

JOURNAL OF THE SENATE

NINETY-SIXTH SESSION

THIRTIETH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Tuesday, March 02, 2021

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

The prayer was offered by the Chaplain, Pastor Corey Rajek, followed by the Pledge of Allegiance led by Senate pages Delaney Pruitt and Breanna Roth.

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 29th day.

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

And we hereby move the adoption of the report.

Respectfully submitted,
Lee A. Schoenbeck, Chair

Which motion prevailed.

1

REPORTS OF STANDING COMMITTEES

2 MR. PRESIDENT:

3 The Committee on Senate Health and Human Services respectfully reports that it has had
4 under consideration **HB 1130** and returns the same with the recommendation that said bill do pass.

5 Also MR. PRESIDENT:

6 The Committee on Senate Health and Human Services respectfully reports that it has had
7 under consideration **HB 1110 and 1263** and returns the same with the recommendation that said
8 bills do pass, and having been certified as uncontested, be placed on the consent calendar.

9 Also MR. PRESIDENT:

10 The Committee on Senate Health and Human Services respectfully reports that it has had
11 under consideration **HB 1248** which was deferred to the 41st Legislative Day.

12 Also MR. PRESIDENT:

13 The Committee on Senate Health and Human Services respectfully reports that it has had
14 under consideration **HCR 6008** and returns the same with the recommendation that said resolution
15 be adopted.

16
17

Respectfully submitted,
Wayne H. Steinhauer, Chair

18 MR. PRESIDENT:

19 The Committee on Senate Education respectfully reports that it has had under consideration
20 **HB 1254** and returns the same with the recommendation that said bill do pass, and having been
21 certified as uncontested, be placed on the consent calendar.

22
23

Respectfully submitted,
R. Blake Curd, Chair

24 MR. PRESIDENT:

25 The Senate Committee on Appropriations respectfully reports that it has had under
26 consideration **HB 1013, 1017, 1018, 1020, 1021, 1026, 1038, 1039, and 1273** and returns
27 the same with the recommendation that said bills do pass.

28 Also MR. PRESIDENT:

29 The Senate Committee on Appropriations respectfully reports that it has had under
30 consideration **HB 1266** and returns the same with the recommendation that said bill be amended
31 as follows:

32

1266A

33 On page 1, line 5, of the Introduced bill, after "replacing" insert " or upgrading"

34 On page 1, line 6, of the Introduced bill, after "servers" insert " and server components,
35 storage, physical access controls and"

36 On page 1, line 6, of the Introduced bill, after "servers" delete ", upgrading"

1 And that as so amended, said bill do pass.

2 Also MR. PRESIDENT:

3 The Senate Committee on Appropriations respectfully reports that it has had under
4 consideration **HB 1268, 1269, 1272, 1274, 1275, 1276, 1277, and 1278** which were tabled.

5 Respectfully submitted,
6 Jean Hunhoff, Chair

7 MR. PRESIDENT:

8 The Committee on Senate Commerce and Energy respectfully reports that it has had under
9 consideration **HCR 6010** and returns the same with the recommendation that said resolution do
10 pass.

11 Respectfully submitted,
12 Casey Crabtree, Chair

13 MR. PRESIDENT:

14 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
15 had under consideration the nomination of David Paul of Meade County, Mud Butte, South Dakota,
16 to the State Brand Board and returns the same with the recommendation that the Senate advise
17 and consent to the confirmation of said appointment.

18 Also MR. PRESIDENT:

19 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
20 had under consideration **HB 1111** and returns the same with the recommendation that said bill do
21 pass.

22 Also MR. PRESIDENT:

23 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
24 had under consideration **HB 1115** which was deferred to the 41st Legislative Day.

