

# *JOURNAL OF THE SENATE*

## *NINETY-SIXTH SESSION*

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THIRTY-SIXTH DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Thursday, March 11, 2021

The Senate convened at 9:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Father Ron Garry, followed by the Pledge of Allegiance led by Senate page Nora Winckler.

Roll Call: All members present except Sen. Foster who was present remotely.

### **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 35th 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

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**REPORTS OF STANDING COMMITTEES**

2 Mr. PRESIDENT:

3 The Committee on Legislative Procedure respectfully reports that **SB 17, 27, 28, 33, 34, 35,**  
4 **36, 47, 48, 54, 65, 80, 93, 95, 99, 103, 128, 144, 145, 149, 156, 162, 167, 181, and 186**  
5 were delivered to her Excellency, the Governor, for her approval at 8:25 a.m., March 11, 2021.

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Respectfully submitted,  
Lee A. Schoenbeck, Chair

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**REPORTS OF CONFERENCE COMMITTEES**

9 MR. PRESIDENT:

10 The **HB 1100 A** Conference Committee on **HB 1100** respectfully reports that it has considered  
11 the disagreement of the two houses, and returns the same without recommendation.

12 Respectfully submitted,  
13 Spencer Gosch, Chair

Respectfully submitted,  
R. Blake Curd, Chair

14

**MESSAGES FROM THE HOUSE**

15 Mr. PRESIDENT:

16 I have the honor to inform your honorable body that the House has failed to adopt the report  
17 of the Conference Committee on **HB 1100** and no new committee was appointed.

18  
19

Respectfully,  
Patricia Miller, Chief Clerk

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**MOTIONS AND RESOLUTIONS**

21 SENATE PAGE RESOLUTION 5 Introduced by: Senators Bolin; Breitling; Cammack;  
22 Castleberry; Crabtree; Curd; Diedrich; Duhamel; Duvall; Foster; Frye-Mueller; Greenfield, Brock;  
23 Heinert; Hunhoff; Johns; Johnson, David; Klumb; Kolbeck; Maher; Nesiba; Novstrup; Otten,  
24 Herman; Rohl; Rusch; Schoenbeck; Schoenfish; Smith, V.J.; Stalzer; Steinhauer; Sutton; Symens;  
25 Tobin; Wheeler; Wiik; Zikmund

26 A RESOLUTION, Expressing the appreciation and gratitude of the Senate of the Ninety-sixth  
27 Legislature of the State of South Dakota to Kerstyn Fast, Nolan Hansen, Allison McManus,  
28 Amanda Schroeder, Madisen Vetter, Nora Winckler.

29 WHEREAS, the above named served loyally as pages for the Senate of the Ninety-sixth  
30 Legislative Session; and

31 WHEREAS, the members of the Ninety-sixth Senate express their most sincere appreciation  
32 to these young people for their service to the state; and

33 WHEREAS, the members extend to these young people their wishes for every success in life:

1 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninety-sixth Legislature of the  
2 State of South Dakota, that a personal copy of this resolution be duly certified and furnished to each  
3 page on this last day of service.

4 Sen. Diedrich moved that Senate Page Resolution 5 be adopted.

5 The question being on Sen. Diedrich's motion that Senate Page Resolution 5 be adopted.

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 motion having received an affirmative vote of a majority of the members-elect, the  
14 President declared the motion prevailed.

### 15 CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

16 Sen. Zikmund moved that the report of the Conference Committee on **SB 180** as found on  
17 page 472 of the Senate Journal be adopted.

18 The question being on Sen. Zikmund's motion that the report of the Conference Committee on  
19 **SB 180** be adopted.

20 And the roll being called:

21 Yeas 35, Nays 0, Excused 0, Absent 0

22 Yeas:

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

27 So the motion having received an affirmative vote of a two-thirds majority of the members-  
28 elect, the President declared the motion carried and the report was adopted.

29 Sen. Curd moved that the report of the Conference Committee on **HB 1100** as found on page  
30 546 of the House Journal not be adopted and no new committee be appointed.

