust
10 departments and trust companies.

11 Introduced by: The Committee on Commerce and Energy at the request of the Department of
12 Labor and Regulation

13 **SB 22:** FOR AN ACT ENTITLED, An Act to correct a technical error concerning a cross-reference
14 regarding a certain energy conservation program.

15 Introduced by: The Committee on Commerce and Energy at the request of the Governor's
16 Office of Economic Development

17 **SB 23:** FOR AN ACT ENTITLED, An Act to correct a technical error concerning a cross-reference
18 relating to certain reporting requirements for the building South Dakota programs.

19 Introduced by: The Committee on Commerce and Energy at the request of the Governor's
20 Office of Economic Development

21 **SB 29:** FOR AN ACT ENTITLED, An Act to revise certain training and testing requirements for
22 entry level driver applicants for a commercial driver license.

23 Introduced by: The Committee on Transportation at the request of the Department of Public
24 Safety

25 **SB 34:** FOR AN ACT ENTITLED, An Act to make an appropriation to expand rural access to
26 broadband services and to declare an emergency.

27 Introduced by: The Committee on Appropriations at the request of the Governor's Office of
28 Economic Development

29 **SB 37:** FOR AN ACT ENTITLED, An Act to update certain citations to federal regulations
30 regarding pipeline safety inspections.

31 Introduced by: The Committee on Commerce and Energy at the request of the Public Utilities
32 Commission

33 **SB 38:** FOR AN ACT ENTITLED, An Act to correct technical errors in and make stylistic revisions
34 to certain provisions regarding public utilities.

35 Introduced by: The Committee on Commerce and Energy at the request of the Public Utilities
36 Commission

1 **SB 50:** FOR AN ACT ENTITLED, An Act to repeal the requirement for a well pump installer
2 license.

3 Introduced by: The Committee on Commerce and Energy at the request of the Department of
4 Environment and Natural Resources

5 **SB 51:** FOR AN ACT ENTITLED, An Act to transfer licensure of individuals who may alter,
6 repair, construct, or install on-site wastewater systems to the Plumbing Commission.

7 Introduced by: The Committee on Commerce and Energy at the request of the Department of
8 Environment and Natural Resources

9 **SB 55:** FOR AN ACT ENTITLED, An Act to authorize certain innovative insurance products and
10 services through insurance innovation waivers.

11 Introduced by: The Committee on Commerce and Energy at the request of the Department of
12 Labor and Regulation

13 **SB 56:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the abuse of
14 health insurance.

15 Introduced by: The Committee on Commerce and Energy at the request of the Department of
16 Labor and Regulation

17 **SB 58:** FOR AN ACT ENTITLED, An Act to remove an outdated cross-reference to the risk pool.

18 Introduced by: The Committee on Commerce and Energy at the request of the Bureau of
19 Human Resources

20 **SB 61:** FOR AN ACT ENTITLED, An Act to revise a cross reference regarding the South Dakota
21 Housing Development Authority's investment agreement.

22 Introduced by: The Committee on Commerce and Energy at the request of the South Dakota
23 Housing Development Authority

24 Were read the first time and referred to the Committee on Commerce and Energy.

25 **SB 48:** FOR AN ACT ENTITLED, An Act to authorize the payment of lease rental obligations to
26 the South Dakota Health and Educational Facilities Authority, to make an appropriation therefor,
27 and to declare an emergency.

28 Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and
29 Management

30 **SB 59:** FOR AN ACT ENTITLED, An Act to revise the allocation of fees collected by the obligation
31 recovery center and to revise certain venue, jurisdiction, and collection efforts regarding the co-
32 owners of titled motor vehicles, motorcycles, and boats.

33 Introduced by: The Committee on Appropriations at the request of the Bureau of Administration

1 **SB 64:** FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year
2 2021.

3 Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and
4 Management

5 Were read the first time and referred to the Senate Committee on Appropriations.

6 **SB 27:** FOR AN ACT ENTITLED, An Act to revise and repeal certain tuition rates at institutions
7 governed by the Board of Regents.

8 Introduced by: The Committee on Appropriations at the request of the Board of Regents

9 **SB 28:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the
10 redesign and renovation of, and the design and construction of an addition to, the Stanley J. Marshall
11 Center on the campus of South Dakota State University, together with equipment and furnishings,
12 to make an appropriation therefor, and to declare an emergency.

13 Introduced by: The Committee on Appropriations at the request of the Board of Regents

14 **SB 45:** FOR AN ACT ENTITLED, An Act to repeal the annual survey of schools regarding
15 cardiopulmonary resuscitation instruction.

16 Introduced by: The Committee on Education at the request of the Department of Education

17 **SB 46:** FOR AN ACT ENTITLED, An Act to allow for the consideration of certain instruction to
18 count towards the minimum number of hours required in a school term during a declared state of
19 emergency.

20 Introduced by: The Committee on Education at the request of the Department of Education

21 **SB 49:** FOR AN ACT ENTITLED, An Act to revise property tax levies for school districts and to
22 revise the state aid to general and special education formulas.

23 Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and
24 Management

25 **SB 68:** FOR AN ACT ENTITLED, An Act to provide for the creation and funding of Oceti Sakowin
26 community-based schools.

27 Introduced by: Senators Heinert, Foster, and V. J. Smith and Representatives Pourier,
28 Bordeaux, Haugaard, Phil Jensen, Randolph, and St. John at the request of the Committee on State-
29 Tribal Relations

30 Were read the first time and referred to the Committee on Education.

31 **SB 3:** FOR AN ACT ENTITLED, An Act to repeal certain sunset provisions regarding contagious
32 disease control and enforcement.

33 Introduced by: The Committee on Health and Human Services at the request of the Department
34 of Health

35 **SB 4:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the health
36 professionals assistance program.

37 Introduced by: The Committee on Health and Human Services at the request of the Board of
38 Nursing

1 **SB 6:** FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-references
2 related to the Department of Social Services.

3 Introduced by: The Committee on Judiciary at the request of the Department of Social Services

4 **SB 19:** FOR AN ACT ENTITLED, An Act to correct errors in statutory cross-references in certain
5 provisions regarding health care.