25 Also MR. PRESIDENT:

26 The Committee on Senate Agriculture and Natural Resources respectfully reports that it has
27 had under consideration **HB 1228** and returns the same with the recommendation that said bill be
28 amended as follows:

29 1228B

30 On page 1, line 15, of the House Agriculture and Natural Resources bill, after "feet." insert "
31 No application for licensure to plant, grow, or produce industrial hemp may be approved within the
32 corporate limits of any incorporated municipality without receiving verification from the municipality
33 that it meets all applicable municipal zoning regulations."

34 And that as so amended, said bill do pass.

35 Respectfully submitted,
36 V. J. Smith, Chair

1 MR. PRESIDENT:

2 The Joint Committee on Appropriations respectfully reports that it has had under consideration
3 **SB 28** and returns the same with the recommendation that said bill do pass.

4 Also MR. PRESIDENT:

5 The Joint Committee on Appropriations respectfully reports that it has had under consideration
6 **HB 1283, and SB 84** which were tabled.

7 Also MR. PRESIDENT:

8 The Joint Committee on Appropriations respectfully reports that it has had under consideration
9 **SB 47** and returns the same with the recommendation that said bill be amended as follows:

10 47A

11 On page 1, line 4, of the Introduced bill, delete "\$5,000,000 " and insert "\$9,000,000 "

12 And that as so amended, said bill do pass.

13 Also MR. PRESIDENT:

14 The Joint Committee on Appropriations respectfully reports that it has had under consideration
15 **SB 181** and returns the same with the recommendation that said bill be amended as follows:

16 181B

17 On page 1, line 4, of the Senate Military and Veterans Affairs bill, delete " \$4,500,000" and
18 insert " \$1,500,000"

19 On page 1, line 5, of the Senate Military and Veterans Affairs bill, after "to " delete "477th
20 Avenue from its intersection with 258th Street, and "

21 On page 1, line 6, of the Senate Military and Veterans Affairs bill, after "Road" insert " and
22 477th Avenue,"

23 On page 1, line 6, of the Senate Military and Veterans Affairs bill, delete " its" and insert " the"

24 On page 1, line 6, of the Senate Military and Veterans Affairs bill, delete " with" and insert " of
25 Slip Up Creek Road and"

26 On page 1, line 7, of the Senate Military and Veterans Affairs bill, after "Avenue" delete ",
27 leading"

28 On page 1, line 7, of the Senate Military and Veterans Affairs bill, after "the " insert "entrance
29 of the "

30 On page 1, line 7, of the Senate Military and Veterans Affairs bill, after "Cemetery" insert " on
31 477th Avenue"

32 And that as so amended, said bill do pass.

33 Respectfully submitted,
34 Jean Hunhoff, Co-Chair

Respectfully submitted,
Chris Karr, Co-Chair

1 Mr. PRESIDENT:

2 The Committee on Legislative Procedure respectfully reports that **SB 55** was delivered to her
3 Excellency, the Governor, for her approval at 1:15 p.m., March 2, 2021.

4 Respectfully submitted,
5 Lee A. Schoenbeck, Chair

6 Mr. PRESIDENT:

7 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and
8 Enrolling has carefully compared **SB 4, 10, 31, 59, 72, 83, 96, and 134** and finds the same
9 correctly enrolled.

10 Respectfully submitted,
11 Lee A. Schoenbeck, Chair

12 **MESSAGES FROM THE HOUSE**

13 Mr. PRESIDENT:

14 I have the honor to return herewith **SB 4, 10, 31, 59, 72, 83, 96, and 134** which have passed
15 the House without change.

16 Also Mr. PRESIDENT:

17 I have the honor to return herewith **SCR 605** in which the House has concurred.

18 Also Mr. PRESIDENT:

19 I have the honor to transmit herewith **HCR 6011 and 6015** which have been adopted by the
20 House and your concurrence is respectfully requested.

21 Also Mr. PRESIDENT:

22 I have the honor to return herewith **SB 77, 150, and 178** which have been amended by the
23 House and your concurrence in the amendments is respectfully requested.