31 The question being on Sen. Curd's motion that the report of the Conference Committee on  
32 **HB 1100** not be adopted and no new committee be appointed.

33 And the roll being called:

34 Yeas 31, Nays 4, Excused 0, Absent 0

35 Yeas:

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

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1 Nays:  
2 Novstrup, Sutton, Symens, and Wiik

3 So the motion having received an affirmative vote of a majority of the members-elect, the  
4 President declared the motion carried, the report was not adopted, and no new committee was  
5 appointed.

6 Sen. Cammack moved that the Senate do now recess until 11:30 a.m.

7 Which motion prevailed and at 9:25 a.m., the Senate recessed.

8 **RECESS**

9 The Senate reconvened at 11:30 a.m., the President presiding.

10 **SIGNING OF BILLS**

11 The President publicly read the title to

12 **SB 77:** FOR AN ACT ENTITLED, An Act to require certain font size for initiated measure  
13 petitions and constitutional amendment petitions.

14 **HB 1018:** FOR AN ACT ENTITLED, An Act to authorize the construction of a National Guard  
15 Readiness Center in Sioux Falls, to make an appropriation therefor, and to declare an emergency.

16 **HB 1064:** FOR AN ACT ENTITLED, An Act to make an appropriation for and the establishment  
17 of peer support and critical incident stress management training for first responder organizations,  
18 and to declare an emergency.

19 **HB 1139:** FOR AN ACT ENTITLED, An Act to require that assisted living facilities create and  
20 post visitation policies.

21 **HB 1140:** FOR AN ACT ENTITLED, An Act to restrict the entry of conservation officers onto  
22 certain private land without permission.

23 **HB 1153:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the  
24 design and construction of a new dairy research and extension farm on the campus of South Dakota  
25 State University, together with equipment and furnishings, to make an appropriation therefor, and  
26 to declare an emergency.

27 **HB 1166:** FOR AN ACT ENTITLED, An Act to make an appropriation to support the Ellsworth  
28 Air Force Base and to declare an emergency.

29 **HB 1169:** FOR AN ACT ENTITLED, An Act to make an appropriation for the arts and to declare  
30 an emergency.

31 **HB 1171:** FOR AN ACT ENTITLED, An Act to make an appropriation to the State Conservation  
32 Commission and to declare an emergency.

33 **HB 1191:** FOR AN ACT ENTITLED, An Act to allow an expedited process for local  
34 intergovernmental legal disputes.

35 **HB 1256:** FOR AN ACT ENTITLED, An Act to make an appropriation for the cleanup of the Big  
36 Sioux watershed and River and to declare an emergency.

1 **HB 1259:** FOR AN ACT ENTITLED, An Act to make an appropriation for rural access  
2 infrastructure improvements and to declare an emergency.

3 **HB 1265:** FOR AN ACT ENTITLED, An Act to make an appropriation for the improvement of  
4 the radio system in South Dakota and to declare an emergency.

5 **HB 1266:** FOR AN ACT ENTITLED, An Act to make an appropriation for the improvement of  
6 information technology servers and infrastructure of state government and to declare an emergency.

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

8 Sen. Cammack moved that the Senate do now recess until 1:00 p.m.

9 Which motion prevailed and at 11:41 a.m., the Senate recessed.

10 **RECESS**

11 The Senate reconvened at 1:19 p.m., the President presiding.

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 49** and returns the same with the recommendation that said bill do pass.