6 Introduced by: The Committee on Health and Human Services at the request of the Department
7 of Health

8 **SB 20:** FOR AN ACT ENTITLED, An Act to place certain substances on the controlled substances
9 schedule and to declare an emergency.

10 Introduced by: The Committee on Health and Human Services at the request of the Department
11 of Health

12 **SB 32:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding access critical
13 nursing facilities.

14 Introduced by: The Committee on Health and Human Services at the request of the Department
15 of Human Services

16 Were read the first time and referred to the Committee on Health and Human Services.

17 **SB 1:** FOR AN ACT ENTITLED, An Act to codify legislation enacted in 2020.

18 Introduced by: The Committee on Judiciary at the request of the Code Commission

19 **SB 2:** FOR AN ACT ENTITLED, An Act to modify the duties of the Code Commission.

20 Introduced by: The Committee on Judiciary at the request of the Code Commission

21 **SB 5:** FOR AN ACT ENTITLED, An Act to include a child's legal parents and custodians in the
22 list of parties who may receive information related to reports of the child's abuse or neglect.

23 Introduced by: The Committee on Judiciary at the request of the Department of Social Services

24 **SB 7:** FOR AN ACT ENTITLED, An Act to permit Medicaid to qualify as a victim for purposes of
25 restitution in criminal cases.

26 Introduced by: The Committee on Health and Human Services at the request of the Department
27 of Social Services

28 **SB 13:** FOR AN ACT ENTITLED, An Act to revise a statutory cross reference in the written
29 waiver of right to a parole hearing or appearance.

30 Introduced by: The Committee on Judiciary at the request of the Department of Corrections

31 **SB 14:** FOR AN ACT ENTITLED, An Act to limit the time children in need of supervision are
32 held in detention under certain circumstances.

33 Introduced by: The Committee on Judiciary at the request of the Department of Corrections

34 **SB 15:** FOR AN ACT ENTITLED, An Act to revise the voting requirements necessary for the
35 board to grant or deny parole or recommend clemency.

36 Introduced by: The Committee on Judiciary at the request of the Department of Corrections

1 **SB 16:** FOR AN ACT ENTITLED, An Act to revise the requirements of setting discretionary
2 parole dates by the board.

3 Introduced by: The Committee on Judiciary at the request of the Department of Corrections

4 **SB 31:** FOR AN ACT ENTITLED, An Act to provide for the release of adult abuse case
5 information to certain parties to assist in the provision of adult protective services.

6 Introduced by: The Committee on Health and Human Services at the request of the Department
7 of Human Services

8 **SB 60:** FOR AN ACT ENTITLED, An Act to revise the membership of the Law Enforcement
9 Officers Standards Commission.

10 Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

11 **SB 62:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding appeals by the
12 prosecution.

13 Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

14 Were read the first time and referred to the Committee on Judiciary.

15 **SB 66:** FOR AN ACT ENTITLED, An Act to revise provisions providing for the appointment of
16 county coroners.

17 Introduced by: **Senator** Bolin

18 **SB 67:** FOR AN ACT ENTITLED, An Act to correct a cross-reference relating to sheriff's
19 compensation.

20 Introduced by: **Senator** Schoenbeck

21 **SB 69:** FOR AN ACT ENTITLED, An Act to correct certain provisions with incorrect cross
22 references regarding county road district boundaries.

23 Introduced by: **Senator** Duvall

24 Were read the first time and referred to the Committee on Local Government.

25 **SB 33:** FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to
26 the commissioning of the USS Pierre and to declare an emergency.

27 Introduced by: The Committee on Appropriations at the request of the Department of the
28 Military

29 **SB 65:** FOR AN ACT ENTITLED, An Act to create an exception to the dual compensation
30 prohibition for state employees for military service.

31 Introduced by: The Committee on Commerce and Energy at the request of the Bureau of
32 Human Resources

33 Were read the first time and referred to the Committee on Military and Veterans Affairs.

1 **SB 12:** FOR AN ACT ENTITLED, An Act to update a reference to the U.S. Board on Geographic
2 Names standards manual.

3 Introduced by: The Committee on Transportation at the request of the Department of
4 Transportation

5 **SB 17:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Department of
6 Corrections to purchase certain real property, to make an appropriation, and to declare an
7 emergency.

8 Introduced by: The Committee on Appropriations at the request of the Department of
9 Corrections

10 **SB 18:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Department of
11 Corrections to demolish buildings at STAR Academy, to make an appropriation therefor, and to
12 declare an emergency.

13 Introduced by: The Committee on Appropriations at the request of the Department of
14 Corrections

15 **SB 24:** FOR AN ACT ENTITLED, An Act to provide for voter registration through an online voter
16 registration system provided by the Office of the Secretary of State.

17 Introduced by: The Committee on State Affairs at the request of the State Board of Elections

18 **SB 25:** FOR AN ACT ENTITLED, An Act to remove an incorrect cross-reference in provisions
19 regarding elections.

20 Introduced by: The Committee on State Affairs at the request of the Office of the Secretary of
21 State

22 **SB 26:** FOR AN ACT ENTITLED, An Act to modify the type of candidates that may use a joint
23 petition.

24 Introduced by: The Committee on State Affairs at the request of the Office of the Secretary of
25 State

26 **SB 35:** FOR AN ACT ENTITLED, An Act to make an appropriation to implement provisions
27 concerning the legalization, regulation, and taxation of marijuana, and to declare an emergency.

28 Introduced by: The Committee on Appropriations at the request of the Department of Revenue

29 **SB 36:** FOR AN ACT ENTITLED, An Act to authorize the Department of Human Services to
30 dismantle and demolish Dakota Hall and the root cellar and to restore grounds on the South Dakota
31 Developmental Center campus, to make an appropriation therefor, and to declare an emergency.

32 Introduced by: The Committee on Appropriations at the request of the Department of Human
33 Services

34 **SB 44:** FOR AN ACT ENTITLED, An Act to authorize, regulate, and tax wagering on sporting
35 events within the city limits of Deadwood.

