

JOURNAL OF THE SENATE

NINETY-SIXTH SESSION

TWENTY-FIFTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, February 22, 2021

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Jake Krahn, followed by the Pledge of Allegiance led by Senate page Sequoia Altamirano.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the 24th day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Which motion prevailed.

Respectfully submitted,
Lee A. Schoenbeck, Chair

1 The oath of office was administered by the President to the following named pages:

2 Sequoia Altamirano, Ellen Boomgarden, Madeline Eich, Collin Engebretson, Claire Grismer,
3 Paige Hoffman, Kaitlynn Koll, Delaney Pruitt, Breanna Roth, Amanda Schroeder, Regan Simons,
4 Isaac Trefz.

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

6 **COMMUNICATIONS AND PETITIONS**

7 February 18, 2021

8 Mr. President and Members of the Senate:

9 I have the honor to inform you that on February 18, 2021, I approved Senate Bill 87, and the
10 same has been deposited in the office of the Secretary of State.

11 Respectfully submitted,
12 Kristi Noem
13 Governor

14 February 22, 2021

15 Mr. President and Members of the Senate:

16 I have the honor to inform you that on February 22, 2021, I approved Senate Bills 3, 5, 51,
17 58, 61, 62, and 74, and the same have been deposited in the office of the Secretary of State.

18 Respectfully submitted,
19 Kristi Noem
20 Governor

21 **REPORTS OF STANDING COMMITTEES**

22 MR. PRESIDENT:

23 The Committee on Senate State Affairs respectfully reports that it has had under consideration
24 **SB 18** which was tabled.

25 Also MR. PRESIDENT:

26 The Committee on Senate State Affairs respectfully reports that it has had under consideration
27 **SB 97** and returns the same with the recommendation that said bill be amended as follows:

28 97A

29 On page 1, line 1, of the Introduced bill, delete "the composition of " and insert "provisions
30 regarding "

31 On page 1, line 1, of the Introduced bill, after "Committee" delete " and to declare an
32 emergency"

33 On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 2-6-21 be
34 AMENDED.

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"

On page 1, line 5, of the Introduced bill, after "AMENDED." delete "2-6-21. "

On page 1, line 5, of the Introduced bill, after "2-6-21. " delete "Membership of State-Tribal Relations Committee."

On page 1, line 5, of the Introduced bill, after "Committee." delete "

The State-Tribal Relations Committee shall consist of five members of the House of Representatives to be appointed by the speaker of the House of Representatives and five members of the Senate to be appointed by the president pro tempore of the Senate. The members of the State-Tribal Relations Committee shall be appointed biennially for terms expiring on January first of each succeeding odd-numbered year and shall serve until their respective successors are appointed and qualified. No more than three from each legislative body may be from the same political party. The appointing authority shall appoint members to the committee proportional to a party's representation in the authority's legislative body. The minority party in each legislative body shall have at least one member."

On page 1, line 22, of the Introduced bill, after "Council." delete "Section 3. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **SB 151** and returns the same with the recommendation that said bill be referred to the Joint Committee on Appropriations with a Do Pass recommendation.

Respectfully submitted,
Gary L. Cammack, Chair

MR. PRESIDENT:

The Committee on Senate Health and Human Services respectfully reports that it has had under consideration **HB 1021** and returns the same with the recommendation that said bill be referred to the Senate Committee on Appropriations with a Do Pass recommendation.

Also MR. PRESIDENT:

The Committee on Senate Health and Human Services respectfully reports that it has had under consideration **HB 1132, 1195, and 1262** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Wayne H. Steinhauer, Chair

MR. PRESIDENT:

The Committee on Senate Military and Veterans Affairs respectfully reports that it has had under consideration **SB 172** which was tabled.

1 Also MR. PRESIDENT:

2 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had
3 under consideration **SB 188** and returns the same with the recommendation that said bill be
4 amended as follows:

5 188A

6 On the Introduced bill, delete everything after the enacting clause and insert:

7 "

8 **Section 1.** There is appropriated from the South Dakota State Veterans Cemetery operating
9 fund \$200,000 to the Department of Veterans Affairs for the purpose of fundraising efforts for the
10 South Dakota Veterans Cemetery.

11 **Section 2.** The secretary of the Department of Veterans Affairs shall approve vouchers and
12 the state auditor shall draw warrants to pay expenditures authorized by this Act.

13 **Section 3.** Any amounts appropriated in this Act not lawfully expended or obligated by July
14 1, 2025 shall revert in accordance with the procedures prescribed in chapter 4-8.

15 **Section 4.** Whereas, this Act is necessary for the support of the state government and its
16 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
17 force and effect from and after its passage and approval.

18 "

19 And that as so amended said bill be referred to the Joint Committee on Appropriations with a
20 Do Pass recommendation.

21 Also MR. PRESIDENT:

22 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had
23 under consideration **HB 1018** and returns the same with the recommendation that said bill be
24 referred to the Senate Committee on Appropriations with a Do Pass recommendation.

25 Also MR. PRESIDENT:

26 The Committee on Senate Military and Veterans Affairs respectfully reports that it has had
27 under consideration **HB 1017** and returns the same with the recommendation that said bill be
28 referred to the Senate Committee on Appropriations with a Do Pass recommendation.

29 Respectfully submitted,
30 David Johnson, Chair

31 Mr. PRESIDENT:

32 The Committee on Legislative Procedure respectfully reports that **SB 52 and 60** were delivered
33 to her Excellency, the Governor, for her approval at 2:30 p.m., February 18, 2021.