24 Mr. PRESIDENT:

25 I have the honor to inform your honorable body that the House has concurred in Senate
26 amendments to **HB 1065**.

27 Respectfully,
28 Patricia Miller, Chief Clerk

1

MOTIONS AND RESOLUTIONS

2

HCR 6011: A CONCURRENT RESOLUTION, Opining that Tayamni should be recognized as the official constellation of this state.

3

4

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

5

HCR 6015: A CONCURRENT RESOLUTION, To encourage the Executive Board of the Legislature to create an interim legislative study on mental health education in this state.

6

7

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

8

CONSIDERATION OF REPORTS OF COMMITTEES

9

Sen. Cammack moved that the reports of the Standing Committees on

10

Joint Appropriations on **SB 35** as found on page 362 of the Senate Journal; also

11

Joint Appropriations on **SB 149** as found on page 362 of the Senate Journal be adopted.

12

Which motion prevailed and the reports were adopted.

13

SECOND READING OF CONSENT CALENDAR ITEMS

14

Sen. Cammack requested that **SCR 607** be removed from the Consent Calendar.

15

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

16

SB 99: FOR AN ACT ENTITLED, An Act to authorize the Department of Agriculture to contract for the construction of a livestock and equestrian complex at the State Fair, to make an appropriation therefor, and to declare an emergency.

17

18

19

Was read the second time.

20

The question being "Shall **SB 99** pass as amended?"

21

And the roll being called:

22

Yeas 34, Nays 1, Excused 0, Absent 0

23

Yeas:

24

Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, 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

25

26

27

28

Nays:

29

Frye-Mueller

30

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

31

1 **SB 191:** FOR AN ACT ENTITLED, An Act to provide an appropriation for a study regarding the
2 future renovation and expansion of the Meat Laboratory on the campus of South Dakota State
3 University and to declare an emergency.

4 Was read the second time.

5 The question being "Shall **SB 191** pass as amended?"

6 And the roll being called:

7 Yeas 35, Nays 0, Excused 0, Absent 0

8 Yeas:

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

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

15 **SB 192:** FOR AN ACT ENTITLED, An Act to provide an appropriation for the renovation and
16 upgrading of the South Dakota State University Cottonwood Field Station and to declare an
17 emergency.

18 Was read the second time.

19 The question being "Shall **SB 192** pass as amended?"

20 And the roll being called:

21 Yeas 34, Nays 1, Excused 0, Absent 0

22 Yeas:

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

27 Nays:

28 Frye-Mueller

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

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

32 **HB 1232:** FOR AN ACT ENTITLED, An Act to increase the pay of certain constitutional officers.

33 Was read the second time.

1 The question being "Shall **HB 1232** pass as amended?"

2 And the roll being called:

3 Yeas 27, Nays 8, Excused 0, Absent 0

4 Yeas:

5 Breitling, Cammack, Crabtree, Curd, Diedrich, Duhamel, Duvall, Foster, Brock Greenfield,
6 Hunhoff, Johns, David Johnson, Klumb, Kolbeck, Novstrup, Herman Otten, Rohl, Rusch, Schoenbeck,
7 Schoenfish, V. J. Smith, Stalzer, Steinhauer, Sutton, Wheeler, Wiik, and Zikmund

8 Nays:

9 Bolin, Castleberry, Frye-Mueller, Heinert, Maher, Nesiba, Symens, and Tobin

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

12 **HJR 5003**: A JOINT RESOLUTION, Proposing and submitting to the voters at the next general
13 election a new section to Article XI of the Constitution of the State of South Dakota, relating to a
14 three-fifths vote requirement for certain initiated or Legislature-proposed constitutional
15 amendments and initiated or Legislature-referred measures.

16 Was read the second time.

17 Sen. Schoenbeck moved to suspend JR 6A-1(3) for the sole purpose of considering the
18 amendment to **HJR 5003** to place the issue on the primary election ballot.