36 Introduced by: The Committee on Commerce and Energy at the request of the Department of
37 Revenue

1 **SB 54:** FOR AN ACT ENTITLED, An Act to make an appropriation to build a bison visitors center
2 in Custer State Park and to declare an emergency.

3 Introduced by: The Committee on Appropriations at the request of the Department of Game,
4 Fish and Parks

5 **SB 57:** FOR AN ACT ENTITLED, An Act to revise the provisions regarding the South Dakota
6 state employee health plan.

7 Introduced by: The Committee on Commerce and Energy at the request of the Bureau of
8 Human Resources

9 **SB 71:** FOR AN ACT ENTITLED, An Act to designate Juneteenth Day as a working holiday.

10 Introduced by: **Senator** Bolin

11 Were read the first time and referred to the Committee on State Affairs.

12 **SB 39:** FOR AN ACT ENTITLED, An Act to repeal the registration requirements for certain
13 amusement devices.

14 Introduced by: The Committee on Taxation at the request of the Department of Revenue

15 **SB 40:** FOR AN ACT ENTITLED, An Act to revise certain references to the Internal Revenue
16 Code.

17 Introduced by: The Committee on Taxation at the request of the Department of Revenue

18 **SB 41:** FOR AN ACT ENTITLED, An Act to to revise certain requirements for contesting
19 certificates of assessment.

20 Introduced by: The Committee on Taxation at the request of the Department of Revenue

21 **SB 70:** FOR AN ACT ENTITLED, An Act to revise and reorganize certain provisions regarding
22 the assessment of property for the purposes of taxation.

23 Introduced by: **Senator** Duvall

24 Were read the first time and referred to the Committee on Taxation.

25 **SB 10:** FOR AN ACT ENTITLED, An Act to revise the composition of the state trunk highway
26 system.

27 Introduced by: The Committee on Transportation at the request of the Department of
28 Transportation

29 **SB 11:** FOR AN ACT ENTITLED, An Act to revise provisions regarding highways and bridges.

30 Introduced by: The Committee on Transportation at the request of the Department of
31 Transportation

32 **SB 21:** FOR AN ACT ENTITLED, An Act to revise contracting procedure options for certain
33 highway construction contracts.

34 Introduced by: The Committee on Transportation at the request of the Department of
35 Transportation

1 **SB 30:** FOR AN ACT ENTITLED, An Act to extend the issuance period for commercial learner's
2 permits.

3 Introduced by: The Committee on Transportation at the request of the Department of Public
4 Safety

5 **SB 42:** FOR AN ACT ENTITLED, An Act to require all documentation supporting a tax refund
6 claim regarding the accidental mixing of undyed and dyed diesel fuel to be submitted to the
7 Department of Revenue within a certain time period.

8 Introduced by: The Committee on Transportation at the request of the Department of Revenue

9 **SB 43:** FOR AN ACT ENTITLED, An Act to modify certain provisions related to motor vehicles.

10 Introduced by: The Committee on Transportation at the request of the Department of Revenue

11 Were read the first time and referred to the Committee on Transportation.

12 Sen. Klumb moved that the Senate do now adjourn, which motion prevailed and at 12:43 p.m.
13 the Senate adjourned.

14 Kay Johnson, Secretary

15 **JOINT SESSION**

16 The Senate convened with the House of Representatives in the House Chamber for the
17 purpose of receiving a message from the Governor, Kristi Noem. The President of the Senate, Larry
18 Rhoden, presided.

19 The following prayer was delivered by Rev. Craig Wexler, Pierre/Fort Pierre Ministerial
20 Association, Pierre, South Dakota:

21 We begin with a reading from scripture: (1st Samuel 8:4-9) So all the elders of Israel gathered
22 together and came to Samuel at Ramah. They said to him, "You are old, and your sons do not follow
23 your ways; now appoint a king to lead us, such as all the other nations have." But when they said,
24 "Give us a king to lead us," this displeased Samuel; so, he prayed to the Lord. And the Lord told
25 him: "Listen to all that the people are saying to you; it is not you they have rejected, but they have
26 rejected me as their king. As they have done from the day I brought them up out of Egypt until this
27 day, forsaking me and serving other gods, so they are doing to you. Now listen to them; but warn
28 them solemnly and let them know what the king who will reign over them will claim as his rights."

29 Almighty God, today we are reminded of our State Motto—"Under God the People Rule". May
30 this be so! With all the guidance—with all the technology at our finger tips—I have prayed that one
31 day, we might actually *learn from our mistakes*—we might learn from our past. Samuel spoke to
32 the people of Israel—praying that they would 'Rule as People' trusting God instead of creating their
33 own idols to trust. On this day Lord, we ask the question, "**Are we any different?**" Remind us
34 today, Oh Lord, who it is that we are and *what we are called*...First and foremost, you have named
35 us and claimed us to be yours—our primary identity as your creation is the name, "**CHILD OF**
36 **GOD.**" Secondly, as Americans and as South Dakotans—we also proclaim that we are
37 "**DEMOCRACY—Not Republican—Not Democrat—Not Independent.**" No matter our race—no
38 matter our gender—no matter our wealth—no matter our heritage—no matter our political
39 party...every one of us in this room has taken the same oath—an oath to uphold the constitution,
40 but most importantly, the faithful oath of LOVING GOD, AND LOVING OUR NEIGHBORS. Reconcile
41 us, Oh Lord—Forgive us, Oh God—Remind us of what we have been called and elected to do in a
42 Christian, Faithful manner which requires humility, community, and dignity in this space, and in our
43 home communities—in the best of times—but most importantly in the worst of times—times much
44 like we are living in right now. I pray that we have not rejected you. I pray that we have learned
45 from our Israelite ancestors—we do not need a King or Idol—WE NEED YOU AND YOU ALONE. I

1 pray that we will cling to *Your* hope, *Your* will, *Your* promises, and *Your* desires for the people of this
2 great state in the weeks and months ahead, so help us God. Amen.