34 Respectfully submitted,
35 Lee A. Schoenbeck, Chair

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MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to transmit herewith **HB 1204** which has passed the House and your favorable consideration is respectfully requested.

Respectfully,
Patricia Miller, Chief Clerk

MOTIONS AND RESOLUTIONS

SCR 606: A CONCURRENT RESOLUTION, Commending automotive enthusiasts in South Dakota and the Specialty Equipment Market Association for their contributions in preserving classic automobiles and urging the Governor to declare a South Dakota Collector Car Appreciation Week.

Introduced by: **Senator** Zikmund

Was read the first time and referred to the Committee on Transportation.

SR 701: A RESOLUTION, In support of investigating and opening an official inquiry into the Medals of Honor given to United States soldiers for the involvement and participation of the soldiers in the Wounded Knee Massacre of 1890.

Was read the second time.

Sen. Heinert moved that **SR 701** as found on page 95 of the Senate Journal be adopted as amended on page 274 of the Senate Journal.

The question being on Sen. Heinert's motion that **SR 701** be adopted as amended.

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

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

So the motion having received an affirmative vote of a majority of the members-elect, the President declared the motion carried and **SR 701** was adopted as amended.

HCR 6003: A CONCURRENT RESOLUTION, Appointing Mr. Russell Olson of Pierre, South Dakota, to the Office of Auditor General.

Was read the second time.

Sen. Bolin moved that **HCR 6003** as found on page 156 of Senate Journal be concurred in.

The question being on Sen. Bolin's motion that **HCR 6003** be concurred in.

1 And the roll being called:

2 Yeas 35, Nays 0, Excused 0, Absent 0

3 Yeas:

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

8 So the motion having received an affirmative vote of a majority of the members-elect, the
9 President declared the motion carried and **HCR 6003** was concurred in.

10 **CONSIDERATION OF REPORTS OF COMMITTEES**

11 Sen. Cammack moved that the reports of the Standing Committees on
12 Education on **SB 128** as found on page 290 of the Senate Journal; also
13 Education on **SCR 605** as found on page 292 of the Senate Journal; also
14 Judiciary on **SB 148** as found on page 286 of the Senate Journal; also
15 Judiciary on **SB 164** as found on page 286 of the Senate Journal; also
16 Judiciary on **SB 166** as found on page 288 of the Senate Journal; also
17 Judiciary on **SB 193** as found on page 289 of the Senate Journal be adopted.
18 Which motion prevailed and the reports were adopted.

19 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

20 **HB 1204:** FOR AN ACT ENTITLED, An Act to revise criminal provisions regarding certain visual
21 recordings or photographic devices.
22 Was read the first time and referred to the Committee on Judiciary.

23 **SECOND READING OF CONSENT CALENDAR ITEMS**

24 **SB 161:** FOR AN ACT ENTITLED, An Act to revise the qualifications to serve as a trustee of a
25 county road district.

26 **HB 1029:** FOR AN ACT ENTITLED, An Act to require a permit to conduct mining operations for
27 certain ore milling facilities.

28 **HB 1065:** FOR AN ACT ENTITLED, An Act to adopt the emergency medical personnel licensure
29 interstate compact.

30 **HB 1073:** FOR AN ACT ENTITLED, An Act to authorize dentists to void certain contract terms
31 with insurers.

1 **HB 1196:** FOR AN ACT ENTITLED, An Act to provide free tuition and fees to visually impaired
2 residents for courses not subsidized by the state general fund.

3 **HB 1234:** FOR AN ACT ENTITLED, An Act to make certain revisions to the seller's property
4 condition disclosure statement.

5 Were read the second time.

6 The question being "Shall **SB 161, and HB 1065 and 1073** pass as amended, and **HB 1029,**
7 **1196, and 1234** pass?"

8 And the roll being called:

9 Yeas 33, Nays 0, Excused 2, Absent 0

10 Yeas:

11 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Frye-
12 Mueller, Brock Greenfield, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher, Nesiba,
13 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
14 Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

15 Excused:

16 Foster and Heinert

17 So the bills having received an affirmative vote of a majority of the members-elect, the
18 President declared the bills passed and the titles were agreed to.

19 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

20 **SB 175:** FOR AN ACT ENTITLED, An Act to remove certain eligibility requirements for the
21 partners in education tax credit program.

22 Was read the second time.

23 The question being "Shall **SB 175** pass as amended?"

24 And the roll being called:

25 Yeas 30, Nays 5, Excused 0, Absent 0

26 Yeas:

27 Bolin, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Frye-Mueller,
28 Brock Greenfield, Heinert, David Johnson, Klumb, Kolbeck, Maher, Novstrup, Rohl, Rusch,
29 Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik,
30 and Zikmund

31 Nays:

32 Breitling, Hunhoff, Johns, Nesiba, and Herman Otten

33 So the bill having received an affirmative vote of a majority of the members-elect, the President
34 declared the bill passed and the title was agreed to.

35 **SB 174:** FOR AN ACT ENTITLED, An Act to revise provisions related to the automatic removal
36 of certain charges or convictions from a defendant's public record.

37 Was read the second time.

1 The question being "Shall **SB 174** pass as amended?"

2 And the roll being called:

3 Yeas 35, Nays 0, Excused 0, Absent 0

4 Yeas:

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

9 So the bill having received an affirmative vote of a majority of the members-elect, the President
10 declared the bill passed and the title was agreed to.

11 **SB 141**: FOR AN ACT ENTITLED, An Act to revise the automatic removal of certain convictions
12 from a background check record.