19 The question being on Sen. Schoenbeck's motion to suspend JR 6A-1(3) for the sole purpose
20 of considering the amendment to **HJR 5003** to place the issue on the primary election ballot.

21 And the roll being called:

22 Yeas 27, Nays 8, Excused 0, Absent 0

23 Yeas:

24 Bolin, Breitling, Cammack, Castleberry, Crabtree, Curd, Duhamel, Duvall, Frye-Mueller, Brock
25 Greenfield, Hunhoff, Klumb, Kolbeck, Maher, Novstrup, Herman Otten, Rusch, Schoenbeck, V. J.
26 Smith, Stalzer, Steinhauer, Sutton, Symens, Tobin, Wheeler, Wiik, and Zikmund

27 Nays:

28 Diedrich, Foster, Heinert, Johns, David Johnson, Nesiba, Rohl, and Schoenfish

29 So the motion having received an affirmative vote of a two-thirds majority of the members-
30 elect, the President declared the motion prevailed.

31 Sen. Schoenbeck moved that **HJR 5003** be amended as follows:

32 HJR5003C

33 On page 1, line 1, of the House bill, delete " general" and insert " primary"

34 On page 1, line 8, of the House bill, delete " general" and insert " primary"

35 Which motion prevailed.

1 The question being "Shall **HJR 5003** pass as amended?"

2 And the roll being called:

3 Yeas 18, Nays 17, Excused 0, Absent 0

4 Yeas:

5 Bolin, Cammack, Castleberry, Crabtree, Duhamel, Duvall, Brock Greenfield, Klumb, Maher,
6 Novstrup, Rusch, Schoenbeck, Stalzer, Steinhauer, Sutton, Symens, Wheeler, and Wiik

7 Nays:

8 Breitling, Curd, Diedrich, Foster, Frye-Mueller, Heinert, Hunhoff, Johns, David Johnson,
9 Kolbeck, Nesiba, Herman Otten, Rohl, Schoenfish, V. J. Smith, Tobin, and Zikmund

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

12 There being no objection, the Senate reverted to Order of Business No. 5 - Reports of Standing
13 Committees.

14 **REPORTS OF STANDING COMMITTEES**

15 MR. PRESIDENT:

16 The Joint Committee on Appropriations respectfully reports that it has had under consideration
17 **SB 17, 33, 48, 54, and 144** and returns the same with the recommendation that said bills do pass.

18 Also MR. PRESIDENT:

19 The Joint Committee on Appropriations respectfully reports that it has had under consideration
20 **HB 1259** and returns the same with the recommendation that said bill be amended as follows:

21 1259F

22 On page 1, line 1, of the Introduced bill, after "to " delete "create the rural access infrastructure
23 fund, to provide for the use and distribution of the fund, "

24 On page 1, line 2, delete the comma and insert " for rural access infrastructure improvements"

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

26 "

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

28 31-34-1. Definition.

29 For the purposes of this Act, the term, small structure, means any small bridge or culvert with
30 an opening of sixteen square feet or more located on a township road or county secondary road,
31 excluding bridges as defined in § 31-14-1.

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

1 31-34-2. Rural access infrastructure program—Distribution.

2 Before August first of 2021, the Department of Revenue shall distribute the sum of three million
3 dollars on a pro rata basis to each county for the purpose of planning and completing an inventory
4 of small structures as prescribed by the Department of Transportation. Before August first of each
5 year for two years, starting in 2022, the Department of Revenue shall distribute the sum of three
6 million dollars to each county based on the allocation calculated in accordance with this section for
7 the purposes described in § 31-34-3. Each county's allocated percentage is calculated by using the
8 total number of small structures on township roads and county secondary roads located in a county
9 divided by the sum of all small structures on township roads and county secondary roads in the
10 state as reported to the Department of Transportation, multiplied by one hundred. Each county that
11 receives funds from this rural access infrastructure program shall use the funds in accordance with
12 the provisions of this Act.

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

14 31-34-3. Distribution and use of funds by county.