3 The Secretary of the Senate, Kay Johnson, called the roll of the Senate and the following
4 members were present:

5 Bolin; Breitling; Cammack; Castleberry; Crabtree; Curd; Diedrich; Duhamel; Duvall; Foster;
6 Frye-Mueller; Greenfield, Brock; Heinert; Hunhoff; Johns; Johnson, David; Klumb, Kolbeck; Maher;
7 Nesiba; Novstrup, Al; Otten, Herman; Rohl; Rusch; Schoenbeck; Schoenfish; Smith, VJ; Stalzer;
8 Steinhauer; Sutton; Symens; Tobin; Wheeler; Wiik; Zikmund.

9 The Chief Clerk of the House of Representatives, Patricia Miller, called the roll of the House
10 and the following members were present:

11 Anderson; Aylward; Bartels; Barthel; Beal; Blare; Bordeaux; Chaffee; Chase; Cwach; Davis;
12 Dennert; Derby; Deutsch; Drury; Duba; Finck; Fitzgerald; Goodwin; Greenfield, Lana; Gross;
13 Hansen; Haugaard; Healy; Hoffman; Howard; Jamison; Jensen, Kevin; Jensen, Phil; Johnson, Chris;
14 Karr; Keintz; Koth; Ladner; Marty; May; Mills; Milstead; Miskimins; Mortenson; Mulally; Odenbach;
15 Olson; Otten, Ernie; Overweg; Perry; Peterson, Kent; Peterson, Sue; Pischke; Pourier; Randolph;
16 Reed; Rehfeldt; Reimer; Schneider; Smith, Jamie; Soye; St. John; Stevens; Thomason; Tidemann;
17 Vasgaard; Weis; Weisgram; Wiese; Willadsen; Wink; York; Speaker Gosch.

18 Sen. Cammack moved that a committee of three on the part of the Senate and a committee
19 of four on the part of the House be appointed to escort the Honorable Kristi Noem, Governor of the
20 State of South Dakota, to the rostrum.

21 Which motion prevailed and the President announced as such committee Sens. Schoenbeck,
22 Cammack, and Heinert on the part of the Senate and Reps. Kent Peterson, Hansen, Smith, and
23 Lesmeister on the part of the House.

24 The Lieutenant Governor, Larry Rhoden, introduced the Honorable Kristi Noem, who delivered
25 the State of the State Address.

26 The Sergeant at Arms announced the arrival of the Honorable Kristi Noem, who was escorted
27 to the rostrum.

28 **State of the State Address**

29 Lieutenant Governor Rhoden, Mr. Speaker, members of the Legislature, Chief Justice Jensen,
30 Justices of the Supreme Court, constitutional officers, and fellow South Dakotans, it is my privilege
31 to stand before you today to discuss the state of our state.

32 The year 2020 was one for the history books. We faced some incredible challenges in South
33 Dakota. We met this adversity head on. And the PEOPLE of South Dakota deserve all the credit.

34 People struggled, they lost loved ones, and their livelihoods were threatened. But they never
35 lost hope. They were resilient.

36 That fortitude enabled us to emerge from 2020 stronger, as individuals and as a state.

37 Last year, a good portion of this speech was dedicated to explaining why South Dakota is the
38 perfect place to work or run a business.

39 Our people – their work ethic and their values – are second to none.

1 All of us in this room, who work for them, respect the rights of our people to live their lives.

2 We don't have a corporate income tax. There is no business inventory tax.

3 We have no personal income tax. We also do not have a personal property tax or an inheritance
4 tax.

5 The taxes that we do have to fund state government are stable and predictable. In short, for
6 those who might be worried about tax increases, you do not need to be.

7 The government in South Dakota lives within its means. We balance our budget without
8 accounting gimmicks or tricks.

9 We proudly hold a triple-A credit rating, and our state pension plan is fully funded.

10 Our state believes in smart regulation. We roll out the red carpet, and cut up the red tape.

11 We are the pheasant capital of the world. And our state parks and outdoor recreational
12 opportunities are unmatched.

13 For those who have spent the last nine months shut down or locked up in other states, South
14 Dakota is open. We have stayed open the entire time. And that's how we will operate for as long as
15 I am Governor.

16 One of my chief priorities as Governor is to grow South Dakota. That is why you hear me
17 inviting those who cherish and value our way of life to come join us. South Dakota is the perfect
18 place to raise your family, grow your business, and live your life as you see fit.

19 My administration continues to do everything in its power to help in this effort.

20 This last year, we assisted with projects that will result in more than \$2.8 billion in capital
21 investment across South Dakota – projects ranging from agriculture to manufacturing to
22 technology. We announced that Amazon is building a \$200 million distribution center in Sioux Falls.
23 But it wasn't just our largest community that saw success. Towns like Fort Pierre, Belle Fourche,
24 Watertown, Rapid City, Parker, and Lead all saw companies growing in their communities.

25 In total, the projects we have worked on over the past year are expected to result in more
26 than 2,100 new jobs in the state of South Dakota. And just yesterday, we announced the largest
27 project in the history of the Governor's Office of Economic Development: a \$500 million investment
28 from Schwan's, which will bring 600 full-time jobs to Sioux Falls. CJ Foods and Schwan's are building
29 a world-class facility, the most high-tech facility of its kind in the world. That's a great start to
30 2021 for our state.

31 This economic development provides opportunities for our families and our communities to
32 grow. It allows our kids to start and develop their careers here. When they start their families, that
33 will mean they are closer to home – to Mom, Dad, grandparents, and extended family. Strong
34 families have always been the backbone of South Dakota.

35 President Reagan once said: "Our families nurture, preserve, and pass on to each succeeding
36 generation the values we share and cherish, values that are the foundation for our freedoms."
37 Today, more than ever, it is important we work to strengthen families. I am committed to being a
38 family-first governor – fighting to strengthen the family unit and preserve the values South
39 Dakotans have long embraced. Today, I am joined by two families that will help explain one of
40 my priorities this session: the Fite and the Duffy families.

41 Aaron and Tami Fite live in Platte, South Dakota, with their four children. Sean and Rachel Duffy
42 live in Wisconsin. They have 9 children. And you might remember that Sean served with me while
43 I was in Congress. I have known both families for years. The reason I asked them to join us today
44 is to highlight two of their children.