13 Was read the second time.

14 Sen. Rohl moved that **SB 141** be amended as follows:

15 141C

16 On page 1, line 13, of the Senate Judiciary bill, delete "ten" and insert " five"

17 Which motion prevailed.

18 The question being "Shall **SB 141** pass as amended?"

19 And the roll being called:

20 Yeas 24, Nays 11, Excused 0, Absent 0

21 Yeas:

22 Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duvall, Foster, Heinert, Hunhoff,
23 Johns, David Johnson, Maher, Nesiba, Herman Otten, Rohl, Rusch, Schoenfish, V. J. Smith,
24 Steinhauer, Symens, Tobin, Wheeler, and Zikmund

25 Nays:

26 Bolin, Duhamel, Frye-Mueller, Brock Greenfield, Klumb, Kolbeck, Novstrup, Schoenbeck,
27 Stalzer, Sutton, and Wiik

28 So the bill having received an affirmative vote of a majority of the members-elect, the President
29 declared the bill passed and the title was agreed to.

30 **SB 176**: FOR AN ACT ENTITLED, An Act to adopt the Uniform Faithful Presidential Electors Act.

31 Was read the second time.

32 The question being "Shall **SB 176** pass as amended?"

33 And the roll being called:

34 Yeas 32, Nays 3, Excused 0, Absent 0

1 Yeas:
2 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duvall, Foster, Frye-Mueller,
3 Brock Greenfield, Heinert, Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Maher, Nesiba,
4 Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer,
5 Sutton, Symens, Tobin, and Zikmund

6 Nays:
7 Duhamel, Wheeler, and Wiik

8 So the bill having received an affirmative vote of a majority of the members-elect, the President
9 declared the bill passed and the title was agreed to.

10 **SB 180:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding revenues
11 generated by and donations to the South Dakota State Veterans Cemetery, and to declare an
12 emergency.

13 Was read the second time.

14 The question being "Shall **SB 180** pass as amended?"

15 And the roll being called:

16 Yeas 35, Nays 0, Excused 0, Absent 0

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

22 So the bill having received an affirmative vote of a two-thirds majority of the members-elect,
23 the President declared the bill passed and the title was agreed to.

24 **SB 184:** FOR AN ACT ENTITLED, An Act to require the sorting of absentee ballots.

25 Was read the second time.

26 The question being "Shall **SB 184** pass?"

27 And the roll being called:

28 Yeas 35, Nays 0, Excused 0, Absent 0

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

34 So the bill having received an affirmative vote of a majority of the members-elect, the President
35 declared the bill passed and the title was agreed to.

1 **SB 187**: FOR AN ACT ENTITLED, An Act to establish criteria regarding marijuana.

2 Was read the second time.

3 Sen. Brock Greenfield moved that **SB 187** be amended as follows:

4 187B

5 On page 1, line 1, of the Introduced bill, delete " criteria regarding marijuana" and insert "
6 provisions concerning the sale of adult-use retail marijuana"

7 On the Introduced bill, delete everything after the enacting clause and insert:

8 "

9 **Section 1.** The Legislature enacts this legislation to put in place a statutory system of laws for
10 the regulation of the sale, possession, and consumption of adult-use retail marijuana as authorized
11 by the passage of Constitutional Amendment A at the general election on November 3, 2020.
12 Although Amendment A was declared unconstitutional by the circuit court on February 8, 2021, the
13 Legislature recognizes that a majority of voters approved the legalization of the sale, possession,
14 and consumption of adult-use retail marijuana. The Legislature does not endorse the decision of
15 the voters to make lawful the sale, possession, and consumption of adult-use retail marijuana. In
16 recognition of the voters' recent decision on Amendment A, the Legislature believes it necessary to
17 enact this legislation to properly ensure the regulated and enforceable administration of laws
18 concerning the sale, possession, and consumption of adult-use retail marijuana.

19 **Section 2.** That a NEW SECTION be added:

20 35A-1-1. Definition of terms.

21 Terms used in this Act mean:

22 (1) "Adult-use retail marijuana," marijuana that is sold in a South Dakota retail location
23 and not sold or provided by a medical cannabis dispensary, as that term is defined in § 34-20G-1;

24 (2) "Adult-use marijuana retailer" or "retailer," any person who is licensed to sell
25 marijuana for other than resale;

26 (3) "Department," the Department of Revenue;

27 (4) "Marijuana," the plant of the genus cannabis, and any part of that plant, including
28 the seeds, the resin extracted from any part of the plant, and every compound, manufacture, salt,
29 derivative, mixture, or preparation of the plant, its seeds, or its resin, including hash and marijuana
30 concentrate. The term includes an altered state of marijuana absorbed into the human body. The
31 term does not include hemp, or fiber produced from the stalks, oil or cake made from the seeds of
32 the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other
33 ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other
34 products;

35 (5) "Sale," the transfer, for a consideration, of title to any adult-use marijuana;

36 (6) "Secretary," the secretary of revenue.

37 **Section 3.** That a NEW SECTION be added:

38 35A-1-2. Secretary of revenue to administer Act--Employment of personnel--Equipment and
39 supplies.

40 The secretary shall administer the law as set forth in this Act, and may employ such help and
41 purchase such equipment and supplies as are necessary for performance of the secretary's duties.

1 **Section 4.** That a NEW SECTION be added:

2 35A-1-3. Certain revenue department employees prohibited from engaging in marijuana
3 business.

4 Neither the secretary nor any employee of the division within the department that issues any
5 adult-use retail marijuana license may have any interest, financial or otherwise, in the production,
6 transportation, storage, or sale of marijuana.

7 **Section 5.** That a NEW SECTION be added:

8 35A-1-4. Traffic in marijuana prohibited--Exceptions.