15 Each county shall establish a rural access infrastructure fund for the deposit of funds received
16 pursuant to this Act. The funds shall be distributed by the board of county commissioners for only
17 the following expenses:

18 (1) Engineering, hydrological studies, planning, materials, and other costs as necessary to plan
19 for and complete the projects;

20 (2) Construction, rehabilitation, or replacement of small structures located in townships
21 complying with the requirements of this Act;

22 (3) Construction, rehabilitation, or replacement of small structures described in a county
23 highway and bridge improvement plan that are located on county secondary highways.

24 The fund may not be used on no maintenance roads or minimum maintenance
25 roads.

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

27 31-34-4. County rural access infrastructure fund—Application process.

28 Applications for use of funds allocated pursuant to this Act shall be submitted to the board of
29 county commissioners on or before January fifteenth on forms prescribed by the association of
30 county commissioners. The board of county commissioners shall award the funds no later than
31 March fifteenth. Applications from townships shall be accompanied by a resolution approved by the
32 township board of supervisors authorizing the application and any funding commitments made by
33 the township. The township or county share shall be a minimum of twenty percent of the funds
34 necessary to complete the project. Applications for county secondary highways shall be submitted
35 by the county highway superintendent.

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

37 31-34-5. Rural access infrastructure grants—Criteria.

38 The board of county commissioners shall, at a minimum, consider the following criteria in
39 awarding rural access infrastructure grants:

40 (1) Traffic use of the highway;

41 (2) Public safety;

42 (3) Residential, commercial, recreational, and other uses of the highway;

- 1 (4) Cost of the project;
- 2 (5) Length of detour if the project is not completed;
- 3 (6) Number of residences, farms, and ranches served by the project;
- 4 (7) Contribution from township or others to the project and ability of township to fund the
5 project without utilizing the rural access infrastructure fund;
- 6 (8) Confirmation the project is not located on a no maintenance or minimum maintenance
7 road;
- 8 (9) Hydrological impact;
- 9 (10) If the highway does not terminate into a field entrance, driveway, single residence, farm,
10 or ranch;
- 11 (11) The application, or group of applications, that best serves the citizens of this state; and
- 12 (12) Any other matters deemed applicable by the board of county commissioners.

13 The decisions of the county commissioner shall be final and nonappealable. However, a denied
14 application may be submitted in a subsequent year.

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

16 31-34-6. Rural access infrastructure funds—Requirements for use.

17 A requesting township shall timely file the township small structure improvement plan pursuant
18 to § 31-34-7 with the county highway superintendent and an annual report pursuant to § 8-10-30
19 in order to be eligible for the funds. Any township requesting use of rural access infrastructure funds
20 pursuant to this Act shall meet at least one of the following requirements:

21 (1) Impose an annual property tax levy of fifty cents per thousand pursuant to § 10-12-28.2;
22 or

23 (2) Impose a tax levy opt out pursuant to § 10-13-36.

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

25 31-34-7. Rural access infrastructure funds—Requirements for use

26 To be eligible to receive funding from the rural access infrastructure fund established under
27 this Act, a township shall, each year by November fifteenth, submit to the county that township is
28 located in, a small structure improvement plan and any updates shall be made in accordance with
29 this section. The township road small structure plan shall include:

30 (1) One or more maps showing the location of all small structures within the township;

31 (2) The location, width, and length of each small structure;

32 (3) A report on the condition of each small structure;

33 (4) Whether the small structure is posted for load capacity, and if so, what the posted limit is;

34 (5) A list of all projects proposed to be undertaken by the township over the next five years
35 including the location of the project, type of project, source of funding for the project, estimated
36 cost of the project, and the year the project is proposed to be completed; and

1 (6) Such additional items as may be prescribed by the Department of Transportation

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

3 31-34-8. County rural access infrastructure funds--Use

4 The county commission may use rural access infrastructure funds for the construction,
5 rehabilitation, or replacement of small structures on county secondary highways so long as such
6 projects are considered in a similar manner as the small structures that are located within an
7 organized township.