1 Cody Fite and Valentina Duffy both have Down syndrome. God blessed these beautiful children
2 with an additional chromosome. Their gorgeous smiles, distinct personalities, and that vibrancy
3 you see before you are all gifts from God. For those who have had the privilege of knowing someone
4 with Down syndrome, you know that person ends up being a gift to all of us.

5 I share this because even today, in 2021, some European countries, like Iceland and Denmark,
6 are on pace to virtually eliminate children with Down syndrome. They do this one way and one way
7 only: through abortion. As actress Patricia Heaton points out, Iceland is simply killing everyone that
8 has it.

9 As South Dakotans, frankly, as human beings, we should all be appalled by this. We are better
10 than that.

11 The Declaration of Independence summarizes what we all know in our hearts to be true. God
12 created each of us and endowed all of us with the right to life. This is true for everyone, including
13 those with an extra chromosome.

14 I look forward to the day when the Supreme Court recognizes that all preborn children
15 inherently possess this right to life, too. Until that time comes, I am asking the South Dakota
16 legislature to pass a law that bans the abortion of a preborn child, just because that child is
17 diagnosed with Down syndrome.

18 Let's make South Dakota a symbol of hope, justice, and love for children like Cody and
19 Valentina. With the help of several pro-life groups across the state, my team will
20 present legislation for your consideration and swift passage. Aaron and Tami, Sean and
21 Rachel would you and your families please stand. Thank you for being here. And thank you for being
22 a voice for so many who can't speak for themselves.

23 Protecting children begins in the womb, but children of all ages need a loving family to care
24 for and support them throughout their lives. In my first state of the state, I stood at this podium
25 and asked people to open their hearts and homes to foster children. I asked you to consider giving
26 a child a forever home. In FY 2020, we licensed a 5-year high of 238 new foster homes.

27 I want to commend these families that have opened their hearts and homes to these children.
28 Let me explain why this work is important.

29 Oftentimes, these kids just need a bridge. They just need someone to believe in them.

30 It's important to note there are a lot of people inside *and* outside government providing that
31 bridge. Today, I want to recognize a very special friend of mine. Jack, where are you? Would you
32 please stand.

33 Jack Brewer, for those who might not know him, is a former NFL safety. Today, he is an
34 ordained minister and the executive director of the Jack Brewer Foundation. He runs inner-city youth
35 programs and teaches in prisons all across America. He is an advocate for strong families and
36 highlights the significance of having a father in every home.

37 Jack is in South Dakota this week to join Bryon on a couple of visits to the men's and women's
38 prisons, as well as the McCrossan Boys Ranch in Sioux Falls. Jack, thank you for your advocacy work
39 and all that you do here and around the globe. We all welcome you to South Dakota. Would you all
40 join me in recognizing Jack?

41 As I outlined in my Budget Address, I believe we must create an environment where families
42 are not forced to choose between the modern economy on the one hand and life in their hometown
43 on the other. That's why I am proposing that we invest to finish connecting the state with
44 broadband.

45 Even the most remote communities across our state should be provided the tools they need to
46 be connected. Thriving communities from border to border will yield much better results for our
47 state and our families, rather than concentrated growth in just two cities.

1 There are still 135,000 South Dakotans without high-speed broadband access that meets the
2 needs of the 21st Century. A state investment, coupled with industry funding and federal grants, is
3 enough to get the job done.

4 Success would mean our rural communities would have the opportunity to grow, and families
5 would have the chance to stay together.

6 Take for example the story of Jeff O'Dell. Jeff works for one of the largest computer network
7 infrastructure companies in the world. He grew up in Lemmon, South Dakota.

8 He went to junior high and high school in Aberdeen. After attending one year of college at the
9 School of Mines, Jeff made his way west. For twenty years, Jeff lived in sunny, southern California.
10 But every summer for the last 10 years, he would come back to South Dakota. At first, his trips
11 were a week or two at a time. Then, they got longer.

12 In April of 2019, Jeff started building a home in Lemmon. When COVID hit, thanks to
13 broadband access, Jeff was able to move to Lemmon full-time and work remotely. Most of his work
14 days are spent on video conference calls. But he says he doesn't mind it because he is surrounded
15 by open spaces, fresh air, and great people. His cousins and their kids live in Lemmon. And his folks
16 and sister are just three hours away in Aberdeen with another sister in Bismarck.

17 There's also a woman named Stacey. Every day, she enjoys a view of the Missouri River
18 and – with her dog by her side – works remotely. According to Stacey, having a strong broadband
19 connection means she can work where she wants to live, instead of having to live where she works.

20 Stories like Jeff and Stacey's are very common in South Dakota as of late. People with big city
21 salaries are moving to small-town South Dakota. They enjoy the lower cost of living and end up
22 spending their money in our communities. They believe in the freedom that South Dakota has to
23 offer.

24 My hope is that we can work together to get our state connected, so we can set up this
25 generation and the next for success, no matter where they want to live.

26 Speaking of where people want to live, residential home sales are up all across the state. And
27 home construction in South Dakota is especially strong. New home construction in South
28 Dakota is more than one-and-a-half times greater than the national average. And over the past 10
29 months, construction employment in South Dakota is up 10% compared to a year ago.

30 As I told you all last month, we're in a much stronger financial position than other states across
31 the country. States that shut down their economies are now looking at tax increases or drastic
32 spending cuts to make ends meet.

33 We made different choices than virtually any other state over the past year. To be fair, I never
34 once thought the decisions we were making in South Dakota during the pandemic would be unique.
35 But other states based a lot of their decisions on fear and emotion, and now they're seeing the
36 results of that. In South Dakota, we do not make policy out of fear. We prepare for the worst but
37 always remain optimistic that the best is yet to come.

38 We continue to get good news about South Dakota's revenue situation. Ongoing general fund
39 revenues are up tens of millions of dollars through December, compared to last fiscal year.

40 A similar story can be found in the agriculture industry. The blizzards and flooding of 2019
41 prevented nearly 4 million of our 19 million acres from being planted. The result was a 24% decrease
42 in corn production and 36% loss in soybeans from 2018.