9 No person may produce, transport, store, or sell any marijuana except as authorized under
10 the provisions of this Act and under rules promulgated by the department pursuant to chapter 1-
11 26. This section does not apply to medical cannabis pursuant to chapter 34-20G.

12 **Section 6.** That a NEW SECTION be added:

13 35A-1-5. Unlicensed business prohibited--Violation as misdemeanor.

14 No person may transact any business as an adult-use marijuana retailer without an adult-use
15 retail marijuana license as provided by this Act and under rules promulgated by the department
16 pursuant to chapter 1-26. A violation of this section is a Class 1 misdemeanor.

17 **Section 7.** That a NEW SECTION be added:

18 35A-1-6. False statement in application or report--Violation as felony.

19 Any person who, in any application, report, or statement knowingly makes a false statement
20 as to any matter required by any provision of this Act or under rules promulgated by the department
21 pursuant to chapter 1-26 to be set forth in the application, report, or statement, is guilty of a Class
22 1 misdemeanor.

23 **Section 8.** That a NEW SECTION be added:

24 35A-1-7. Promulgation of rules.

25 The secretary shall promulgate rules, pursuant to chapter 1-26, regarding the sale, purchase,
26 distribution, and licensing of adult-use retail marijuana for the effective implementation and
27 enforcement of this Act.

28 **Section 9.** That a NEW SECTION be added:

29 35A-2-1. Applications submitted to local governing body--Approval.

30 Any applicant for a new adult-use retail marijuana license or the transfer of an existing adult-
31 use retail marijuana license shall submit an application to the governing body of the municipality in
32 which the applicant intends to operate, or if outside the corporate limits of a municipality, to the
33 governing body of the county in which the applicant intends to operate. The governing body may
34 approve the application for a new adult-use retail marijuana license or the transfer of an existing
35 adult-use retail marijuana license if the governing body considers the applicant suitable to hold the
36 adult-use retail marijuana license and the governing board considers the proposed location to be
37 suitable.

38 Any application for the reissuance of an adult-use retail marijuana license may be approved by
39 the municipal or county governing body without a hearing unless, in the past year, the adult-use
40 retail marijuana licensee or one or more of the adult-use retail marijuana licensee's employees have
41 been subjected to a criminal penalty for violation of the adult-use retail marijuana law or the adult-
42 use retail marijuana license has been suspended.

1 **Section 10.** That a NEW SECTION be added:

2 35A-2-2. Character requirements.

3 Any adult-use retail marijuana licensee under this Act shall be a person of good moral character
4 who was never convicted of a felony. If the licensee is a corporation, the managing officers of the
5 corporation shall meet the same qualifications.

6 **Section 11.** That a NEW SECTION be added:

7 35A-2-3. Adult-use retail marijuana licenses--Requirements.

8 An applicant for an adult-use retail marijuana license shall meet the following criteria:

9 (1) Obtained a malt beverage license pursuant to chapter 35-2;

10 (2) Submits to a background investigation. If the applicant is a partnership or corporation, the
11 requirement for a background check includes each partner of a partnership and each director and
12 officer and all stockholders in the corporation, its parent corporation, or its subsidiary corporation;
13 and

14 (3) Is a resident of this state. If the applicant is a partnership or corporation, the majority of
15 ownership interest shall be held by residents of this state.

16 **Section 12.** That a NEW SECTION be added:

17 35A-3-1. Times for selling--Violation as misdemeanor.

18 No adult-use retail marijuana licensee may sell any marijuana between the hours of two a.m.
19 and seven a.m. A violation of this section is a Class 2 misdemeanor.

20 **Section 13.** That a NEW SECTION be added:

21 35A-3-2. Department to promulgate rules regarding types of marijuana products that may be
22 sold.

23 The department shall promulgate rules, pursuant to chapter 1-26, establishing the types of
24 marijuana products that may be sold by an adult-use marijuana retailer.

25 **Section 14.** That a NEW SECTION be added:

26 35A-3-3. Furnishing to a minor prohibited--Violation as misdemeanor.

27 It is a Class 1 misdemeanor for an adult-use retail marijuana licensee to furnish marijuana to
28 any person under the age of eighteen years.

29 **Section 15.** That a NEW SECTION be added:

30 35A-3-4. Furnishing to a person eighteen years or older but less than twenty-one years
31 prohibited--Violation as misdemeanor.

32 It is a Class 2 misdemeanor for an adult-use retail marijuana licensee to furnish marijuana to
33 any person eighteen years or older but less than twenty-one years.

34 **Section 16.** That a NEW SECTION be added:

1 35A-3-5. Sale to underage person based on false identification document--Conviction
2 barred.

3 No person may be convicted of illegally selling any adult-use retail marijuana to any underage
4 person pursuant to § 35A-3-3 or 35A-3-4, if the underage person was in possession of, and the
5 seller relied upon, any false age-bearing identification document that was furnished to the underage
6 person by any state agency or local law enforcement agency or any agent, employee, contractor,
7 or associate of any state agency or local law enforcement agency for the purpose of attempting to
8 illegally purchase any adult-use retail marijuana.

9 **Section 17.** That a NEW SECTION be added:

10 35A-3-6. Furnishing to underage person--No criminal penalty imposed--Circumstances.

11 No criminal penalty may be imposed on an adult-use retail marijuana licensee licensed
12 pursuant to this Act if:

13 (1) The person making the sale in violation of § 35A-3-3 or 35A-3-4 is an employee or agent
14 of the adult-use retail marijuana licensee;

15 (2) The employee or agent does not own a controlling interest in the adult-use retail marijuana
16 licensee; and

17 (3) The adult-use marijuana licensee or person having a controlling interest in the adult-use
18 retail marijuana licensee is not present at the time of the sale.