8 **Section 9.** There is hereby appropriated from the general fund the sum of \$9,000,000 to the
9 Department of Revenue for the purpose of distribution to county rural access infrastructure funds.

10 **Section 10.** The commissioner of the Department of Revenue shall approve vouchers and the
11 state auditor shall draw warrants to pay expenditures authorized by this Act.

12 **Section 11.** Any amounts appropriated in this Act not lawfully expended or obligated shall
13 revert in accordance with the procedures prescribed in chapter 4-8.

14 **Section 12.** Whereas, this Act is necessary for the support of the state government and its
15 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
16 force and effect from and after its passage and approval.

17 "

18 And that as so amended, said bill do pass.

19 Also MR. PRESIDENT:

20 The Joint Committee on Appropriations respectfully reports that it has had under consideration
21 **SB 34** and returns the same with the recommendation that said bill be amended as follows:

34A

23 On page 1, line 5, of the Introduced bill, delete "\$100,000,000" and insert "\$75,000,000"

24 And that as so amended, said bill do pass.

25 Also MR. PRESIDENT:

26 The Joint Committee on Appropriations respectfully reports that it has had under consideration
27 **SB 93** and returns the same with the recommendation that said bill be amended as follows:

93E

29 On page 1, line 2, of the Senate Transportation bill, delete "through " and insert "to "

30 On page 1, line 2, of the Senate Transportation bill, delete "Midland " and insert "Rapid City "

31 On page 1, line 4, of the Senate Transportation bill, delete "\$6,000,000 " and insert
32 "\$20,000,000 "

33 On page 1, line 6, of the Senate Transportation bill, after "of " delete "approximately thirty-
34 four miles of "

35 On page 1, line 7, of the Senate Transportation bill, delete " through" and insert " to "

36 On page 1, line 7, of the Senate Transportation bill, delete " Midland" and insert " Rapid City"

1 On page 1, line 7, of the Senate Transportation bill, delete "receipt of a " and insert " receipts
2 of "

3 On page 1, line 8, of the Senate Transportation bill, after "grant " insert "money "

4 On page 1, line 8, of the Senate Transportation bill, after "rehabilitation" delete " project"

5 On page 1, line 11, of the Senate Transportation bill, after "obligated " insert "by June 30,
6 2029, "

7 And that as so amended, said bill do pass.

8 Also MR. PRESIDENT:

9 The Joint Committee on Appropriations respectfully reports that it has had under consideration
10 **SB 162** and returns the same with the recommendation that said bill be amended as follows:

11 162C

12 On page 1, line 4, of the Introduced bill, delete " \$4,000,000" and insert " \$3,800,000"

13 On page 1, line 5, of the Introduced bill, delete " a" and insert " marketing,"

14 On page 1, line 8, of the Introduced bill, delete " \$300,000" and insert " \$1,200,000"

15 On page 1, line 10, of the Introduced bill, after "marketing" insert ", route restoration, business
16 development, and air service marketing grants to help restore air service to airports in the state"

17 And that as so amended, said bill do pass.

18 Also MR. PRESIDENT:

19 The Joint Committee on Appropriations respectfully reports that it has had under consideration
20 **SB 167** and returns the same with the recommendation that said bill be amended as follows:

21 167B

22 On page 1, line 1, of the Introduced bill, delete "and " and insert a comma

23 On page 1, line 2, of the Introduced bill, after "appropriation" insert " therefor, and to declare
24 an emergency"

25 On page 1, line 10, of the Introduced bill, after "Medicaid;" delete "(2) Prepare and provide a
26 regional plan that pertains to the service area referenced in subdivision (4) of this section and
27 includes:

28 (a) Demographic and aging trends;

29 (b) A survey of existing aging and health care facilities, services, and staffing;

30 (c) A survey of aging and health care needs;