43 But USDA is forecasting that corn production will grow by 31% from last year with yields
44 estimated to increase to record highs. Soybeans also had a banner year, with overall production
45 forecast to grow by 53%.

1 This is very good news, because our agricultural industry is critically important. Our farmers
2 and producers not only feed our families, but also serve as a catalyst for our economy.

3 In July, the reforms we made to standardize and streamline the permitting process took effect.
4 The result is a more competitive and attractive environment for ag businesses. To date, I am pleased
5 to report we had 23 new ag projects resulting in more than 320 new jobs across the state.

6 But even with all this good news, we need to continue to bolster our largest industry. That's
7 why the ag investments I proposed in my budget address are so crucial. The meat processing
8 grants, the investment in the Dakota Events Complex, the creation of a program to give farmers
9 more opportunity to market South Dakota meat products, and the merger of the
10 Departments of Agriculture and DENR too – each of these items will help reinvigorate our number
11 one industry – and all the families it serves -- for many years to come.

12 As we continue to look toward the year ahead, I am excited to report a light at the end of the
13 tunnel with regard to our fight against COVID-19. South Dakota is leading the nation in disbursing
14 the COVID vaccine. In just over a month, tens of thousands of people across the state have
15 received their first dose. This is a testament to the incredible work the team at the Department of
16 Health and all our medical professionals are doing.

17 We shouldn't be surprised. Our medical professionals stepped up in all kinds of unforeseen
18 ways in 2020, and their stories deserve to be told.

19 Take for example what has happened the last month or so in Wagner. Just before Christmas,
20 the CEO of Wagner Community Memorial Hospital shared some really outstanding news about the
21 work his team has been doing. They used an out-patient, innovative COVID-19 therapy to treat
22 patients, including 30 residents in the nursing home. In total, more than 80 patients ranging in age
23 from 50 to 104 have received this treatment without having to take up hospital beds. 78 patients
24 have recovered.

25 A similar story has taken place here in Pierre. Dr. Darrell Plumage normally works at the clinic
26 here in town. But when COVID hit, he and his team turned their attention away from the clinic to
27 acute COVID care. That included the Avantara Pierre facility.

28 Every single resident in the Avantara facility is considered high-risk. Of the 53 residents, 52
29 tested positive for the virus, after a staffer unknowingly brought it into the facility. But like so many
30 other long-term care facilities, the residents weren't the only issue – half the staff tested positive
31 as well.

32 At times, Dr. Plumage and his team ended up working around the clock. During one stretch,
33 some staff worked 12-hour days for 22 days straight.

34 Despite being understaffed and overworked, this team was determined to handle the acute
35 care needs of these residents. Admitting 52 people to the hospital in Pierre would have overwhelmed
36 that facility, so Dr. Plumage and his team treated them at Avantara. The expectation was that half
37 the residents would not survive. That number ended up being far less because of the work of Dr.
38 Plumage and his team. 70% of the Avantara residents recovered from the virus.

39 These stories are not unique to Pierre and Wagner. What these medical professionals have
40 done over the last 9 months to battle this virus is nothing short of remarkable.

41 With us today are the Wagner hospital CEO – Bryan Slaba, Dr. Plumage, and some of the team
42 members that made this possible. Would you all please stand so that we can recognize your efforts
43 and all the efforts of our health care professionals all across the state.

44 What you did, what your teams did, and what all the medical professionals across the state
45 have done deserve recognition. Thank you.

46 We also made sure that our approach to caring for South Dakotans was holistic – focusing on
47 physical wellbeing, but also mental health.

1 In February 2020, the Department of Health worked with several other groups to focus
2 on suicide prevention this year. Our 605 Strong initiative connected South
3 Dakotans fighting mental health issues with trained crisis counselors. This initiative proved critical
4 in the face of a global pandemic. In 2020, we have seen suicides decline.

5 Another tool we greatly expanded access to is telehealth. Since March, people have
6 used tech services like these more than 70,000 times in South Dakota's Medicaid
7 program alone. This year, I'm going to ask that you support legislation to make these
8 flexibilities permanent. In 2021, we should build on telehealth advancements and continue to
9 find ways to remove government red tape in health care.

10 Lastly on healthcare, I want to provide an update on the state's work to curtail substance
11 abuse. We know that drug and alcohol abuse can destroy a family. And even though this kind of
12 challenge can happen anywhere, there are key problems that must be addressed in our tribal
13 communities.

14 Earlier this year, the third annual state tribal meth summit was held virtually in partnership
15 with the Departments of Tribal Relations and Social Services. These summits are a bedrock in
16 bringing state and tribal healthcare providers and leaders together. The state stands ready to
17 work with our tribes and all South Dakota communities to combat substance abuse.

18 As we look to improve the overall health and wellbeing of every South Dakotan, recreation is a
19 key part of that conversation.

20 This last year, social distancing created a great opportunity for South Dakotans to get
21 outside. Nature and the outdoors provided our families an escape from the pandemic. Because
22 South Dakota remained open and didn't lock down, more Americans from out of state came to enjoy
23 our natural spaces too.

24 Custer State Park surpassed 2 million visits this year for the first time ever.

25 We saw increases in youth and first-time hunters. We also sold a record number of licenses for
26 youth-mentored hunting. We saw huge increases in youth combo licenses as well as resident and
27 nonresident fishing licenses.

28 Getting our youth to put down the Xbox and pick up the tackle box has been a priority of mine
29 for many years. In March, a young woman named Savannah Hendricks, a junior high student from
30 Vivian had a great idea.

31 With the goal of getting out in the field more with her family, Savannah created a petition
32 urging the Game, Fish, and Parks Commission to extend the youth pheasant season from five to
33 nine days. At the May meeting, the Commission adopted Savannah's proposal. It is my hope that
34 more young people will get involved – like Savannah did – finding new ways to secure South
35 Dakota's outdoor heritage for the next generation.

36 Savannah is here with us today. Would you please stand? It is my hope that her story will
37 serve as an example to all South Dakotans to get involved in policymaking.