19 **Section 18.** That a NEW SECTION be added:

20 35A-3-7. Purchase, possession, or consumption by person under twenty-one years
21 prohibited--Exception--Misrepresentation of age--Violation as misdemeanor.

22 It is a Class 2 misdemeanor for any person under the age of twenty-one years to purchase or
23 attempt to purchase adult-use retail marijuana or to misrepresent the person's age with the use of
24 any document for the purpose of purchasing or attempting to purchase adult-use retail marijuana
25 from any adult-use retail marijuana licensee under this Act.

26 **Section 19.** That a NEW SECTION be added:

27 35A-3-8. Immunity for possession and consumption--Underage person who reports need of
28 emergency assistance.

29 No person under the age of twenty-one years may be subject to any penalty arising out of
30 underage consumption or possession of marijuana if that person contacts law enforcement or
31 emergency medical services and reports that a person is in need of medical assistance due to
32 marijuana consumption and that person remains and cooperates with medical assistance and law
33 enforcement personnel on the scene.

34 **Section 20.** That a NEW SECTION be added:

35 35A-3-9. Purchase by adult for person under twenty-one as misdemeanor.

36 It is a Class 1 misdemeanor for any person twenty-one years of age or older to purchase or
37 otherwise acquire adult-use retail marijuana from a retailer and to give or resell the adult-use retail
38 marijuana to any person under the age of twenty-one years.

39 **Section 21.** That a NEW SECTION be added:

1 35A-3-10. No civil liability for social hosts and licensees.

2 No social host or adult-use retail marijuana licensee is civilly liable to any injured person or the
3 injured person's estate for any injury suffered, including any action for wrongful death, or property
4 damage suffered, because of the sale or consumption of any marijuana in violation of the provisions
5 of this chapter.

6 **Section 22.** That a NEW SECTION be added:

7 35A-4-1. Place used for violation of marijuana laws as common nuisance--Maintenance as
8 misdemeanor.

9 Any structure, conveyance, or place where marijuana is manufactured, sold, kept, bartered,
10 given away, found, consumed, or used in violation of the laws of the state relating to adult-use retail
11 marijuana, and all marijuana and property kept and used in maintaining the same, is hereby
12 declared to be a common nuisance, and any person who maintains such a common nuisance is guilty
13 of a Class 1 misdemeanor.

14 **Section 23.** That a NEW SECTION be added:

15 35A-4-2. Lien against place of violation for fines and costs assessed--Enforcement of lien.

16 If a person has knowledge or reason to believe that the person's structure, conveyance, or
17 place is occupied or used for the manufacture, sale, bartering, giving away, keeping, consuming, or
18 using of marijuana, contrary to the provisions of the laws of the state, and if the person allows the
19 structure, conveyance, or place to be so occupied or used, the structure, conveyance, or place is
20 subject to a lien for and may be sold to pay all fines and costs assessed against the person guilty of
21 such nuisance for such violation. Any such lien may be enforced by action in any court having
22 jurisdiction.

23 **Section 24.** That a NEW SECTION be added:

24 35A-4-3. Action to enjoin nuisance--Bond not required.

25 An action to enjoin any nuisance, as defined in § 35A-4-2, may be brought in the name of the
26 State of South Dakota by the attorney general or by the state's attorney of the county in which the
27 property constituting the nuisance is located. Any action to abate or to enjoin the nuisance may be
28 commenced and conducted as other actions or proceedings for injunction. However, the complaint
29 or affidavit used may be made on information and belief and no bond is required in instituting the
30 proceedings or to secure the issuance of any such injunction.

31 **Section 25.** That a NEW SECTION be added:

32 35A-4-4. Temporary injunction in action to enjoin nuisance.

33 If, in an action pursuant to § 35A-4-4, it is made to appear by affidavits or otherwise, to the
34 satisfaction of the court, or judge in vacation, that a nuisance exists, a temporary writ of injunction
35 shall be issued, restraining the defendant from conducting or permitting the continuance of the
36 nuisance until the conclusion of the trial. If a temporary injunction is sought, the court may issue
37 an order restraining the defendant and all other persons from removing, or in any way interfering,
38 with the marijuana or fixtures, or other things used in connection with the violation of the laws of
39 this state constituting the nuisance.

40 **Section 26.** That a NEW SECTION be added:

41 35A-4-5. Order prohibiting manufacture, sale, or storage of marijuana and occupancy of
42 place of violation

43 It is not necessary in an action pursuant to § 35A-4-4 for the court to find the property involved
44 was being unlawfully used as described in § 35A-4-2 at the time of the hearing. However, on finding

1 that the material allegations of the petition are true, the court shall order that no marijuana may be
2 manufactured, sold, bartered, or stored in the structure, conveyance, or place. Upon judgment of
3 the court ordering the nuisance to be abated, the court may order that the structure, conveyance,
4 or place not be occupied or used for one year thereafter.

5 **Section 27.** This Act is effective when one or more of the following occurs:

6 (1) The South Dakota Supreme Court declares Constitutional Amendment A valid before July
7 1, 2021, in which case the Act is effective on July 1, 2021, and otherwise on the date the South
8 Dakota Supreme Court declares Constitutional Amendment A valid;

9 (2) The federal government decriminalizes or legalizes marijuana before July 1, 2021, in which
10 case the Act is effective on July 1, 2021, and otherwise on the effective date the federal government
11 decriminalizes or legalizes marijuana; or

12 (3) The voters of this state pass a constitutional amendment or initiated measure
13 decriminalizing or legalizing marijuana that is unchallenged or determined to be valid by the South
14 Dakota Supreme Court.