31 (d) A gap analysis of existing services and identified and projected needs;

32 (e) Recommendations for addressing any identified gaps between existing services and
33 identified and projected needs;

34 (f) Community input on the recommendations for addressing the identified gaps; and

1 (g) Other criteria, as set forth in rules promulgated by the department;

2 "

3 On page 1, line 21, of the Introduced bill, delete "3" and insert 2

4 On page 1, line 23, of the Introduced bill, delete "4" and insert 3

5 On page 2, line 1, of the Introduced bill, delete "5" and insert 4

6 On page 2, line 9, of the Introduced bill, delete "6" and insert 5

7 On page 2, line 13, of the Introduced bill, delete "The " and insert "Upon a determination by
8 the department that the proposal is budget-neutral for South Dakota Medicaid, the "

9 On page 2, line 14, of the Introduced bill, after "methodology" delete ", if the facility continues
10 to comply with this section and incurs costs related to the approved project"

11 On page 2, line 23, of the Introduced bill, after "plan" delete ", as required by § 34-12-35. 12"

12 On page 2, after line 34, of the Introduced bill, insert "

13 **Section 4.** Any amounts appropriated in this Act now lawfully expended or obligated shall
14 revert in accordance with the procedures prescribed in chapter 4-8.

15 "

16 On page 2, after line 34, of the Introduced bill, insert "

17 **Section 5.** Whereas, this Act is necessary for the support of the state government and its
18 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
19 force and effect from and after its passage and approval.

20 "

21 And that as so amended, said bill do pass.

22 Also MR. PRESIDENT:

23 The Joint Committee on Appropriations respectfully reports that it has had under consideration
24 **SB 151, 155, 157, and 185** which were tabled.

25 Respectfully submitted,
26 Jean Hunhoff, Co-Chair

Respectfully submitted,
Chris Karr, Co-Chair

27 **SIGNING OF BILLS**

28 The President publicly read the title to

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

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

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

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

4 **SB 72:** FOR AN ACT ENTITLED, An Act to revise notification requirements for listing and
5 delisting species on the threatened and endangered species list.

6 **SB 83:** FOR AN ACT ENTITLED, An Act to require the provision of information regarding
7 perinatal hospice.

8 **SB 96:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the use of
9 telehealth technologies.

10 **SB 134:** FOR AN ACT ENTITLED, An Act to limit the required application of green building
11 standards.

12 **HB 1007:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding checks or bid
13 bonds for public improvements.

14 **HB 1008:** FOR AN ACT ENTITLED, An Act to revise technical errors in statutory cross
15 references relating to the Department of Executive Management.

16 **HB 1119:** FOR AN ACT ENTITLED, An Act to revise certain references to secondary elections.

17 **HB 1125:** FOR AN ACT ENTITLED, An Act to define adjournment for the counting of ballots.

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

19 **COMMEMORATIONS**

20 **SC 811:** A LEGISLATIVE COMMEMORATION, To honor and commend the 2020 Tea Area Titans
21 High School football team as champions of the Class 11A state football championship.

22 Introduced by: **Senator** Herman Otten **and Representatives** Ernie Otten **and** Aylward

23 **SC 812:** A LEGISLATIVE COMMEMORATION, To honor and commend the South Dakota high
24 school honoree for the Prudential Spirit of Community Awards, Jordan Philips.

25 Introduced by: **Senators** Nesiba, Stalzer, **and** Symens **and Representative** Perry

26 **SC 813:** A LEGISLATIVE COMMEMORATION, To honor and commend South Dakota's middle
27 school honoree for the Prudential Spirit of Community Awards, North Neff.

28 Introduced by: **Senators** Symens, Nesiba, V. J. Smith, **and** Stalzer.

29 Sen. Herman Otten moved that the Senate do now adjourn, which motion prevailed and at
30 3:22 p.m. the Senate adjourned.

31

Kay Johnson, Secretary