38 We are going to continue finding ways to create more hunting and fishing opportunities in our
39 state for those young and old. This year, I'm asking the legislature to adopt simpler licensure
40 requirements for kids under the age of 18. The goal is to get more people engaged at an early age,
41 so they continue those experiences long into their adulthood.

42 This is one of the reasons why I have so heavily emphasized the importance of the Bounty
43 Program. Over the last two years, nearly 4,300 people participated in the nest predator bounty
44 program, many being youth and first-time trappers. They have removed roughly 81,000 nest
45 predators – a great thing for our pheasant numbers. And we are just getting started.

46 Anecdotally, everything we have heard this year is that our pheasant numbers are through the
47 roof. Long-time hunters say they have never seen as many roosters as they did this year.

1 Hunters are not the only people who came to our state this year. As I mentioned, this was a
2 challenging year for tourism, but South Dakota has outperformed almost every other state in the
3 country in this category.

4 Our visitor inquiries have skyrocketed, and one thing is clear: Folks from all across the country
5 want to visit South Dakota.

6 In 2021, we are going to build on this momentum and ensure that we continue to grow. Our
7 tourism department will be working on a new strategic plan to guide its overall efforts for the next
8 several years to take advantage of the huge amount of interest we've received.

9 This includes enhancing our promotion of the state in new markets and especially targeting
10 key demographics that have an interest in our parks, history, culture, and great outdoors. Given
11 that three of our state's rodeos were recently chosen as the very best in the country by the NFR,
12 we will also be improving our facilities for hosting equestrian and rodeo events. We know that our
13 state has the potential to be the best place in the country for some of these events, and we want to
14 capitalize on these opportunities in the years ahead.

15 This complements the department's ongoing work with Agritourism and the First Gentlemen's
16 small-town initiative to get visitors off the beaten path and experience all that South Dakota has to
17 offer.

18 Our tourism department continues to make steady progress working with tribal partners
19 around the state to lay the groundwork to enhance tribal tourism on our reservations.

20 Every visitor we welcome to our state has an impact that resonates. Their visits help support
21 good jobs and lifelong careers for South Dakotans. Their spending benefits our small businesses.
22 And the tax revenue they generate goes right back into our communities and helps make this state
23 the best place to live in America.

24 One of the main reasons our tourism numbers have been so strong this year is the resilience
25 of our people and small businesses.

26 The South Dakotans who run these small businesses inspire all of us. And our businesses will
27 have a better chance of success if South Dakota's students have excellent educational opportunities.

28 Everyone in this room knows that good education starts in the home. It starts with strong
29 parents. We have decades of research to show that parents are the most critical influence on a
30 child's success in the classroom. COVID-19 underscored just how involved parents need to be in
31 their children's day-to-day education. It's our duty to find innovative solutions that empower parents
32 to set their children up for success.

33 This includes improving the civic education of our kids. Students should be taught our nation's
34 history and all that makes America unique. They should see first-hand the importance of civic
35 engagement. And they should have robust discussions in the classroom so they can develop critical
36 thinking skills.

37 Our young people need more experience engaging with elected officials and practicing the art
38 of debate. It is also our responsibility to show them how government works.

39 Here's how:

40 I have tasked my administration with creating instructional materials and classroom resources
41 on America's founding, our nation's history, and the state's history. We must also do a better
42 job educating teachers on these three subjects. Through all of this, our common mission and key
43 objective needs to be explaining why the United States of America is the most special nation in the
44 history of the world.

45 With this knowledge as a foundational building block, every South Dakotan can then chart their
46 own path in the future. Our technical colleges provide them one such excellent opportunity.

1 South Dakota's technical colleges have received national awards, attention, and funding for
2 the high-quality programs they offer in key, growing industries. All four of our tech schools are in
3 the top 4% of the country for upward mobility. Students who graduate from our colleges are fully
4 equipped for high-demand, technical careers the moment they receive their diplomas.

5 A young woman named Vanessa is a student in the Licensed Practical Nursing Program at
6 Southeast Technical College. She is a first-generation college student, and an incredibly hard
7 worker. Vanessa is set to graduate this spring and already has a job lined up in our state.

8 Our technical colleges are full of stories like Vanessa's. And South Dakota is investing in our
9 students to expand these opportunities moving forward.

10 Last week, we made an exciting announcement regarding the future of the Build Dakota
11 Scholarship. Together over the next 5 years, we will invest approximately \$40 million to
12 match students with high-demand career opportunities.

13 We also announced the creation of the PREMIER Scholarship, a needs-based scholarship
14 endowment for our state. Denny and PREMIER have already delivered a check for \$50 million, and
15 have pledged another \$50 million going forward. I am asking you to allocate \$50 million in one-time
16 money to match this transformational gift.

17 The PREMIER Scholarship requires that students live and work in South Dakota for three years
18 after graduation. Otherwise, the scholarship turns into a loan. The endowment for this critical
19 scholarship fund needs \$200 million to be self-sustaining into the future. Denny and PREMIER are
20 getting us halfway there. Your action will get the fund to \$150 million dollars. Together, let's get it
21 done.

22 In partnership with the Department of Labor, the technical college system also launched the
23 South Dakota UpSkill program this fall. This program supports workers dislocated by COVID-
24 19. UpSkill consists of 22 online certificate programs in high-demand fields, including business,
25 healthcare, information technology, and manufacturing. More than 100 individuals are taking
26 advantage of this assistance.

27 Workforce Development remains a top concern for South Dakota
28 companies. Some businesses are tackling this concern by building their own Registered
29 Apprenticeship training programs. In fact, 44 organizations have built Registered
30 Apprenticeship programs since 2018. More than 700 South Dakotans are improving their skills
31 through one of these programs.

32 For example, in Huron the Executive Director of Independent Health Solutions built a Home
33 Health Aide Registered Apprenticeship program. This structured training and mentorship improved
34 team morale and confidence. It led to less than 1% turnover, allowing for a 20% increase in the
35 number of Home Health Aides on staff. While Registered Apprenticeships are just one solution to
36 workforce development, it lays a strong foundation for our future workforce and our
37 state economy.