15 "

16 Sen. Wiik requested that Joint Rule 5-17 be invoked on **SB 187**.

17 Which request was supported and **SB 187** with Sen. Greenfield's pending motion to amend
18 was deferred until Wednesday, February 24, 2021, the 27th legislative day.

19 **SB 169:** FOR AN ACT ENTITLED, An Act to revise the time requirement for the automatic
20 removal of speeding violations from a background check record.

21 Was read the second time.

22 Sen. Novstrup moved that **SB 169** be laid on the table.

23 The question being on Sen. Novstrup's motion that **SB 169** be laid on the table.

24 And the roll being called:

25 Yeas 35, Nays 0, Excused 0, Absent 0

26 Yeas:

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

31 So the motion having received an affirmative vote of a majority of the members-elect, the
32 President declared the motion carried and **SB 169** was tabled.

33 **SB 183:** FOR AN ACT ENTITLED, An Act to declare certain contract provisions regarding
34 abortion as deceptive acts or practices.

35 Having had its second reading was up for consideration and final passage.

36 The question now being on Sen. Rohl's pending motion to amend **SB 183** as found on page
37 281 of the Senate Journal.

1 Sen. Brock Greenfield made a substitute motion that **SB 183** be amended as follows:

2 183F

3 On page 1, line 1, of the Introduced bill, delete "deceptive acts or practices" and insert "
4 unenforceable and to provide a penalty therefor"

5 On page 1, line 4, of the Introduced bill, after "Dakota:" delete "Section 1. That § 37-24-6 be
6 AMENDED.

7 "

8 On page 1, line 5, of the Introduced bill, after "AMENDED." delete "37-24-6. "

9 On page 1, line 5, of the Introduced bill, after "37-24-6. " delete "Deceptive act or practice--
10 Violation as misdemeanor or felony."

11 On page 1, line 5, of the Introduced bill, after "felony." delete "

12 It is a deceptive act or practice for any person to:

13 (1) Knowingly act, use, or employ any deceptive act or practice, fraud, false pretense, false
14 promises, or misrepresentation or to conceal, suppress, or omit any material fact in connection with
15 the sale or advertisement of any merchandise, regardless of whether any person has in fact been
16 misled, deceived, or damaged thereby;

17 (2) Advertise price reductions without satisfying one of the following:

18 (a) Including in the advertisement the specific basis for the claim of a price reduction; or

19 (b) Offering the merchandise for sale at the higher price from which the reduction is
20 taken for at least seven consecutive business days during the sixty-day period prior to the
21 advertisement.

22 Any person advertising consumer property or services in this state, which advertisements
23 contain representations or statements as to any type of savings claim, including reduced price claims
24 and price comparison value claims, shall maintain reasonable records for a period of two years from
25 the date of sale and advertisement, which records shall disclose the factual basis for such
26 representations or statements and from which the validity of any such claim be established.
27 However, these reasonable record provisions do not apply to the sale of any merchandise that is of
28 a class of merchandise that is routinely advertised on at least a weekly basis in newspapers,
29 shopping tabloids, or similar publications and that has a sales price before price reduction that is
30 less than fifteen dollars per item;

31 (3) Represent a sale of merchandise at reduced rates due to the cessation of business
32 operations and after the date of the first advertisement remain in business under the same, or
33 substantially the same, ownership or trade name, or continue to offer for sale the same type of
34 merchandise at the same location for more than one hundred twenty days;

35 (4) Give or offer a rebate, discount, or anything of value to a person as an inducement for
36 selling consumer property or services in consideration of giving the names of prospective purchasers
37 or otherwise aiding in making a sale to another person, if the earning of the rebate, discount, or
38 other thing of value is contingent upon the occurrence of an event subsequent to the time the person
39 agrees to the sale;

40 (5) Engage in any scheme or plan for disposal or distribution of merchandise whereby a
41 participant pays a valuable consideration for the chance to receive compensation primarily for
42 introducing one or more additional persons into participation in the planner's scheme or for the
43 chance to receive compensation when the person introduced by the participant introduces a new
44 participant;

- 1 (6) Send, deliver, provide, mail, or cause to be sent, delivered, provided, or mailed any bill or
2 invoice for unordered property or unordered service provided;
- 3 (7) Advertise a rate, price, or fee for a hotel, motel, campsite, or other lodging accommodation
4 which is not in fact available to the public under the terms advertised. It is not a violation of this
5 subdivision to establish contract rates which are different than public rates;
- 6 (8) Charge a rate, price, or fee for a hotel, motel, campsite, or other lodging accommodation
7 which is different than the rate, price, or fee charged on the first night of the guest's stay unless, at
8 the initial registration of the guest, a written notification of each price, rate, or fee to be charged
9 during the guest's reserved continuous stay is delivered to the guest and an acknowledgment of
10 receipt of the notice is signed by the guest and kept by the innkeeper for the same period of time
11 as is required by § 34-18-21;
- 12 (9) Knowingly fail to mail or to deliver by electronic means to a future guest a written
13 confirmation of the date and rates of reservations made for any accommodation at a hotel, motel,
14 campsite, or other lodging accommodation when a written request for confirmation is received from
15 the future guest;
- 16 (10) Require money in advance of arrival or a handling fee in the event of cancellation of any
17 hotel, motel, campsite, or other lodging accommodation unless the innkeeper has a written policy
18 or a separate contract with the guest stating so that is mailed or delivered by electronic means to
19 the guest at or near the making of the reservation;
- 20 (11) Knowingly advertise or cause to be listed through the internet or in a telephone directory
21 a business address that misrepresents where the business is actually located or that falsely states
22 that the business is located in the same area covered by the telephone directory. This subdivision
23 does not apply to a telephone service provider, an internet service provider, or a publisher or
24 distributor of a telephone directory, unless the conduct proscribed in this subdivision is on behalf of
25 the provider, publisher, or distributor;
- 26 (12) Sell, market, promote, advertise, or otherwise distribute any card or other purchasing
27 mechanism or device that is not insurance that purports to offer discounts or access to discounts
28 from pharmacies for prescription drug purchases if:
- 29 (a) The card or other purchasing mechanism or device does not expressly state in bold and
30 prominent type, prevalently placed, that discounts are not insurance;
- 31 (b) The discounts are not specifically authorized by a separate contract with each pharmacy
32 listed in conjunction with the card or other purchasing mechanism or device; or
- 33 (c) The discount or access to discounts offered, or the range of discounts or access to
34 the range of discounts, is misleading, deceptive, or fraudulent, regardless of the literal wording.
- 35 The provisions of this subdivision do not apply to a customer discount or membership card
36 issued by a store or buying club for use in that store or buying club, or a patient access program
37 voluntarily sponsored by a pharmaceutical manufacturer, or a consortium of pharmaceutical
38 manufacturers, that provide free or discounted prescription drug products directly to low income or
39 uninsured individuals either through a discount card or direct shipment;
- 40 (13) Send or cause to be sent an unsolicited commercial electronic mail message that does not
41 include in the subject line of such message "ADV:" as the first four characters. If the message
42 contains information that consists of explicit sexual material that may only be viewed, purchased,
43 rented, leased, or held in possession by an individual eighteen years of age and older, the subject
44 line of each message shall include "ADV:ADLT" as the first eight characters. An unsolicited
45 commercial electronic mail message does not include a message sent to a person with whom the
46 initiator has an existing personal or business relationship or a message sent at the request or
47 express consent of the recipient;
- 48 (14) Violate the provisions of § 22-25-52;

1 (15) Knowingly fail to disclose the amount of any mandatory fee when reservations are made
2 by a future guest at a hotel, motel, campsite, or other lodging accommodations. A mandatory fee
3 under this subdivision includes any resort fee or parking fee charged by the lodging accommodations
4 whether or not the guest utilizes the amenities or the parking facility for which the fee is assessed;
5 or

6 (16) Cause misleading information to be transmitted to users of caller identification
7 technologies or otherwise block or misrepresent the origin of a telephone solicitation. No provider
8 of telephone caller identification services, telecommunications, broadband, or voice over internet
9 protocol service may be held liable for violations of this subdivision committed by other individuals
10 or entities. It is not a violation of this subdivision:

11 (a) For a telephone solicitor to utilize the name and number of the entity the solicitation is
12 being made on behalf of rather than the name and number of the telephone solicitor;

13 (b) If an authorized activity of a law enforcement agency; or

14 (c) If a court order specifically authorizes the use of caller identification manipulation; or

15 (17) Include a provision in a contract that, under any circumstances, requires a woman
16 to have an abortion, or is intended to compel a woman to have an abortion.

17 Each act in violation of this section under one thousand dollars is a Class 1 misdemeanor. Each
18 act in violation of this statute over one thousand dollars but under one hundred thousand dollars is
19 a Class 6 felony. Each act in violation of this section over one hundred thousand dollars is a Class 5
20 felony."

21 On page 4, line 32, of the Introduced bill, delete "Other than a contract for an abortion, a "
22 and insert "A provision in a "

23 On page 4, line 32, of the Introduced bill, after "it" delete ", or any agreement associated with
24 the contract, includes a provision which"

25 On page 5, line 3, of the Introduced bill, delete "woman's " and insert "woman "

26 On page 5, after line 6, of the Introduced bill, insert "

27 **Section 32.** That a NEW SECTION be added:

28 22-17-14. Coercion--Abortion--Misdemeanor or felony.

29 A person is guilty of a Class 1 misdemeanor if the person:

30 (1) Coerces, compels, or attempts to compel a pregnant woman to undergo an
31 abortion;

32 (2) Requires a pregnant woman to agree to a provision that if she refuses to undergo an
33 abortion, it is a breach of a contract; or

34 (3) Requires a pregnant woman to agree to a provision that results in her assuming any cost,
35 obligation, or responsibility for refusing to undergo an abortion.

36 A subsequent offense of this section is a Class 6 felony.

37 "

38 On page 5, after line 6, of the Introduced bill, insert "

39 **Section 33.** That § 37-24-12 be AMENDED.

1 37-24-12. Attorney general's investigative demand for report on suspect practices.

2 If the attorney general has reason to believe that a person has engaged in, is engaging in, or
3 is about to engage in any act or practice declared to be unlawful by § 37-24-6 or has entered into
4 a contract with a provision that is void and unenforceable under § 53-9-13, and he believes it to be
5 in the public interest that an investigation should be made to ascertain whether a person has in fact
6 engaged in, is engaging in, or is about to engage in any such act ~~or~~, practice, or contract, he may
7 execute in writing and cause to be served upon any person who is believed to have information,
8 documentary material, or physical evidence relevant to the alleged violation, an investigative
9 demand requiring such person to furnish, under oath or otherwise, a report in writing setting forth
10 the relevant facts and circumstances of which he has knowledge, or to appear and testify, or to
11 produce relevant documentary material or physical evidence for examination, at such reasonable
12 time and place as may be stated in the investigative demand, concerning a provision covered under
13 § 53-9-13 or the advertisement, sale, or offering for sale of any merchandise.