38 I want to now turn to a subject that we all hold dear to our hearts: our veterans and the
39 military.

40 This year, South Dakota was ranked the #1 state in America for veterans to live and work.

41 We have expanded the tuition program for veterans to include technical colleges. We have
42 increased property tax exemptions for veterans who have disabilities. We have a tax exemption for
43 paraplegic and amputee veterans. We have increased the number of beds at the Hot Springs
44 Veterans Home so that we can care for more veterans. We also broke ground on the first ever State
45 Veterans Cemetery in Sioux Falls.

46 These veterans are special members of our state and are like family to so many in their
47 communities. I'd like to highlight a story to illustrate this point.

1 Geri Opsal (Op-sawl) is a veteran who served our country in the United States Air Force. Today,
2 she is the Sisseton Wahpeton Oyate Tribal Veterans Service Officer and works with the Department
3 of Veteran Affairs. It was her love of country that guided her to continue down the path of serving
4 our heroes.

5 Geri has a sincere drive and passion to serve veterans. This year, Geri was awarded the South
6 Dakota Department of Veterans Affairs Outreach Officer of the Year Award.

7 Geri is with us today. Would you please join me in thanking her for her service to our nation
8 and all the veterans across our state?

9 Another group of men and women who deserve our recognition are the members of the South
10 Dakota National Guard. The Guard's response to the pandemic is now the longest-sustained, state-
11 supported mission in the history of the Guard. Our Soldiers and Airmen have provided COVID-19
12 support since March

13 Our Guard's support for federal commitments also continued in 2020. South Dakota committed
14 roughly 490 Soldiers and Airmen from five units to stateside missions or overseas contingency
15 operations.

16 But there is one Battalion and their commander who I would like to single out today.

17 Lieutenant Colonel Dave Moore commanded the Guard's 152nd Combat Sustainment Support
18 Battalion. Under his command, and for the second time in three years, the Pierre-based 152nd was
19 recognized as the most outstanding Army National Guard battalion in America.

20 On behalf of the unit, Lieutenant Colonel Dave Moore says "it is an incredible honor to receive
21 these awards. And that their selection is a testament to the professionalism and dedication of all the
22 152nd soldiers and a validation of all the hard work they put in."

23 Collectively, the 152nd has received 13 Bronze Stars; 50 Army Accommodation Medals; 20
24 Army Achievement Medals; and 67 Combat Action Badges.

25 Would you all please join me in recognizing Lt. Col. Moore, the 152nd unit, and the entire
26 South Dakota National Guard for their commitment to service, sacrifice, and this great state.

27 The folks serving at Ellsworth Air Force Base also deserve our recognition. We are joined today
28 by Airman First Class Emily Campos. Emily was born and raised in Box Elder. She and her six siblings
29 were raised by a single working mom. After graduating from Black Hills State, Emily joined the Air
30 Force and became a radiology tech. She was named Distinguished Graduate of her class. She then
31 completed specialized radiology training at the Air Force Academy, where she was recognized by
32 the 10th Surgical Squadron Commander for her academic achievements.

33 Airman Campos relocated to Ellsworth Air Force Base in August. In her role, she serves the
34 base's 17,000 Active Duty military personnel, military dependents, and retiree beneficiary
35 population. She also volunteered to help with the base's COVID response training. Her efforts
36 directly contributed to the protection of military personnel in support of two Bomber Task Force
37 missions to the Indo-Pacific Theater.

38 Emily would you please stand, so we can recognize all your efforts and the efforts of your
39 fellow airmen and airwomen? Our state is incredibly grateful for your work and your service to our
40 nation.

41 The work that Emily and all those that serve at Ellsworth Airforce Base is so crucial to our
42 national defense. This year in my budget, I asked you to fund the Liberty Wellness Center project.
43 I hope that you will support it for Ellsworth and for the surrounding community.

44 Last year, we started the Governor's heroism award to honor heroes who risk their lives to
45 save the life of another. And I'd like to talk to you about this year's honoree.

1 Joining us today is also the family of Chief Deputy Lee Weber of the Hughes County Sheriff's
2 Department.

3 Chief Deputy Weber had served the department since 2015. Before that, he enlisted in the
4 U.S. Army soon after 9/11 and completed two tours in the Middle East in service to our great country.
5 He was active in the Army National Guard and loved hunting and fishing, watching football, and
6 spending time with his wife, Wendy, and their six children, whom he loved deeply.

7 This past July 3rd, Lee was boating with his family on the Missouri River. His son fell out of the
8 boat with no life vest on. Without hesitation, Lee dove into the water to save his son. While he was
9 able to get his son to safety, Lee was not able to save himself. He died a hero that day.

10 We grieve the loss of this great man, and we honor Lee for his courage, his sacrifice and his
11 selfless commitment to you and your family. Wendy, I want to extend my prayers and condolences
12 to you and to your entire family.

13 Would you and your family please stand? Today, given his selfless courage and sacrifice, I am
14 awarding the Governor's Award for Heroism to your husband, Chief Deputy Lee Weber.

15 Strengthening families, no matter what they look like, is a key element to every decision I
16 make as governor, and I am committed to keeping family at the center of my policy decisions. The
17 family is the cradle of civil society. Strong families create strong communities. And strong
18 communities will produce the strongest state in the nation.

19 This session, I hope you all will join me in standing up for families. Last year, we found so
20 many ways to work together to maintain the freedoms of our people, promote our outdoor heritage,
21 and rein in the endless expansion of government into our daily lives. This year, it is my hope that
22 we will find even more opportunities to work together – advancing common sense solutions to the
23 problems we can solve on behalf of the people of this great state.

24 Before I close, I want to take a moment to thank my family. Bryon, Cassidy, Kyle Kennedy,
25 and Booker – thank you for your support and your energy and your love. The reason I am in public
26 service is to make South Dakota a better place. A better place to live, to do business, and to raise
27 a family. One of the reasons I care so deeply about these issues is because I want these things for
28 my family and every other family. I know that's why you serve as well.

29 I look forward to working with each of you and all of South Dakota's leaders to improve our
30 state for today and for the next generation.

31 Thank you. And may God bless South Dakota.

32 Sen. Cammack moved that the Joint Session do now dissolve.

33 Which motion prevailed.

34