14 "

15 Which motion prevailed.

16 The question being "Shall **SB 183** pass as amended?"

17 And the roll being called:

18 Yeas 35, Nays 0, Excused 0, Absent 0

19 Yeas:

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

24 So the bill having received an affirmative vote of a majority of the members-elect, the President
25 declared the bill passed and the title was agreed to.

26 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

27 **HB 1053**: FOR AN ACT ENTITLED, An Act to establish an annual fee for certain electric motor
28 vehicles.

29 Was read the second time.

30 The question being "Shall **HB 1053** pass as amended?"

31 And the roll being called:

32 Yeas 29, Nays 6, Excused 0, Absent 0

33 Yeas:

34 Bolin, Breitling, Cammack, Castleberry, Crabtree, Duhamel, Duvall, Frye-Mueller, Brock
35 Greenfield, Hunhoff, Johns, Klumb, Kolbeck, Maher, Novstrup, Herman Otten, Rohl, Rusch,
36 Schoenbeck, Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik,
37 and Zikmund

38 Nays:

39 Curd, Diedrich, Foster, Heinert, David Johnson, and Nesiba

40 So the bill having received an affirmative vote of a two-thirds majority of the members-elect,
41 the President declared the bill passed and the title was agreed to.

1 **HB 1067:** FOR AN ACT ENTITLED, An Act to modify identification requirements for a marriage
2 license and to provide certain provisions for a name change.

3 Was read the second time.

4 The question being "Shall **HB 1067** pass as amended?"

5 And the roll being called:

6 Yeas 33, Nays 2, Excused 0, Absent 0

7 Yeas:

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

12 Nays:

13 Foster and Heinert

14 So the bill having received an affirmative vote of a majority of the members-elect, the President
15 declared the bill passed and the title was agreed to.

16 **SIGNING OF BILLS**

17 The President publicly read the title to

18 **HB 1034:** FOR AN ACT ENTITLED, An Act to revise certain youth hunting requirements.

19 **HB 1068:** FOR AN ACT ENTITLED, An Act to revise the requirement for written findings of fact
20 and conclusions in certain judicial proceedings involving a child.

21 **HB 1109:** FOR AN ACT ENTITLED, An Act to modify requirements and restrictions related to
22 certain alcoholic beverages.

23 And signed the same in the presence of the Senate.

24 Sen. Duhamel moved that the Senate do now adjourn, which motion prevailed and at
25 4:21 p.m. the Senate adjourned.

26 Kay Johnson, Secretary

27 Pursuant to the Communication found on page 5 of the Senate Journal, the following is the
28 outline of Chairman Mike Faith's State of the Tribes Address which was delivered at the Joint Session
29 on January 14, 2020.

30 **SD STATE OF THE TRIBES ADDRESS**
31 **JANUARY 14, 2021**

32 I. Greeting

33 i Hau' mitakiyapi -

34 ii Thank you for allowing me to come speak here today

35 iii Speaker Gosch for the invite

36 iv The Senate & House of Representatives

-
- 1 v Governor Noem
 - 2 vi Lt. Governor Larry Rhoden
 - 3 vii David Flute
 - 4 viii Chairman Hopkins for the opening prayer
 - 5 ix Color Guard – Post 239
 - 6 x Drum Group

7 II. Introduction

- 8 a The Standing Rock Sioux Tribe consists of the Lakota/Dakota Bands of the Hunkpapa,
- 9 Blackfeet Yanktonais, and Cuthead. The Standing Rock Sioux Reservation encompasses
- 10 over 2.3 million acres which straddles the North and South Dakota border. There are
- 11 16,115 enrolled members of the Standing Rock Sioux Tribe, approximately 8,000 members
- 12 live within the boundaries of the Reservation.

13 III. Covid Reflection

- 14 a New challenges that we had to adjust to
- 15 i Sheltering in place, quarantine if a close contact, isolation if a positive
- 16 ii Testing Events
- 17 iii Working from home & distance learning, both brought on challenges of WiFi & Laptop
- 18 Accessibility
- 19 iv Arrival of Vaccine

20 IV. Healthcare

- 21 a Lack of resources available on reservations: hospital beds, ventilators, staff, etc.
- 22 i Too many had to be airlifted or rushed out by Ambulance to larger medical facilities
- 23 around the region.

24 V. Economic Development

- 25 a Lack of funding for possible entrepreneurial business opportunities
- 26 i Funding to maintain roads to redo or replace needed necessities, ie: culverts, gravel,
- 27 etc.
- 28 ii Impact Aid, BIA formula is not sufficient due to formula being updated every three years.

29 VI. Education

- 30 a Various jurisdictions and type of education that is offered: public, private, Grant
- 31 i Quality of education varies with each

32 VII. Law Enforcement

- 33 a Common problems reservations face: drugs, addictions problems, human trafficking
- 34 b Issues of cross deputation with multiple jurisdictions
- 35 i Lack of officer availability

36 VIII. Housing

- 37 a Sub-standard housing availability
- 38 i Mixed types: Homeowners, Tribal Housing, Rental Properties
- 39 ii Lack of funds to update the older or abandoned houses

- 40 b Opportunities for Edlerly MOU/MOAs in regards to onsite home care / home living

1 IX. Climate Change

- 2 a Weather – seasons are much different than 10 years ago, with these changes it directly
3 impacts: wildlife, farming, ranch operations, buffalo.
4 i Agriculture business overall

5 X. Closing

- 6 a I want to thank everyone for allowing me to speak today.
7 b We don't have goodbye in our language, so I say to you, doksha aka