18 Respectfully submitted,  
19 Jean Hunhoff, Co-Chair

Respectfully submitted,  
Chris Karr, Co-Chair

20 MR. PRESIDENT:

21 The Joint Committee on Appropriations respectfully reports that it has had under consideration  
22 **SB 64** and returns the same with the recommendation that said bill be amended as follows:

23 64A

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

25 "

26 **Section 1.** That section 2 of chapter 242 of the 2020 Session Laws be amended to read:

27 OFFICE OF THE GOVERNOR

28 (3) Governor's Office of Economic Development

29 Operating Expenses, Federal Funds, delete "\$8,926,562" and insert "\$17,003,531"

1 **Section 2.** That section 3 of chapter 242 of the 2020 Session Laws be amended to read:

2 BUREAU OF FINANCE AND MANAGEMENT (BFM)

3 (5) Employee Compensation and Billing Pools

4 Operating Expenses, General Funds, delete "\$657,450" and insert "\$1,770,983"

5 Operating Expenses, Federal Funds, delete "\$265,952" and insert "\$1,118,684"

6 Operating Expenses, Other Funds, delete "\$514,724" and insert "\$2,270,972"

7 **Section 3.** That section 4 of chapter 242 of the 2020 Session Laws be amended to read:

8 BUREAU OF ADMINISTRATION (BOA)

9 (1) Administrative Services

10 Operating Expenses, Other Funds, delete "\$115,494" and insert "\$117,538"

11 (2) Central Services

12 Operating Expenses, Other Funds, delete "\$19,227,474" and insert "\$19,589,137"

13 (3) State Engineer

14 Operating Expenses, Other Funds, delete "\$299,526" and insert "\$301,332"

15 (7) Risk Management Administration - Informational

16 Operating Expenses, Other Funds, delete "\$3,465,427" and insert "\$3,466,707"

17 **Section 4.** That section 5 of chapter 242 of the 2020 Session Laws be amended to read:

18 BUREAU OF INFORMATION AND TELECOMMUNICATIONS (BIT)

19 (1) Data Centers

20 Operating Expenses, Other Funds, delete "\$4,249,106" and insert "\$5,417,155"

21 (2) Development

22 Operating Expenses, Other Funds, delete "\$2,150,683" and insert "\$2,153,354"

23 (3) Telecommunications Services

24 Operating Expenses, Other Funds, delete "\$11,978,914" and insert "\$13,922,701"

25 (5) BIT Administration

26 Operating Expenses, Other Funds, delete "\$335,127" and insert "\$10,344,346"

27 (6) State Radio Engineering

28 Operating Expenses, General Funds, delete "\$2,549,524" and insert "\$5,749,524"

29 Operating Expenses, Other Funds, delete "\$143,978" and insert "\$4,764,898"

1 **Section 5.** That section 6 of chapter 242 of the 2020 Session Laws be amended to read:

2 BUREAU OF HUMAN RESOURCES (BHR)

3 (1) Personnel Management/Employee Benefits

4 Operating Expenses, Other Funds, delete "\$2,103,036" and insert "\$2,197,139"

5 **Section 6.** That section 7 of chapter 242 of the 2020 Session Laws be amended to read:

6 DEPARTMENT OF REVENUE

7 (2) Business Tax

8 Operating Expenses, Other Funds, delete "\$1,005,302" and insert "\$1,205,302"

9 (4) Property Taxes

10 Operating Expenses, General Funds, delete "\$202,398" and insert "\$352,398"

11 (5) Audits

12 Operating Expenses, Other Funds, delete "\$670,886" and insert "\$820,886"

13 **Section 7.** That section 8 of chapter 242 of the 2020 Session Laws be amended to read:

14 DEPARTMENT OF AGRICULTURE

15 (2) Agricultural Services and Assistance

16 Operating Expenses, General Funds, delete "\$833,806" and insert "\$903,371"

17 **Section 8.** That section 11 of chapter 242 of the 2020 Session Laws be amended to read:

18 DEPARTMENT OF TRIBAL RELATIONS

19 (1) Office of Tribal Relations

20 Operating Expenses, General Funds, delete "\$153,078" and insert "\$203,078"

21 **Section 9.** That section 12 of chapter 242 of the 2020 Session Laws be amended to read:

22 DEPARTMENT OF SOCIAL SERVICES

23 (3) Medical Services

24 Operating Expenses, General Funds, delete "\$230,921,545" and insert "\$173,486,780"

25 Operating Expenses, Federal Funds, delete "\$431,118,561" and insert "\$444,635,943"

26 (4) Children's Services

27 Operating Expenses, General Funds, delete "\$36,286,057" and insert "\$32,624,310"

28 Operating Expenses, Federal Funds, delete "\$52,494,573" and insert "\$79,375,447"

29 (5) Behavioral Health

30 Personal Services, General Funds, delete "\$35,164,893" and insert "\$9,550,757"

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- 1 Personal Services, Federal Funds, delete "\$8,672,041" and insert "\$8,951,433"  
2 Operating Expenses, General Funds, delete "\$63,663,058" and insert "\$56,804,233"  
3 Operating Expenses, Federal Funds, delete "\$34,127,672" and insert "\$35,012,024"

4 **Section 10.** That section 13 of chapter 242 of the 2020 Session Laws be amended to read:

5 DEPARTMENT OF HEALTH

6 (1) Administration, Secretary of Health

- 7 Personal Services, Federal Funds, delete "\$1,136,536" and insert "\$1,244,029"  
8 Operating Expenses, Federal Funds, delete "\$1,422,954" and insert "\$9,365,357"

9 (2) Health Systems Development and Regulation

- 10 Personal Services, Federal Funds, delete "\$3,767,259" and insert "\$3,816,967"  
11 Operating Expenses, General Funds, delete "\$1,840,425" and insert "\$1,810,305"  
12 Operating Expenses, Federal Funds, delete "\$7,485,101" and insert "\$9,505,481"

13 (3) Family and Community Health

- 14 Personal Services, General Funds, delete "\$2,396,412" and insert "\$2,615,889"  
15 Personal Services, Federal Funds, delete "\$11,087,649" and insert "\$15,237,368"  
16 Operating Expenses, General Funds, delete "\$2,007,360" and insert "\$2,050,710"  
17 Operating Expenses, Federal Funds, delete "\$16,831,491" and insert "\$34,583,269"  
18 FTE, delete "192.5" and insert "199.0"

19 (4) Laboratory Services

- 20 Operating Expenses, Federal Funds, delete "\$3,401,350" and insert "\$31,154,120"

21 (5) Correctional Health

- 22 Operating Expenses, Other Funds, delete "\$15,320,034" and insert "\$13,232,967"

23 **Section 11.** That section 14 of chapter 242 of the 2020 Session Laws be amended to read:

24 DEPARTMENT OF LABOR AND REGULATION

25 (2) Reemployment Assistance

- 26 Personal Services, Federal Funds, delete "\$4,349,730" and insert "\$4,894,386"  
27 Operating Expenses, Federal Funds, delete "\$2,665,286" and insert "\$2,718,196"  
28 FTE, delete "72.0" and insert "82.0"

29 (3) Field Operations

- 30 Operating Expenses, General Funds, delete "\$117,940" and insert "\$1,117,234"



1 **Section 12.** That section 15 of chapter 242 of the 2020 Session Laws be amended to read:

2 DEPARTMENT OF TRANSPORTATION

3 (1) General Operations

4 Operating Expenses, General Funds, delete "\$25,865" and insert "\$5,025,865"

5 **Section 13.** That section 16 of chapter 242 of the 2020 Session Laws be amended to read:

6 DEPARTMENT OF EDUCATION

7 (1) Administration, Secretary of Education

8 Personal Services, Federal Funds, delete "\$1,020,853" and insert "\$1,022,153"

9 Operating Expenses, Federal Funds, delete "\$643,998" and insert "\$182,019,819"

10 (8) Postsecondary Vocational Education

11 Operating Expenses, General Funds, delete "\$24,787,905" and insert "\$28,047,814"

12 (11) Education Resources

13 Personal Services, Federal Funds, delete "\$3,911,658" and insert "\$3,972,358"

14 Operating Expenses, General Funds, delete "\$8,725,834" and insert "\$10,812,517"

15 Operating Expenses, Federal Funds, delete "\$177,180,838" and insert "\$196,201,715"

16 **Section 14.** That section 17 of chapter 242 of the 2020 Session Laws be amended to read:

17 DEPARTMENT OF PUBLIC SAFETY

18 (4) Legal and Regulatory Services

19 Operating Expenses, General Funds, delete "\$1,199,572" and insert "\$1,307,557"

20 **Section 15.** That section 18 of chapter 242 of the 2020 Session Laws be amended to read:

21 BOARD OF REGENTS

22 (3) South Dakota Scholarships

23 Operating Expenses, General Funds, delete "\$6,472,247" and insert "\$6,497,663"

24 (4) University of South Dakota

25 Operating Expenses, General Funds, delete "\$3,368,202" and insert "\$3,556,034"

26 Operating Expenses, Federal Funds, delete "\$3,830,360" and insert "\$10,886,158"

27 (6) University of South Dakota School of Medicine

28 Personal Services, Other Funds, delete "\$13,541,841" and insert "\$13,707,441"

29 Operating Expenses, Other Funds, delete "\$10,110,804" and insert "\$10,274,434"

30 FTE, delete "351.5" and insert "353.5"

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- 1 (7) South Dakota State University
- 2 Personal Services, General Funds, delete "\$43,807,480" and insert "\$43,877,480"
- 3 Operating Expenses, General Funds, delete "\$5,689,879" and insert "\$5,544,007"
- 4 Operating Expenses, Federal Funds, delete "\$14,601,840" and insert "\$24,592,308"
- 5 (9) Agricultural Experiment Station
- 6 Operating Expenses, General Funds, delete "\$628,258" and insert "\$1,081,458"
- 7 (10) SD School of Mines and Technology
- 8 Operating Expenses, General Funds, delete "\$987,084" and insert "\$831,072"
- 9 Operating Expenses, Federal Funds, delete "\$5,201,245" and insert "\$7,466,188"
- 10 (11) Northern State University
- 11 Operating Expenses, General Funds, delete "\$996,950" and insert "\$891,040"
- 12 Operating Expenses, Federal Funds, delete "\$860,906" and insert "\$2,443,395"
- 13 (12) Black Hills State University
- 14 Operating Expenses, General Funds, delete "\$695,412" and insert "\$735,672"
- 15 Operating Expenses, Federal Funds, delete "\$1,047,223" and insert "\$4,246,039"
- 16 (13) Dakota State University
- 17 Personal Services, General Funds, delete "\$9,633,379" and insert "\$9,563,379"
- 18 Operating Expenses, General Funds, delete "\$676,686" and insert "\$708,466"
- 19 Operating Expenses, Federal Funds, delete "\$1,924,741" and insert "\$3,820,314"
- 20 (14) SD School for the Deaf
- 21 Operating Expenses, General Funds, delete "\$941,708" and insert "\$1,056,872"
- 22 (15) SD School for the Blind and Visually Impaired
- 23 Operating Expenses, General Funds, delete "\$341,656" and insert "\$364,578"
- 24 **Section 16.** That section 19 of chapter 242 of the 2020 Session Laws be amended to read:
- 25 DEPARTMENT OF THE MILITARY
- 26 (2) Army Guard
- 27 Operating Expenses, General Funds, delete "\$2,494,883" and insert "\$2,494,725"
- 28 Operating Expenses, Federal Funds, delete "\$12,718,712" and insert "\$12,709,488"
- 29 (3) Air Guard
- 30 Operating Expenses, General Funds, delete "\$278,094" and insert "\$274,819"

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1 Operating Expenses, Federal Funds, delete "\$2,786,395" and insert "\$2,776,568"

2 **Section 17.** That section 20 of chapter 242 of the 2020 Session Laws be amended to read:

3 DEPARTMENT OF VETERANS' AFFAIRS

4 (2) State Veterans' Home

5 Personal Services, General Funds, delete "\$2,600,483" and insert "\$2,216,715"

6 Personal Services, Federal Funds, delete "\$3,597,515" and insert "\$3,789,399"

7 Operating Expenses, General Funds, delete "\$0" and insert "\$238,534"

8 Operating Expenses, Federal Funds, delete "\$0" and insert "\$426,370"

9 Operating Expenses, Other Funds, delete "\$3,199,692" and insert "\$3,652,352"

10 (3) State Veterans' Cemetery

11 Operating Expenses, General Funds, delete "\$71,885" and insert "\$131,885"

12 **Section 18.** That section 21 of chapter 242 of the 2020 Session Laws be amended to read:

13 DEPARTMENT OF CORRECTIONS

14 (2) Mike Durfee State Prison

15 Personal Services, General Funds, delete "\$12,759,780" and insert "\$1,569,991"

16 Operating Expenses, General Funds, delete "\$7,434,184" and insert "\$6,922,840"

17 (3) State Penitentiary

18 Personal Services, General Funds, delete "\$20,059,664" and insert "\$2,255,652"

19 Operating Expenses, General Funds, delete "\$7,182,657" and insert "\$7,353,717"

20 (4) Women's Prison

21 Personal Services, General Funds, delete "\$4,527,284" and insert "\$467,704"

22 Operating Expenses, General Funds, delete "\$2,136,882" and insert "\$2,051,121"

23 (5) Pheasantland Industries

24 Operating Expenses, Other Funds, delete "\$2,436,591" and insert "\$3,558,113"

25 (6) Inmate Services

26 Personal Services, General Funds, delete "\$3,189,385" and insert "\$1,648,633"

27 Operating Expenses, General Funds, delete "\$30,790,675" and insert "\$19,351,608"

28 (7) Parole Services

29 Personal Services, General Funds, delete "\$4,411,463" and insert "\$1,230,087"

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1 (8) Juvenile Community Corrections

2 Personal Services, General Funds, delete "\$1,926,918" and insert "\$928,005"

3 Operating Expenses, General Funds, delete "\$10,356,033" and insert "\$9,994,505"

4 Operating Expenses, Federal Funds, delete "\$3,407,358" and insert "\$3,588,122"

5 **Section 19.** That section 22 of chapter 242 of the 2020 Session Laws be amended to read:

6 DEPARTMENT OF HUMAN SERVICES

7 (2) Developmental Disabilities

8 Operating Expenses, General Funds, delete "\$64,696,832" and insert "\$59,588,224"

9 Operating Expenses, Federal Funds, delete "\$96,838,890" and insert "\$113,037,153"

10 (3) South Dakota Developmental Center - Redfield

11 Personal Services, General Funds, delete "\$8,053,788" and insert "\$6,302,179"

12 Personal Services, Federal Funds, delete "\$11,212,818" and insert "\$11,079,748"

13 Operating Expenses, General Funds, delete "\$2,255,764" and insert "\$1,874,588"

14 Operating Expenses, Federal Funds, delete "\$2,946,484" and insert "\$3,143,128"

15 (4) Long Term Services and Supports

16 Operating Expenses, General Funds, delete "\$92,742,571" and insert "\$68,769,990"

17 Operating Expenses, Federal Funds, delete "\$129,057,286" and insert "\$136,052,630"

18 (5) Rehabilitation Services

19 Operating Expenses, General Funds, delete "\$4,109,109" and insert "\$3,779,965"

20 Operating Expenses, Federal Funds, delete "\$13,471,987" and insert "\$13,636,559"

21 **Section 20.** That section 26 of chapter 242 of the 2020 Session Laws be amended to read:

22 UNIFIED JUDICIAL SYSTEM

23 (2) Unified Judicial System

24 Personal Services, General Funds, delete "\$42,829,767" and insert "\$32,113,708"

25 Operating Expenses, General Funds, delete "\$5,836,811" and insert "\$6,076,392"

26 **Section 21.** That section 27 of chapter 242 of the 2020 Session Laws be amended to read:

27 LEGISLATIVE BRANCH

28 (1) Legislative Operations

29 SLE, General Funds, delete "\$7,151,638" and insert "\$7,165,187"

1 **Section 22.** That section 28 of chapter 242 of the 2020 Session Laws be amended to read:

2 OFFICE OF THE ATTORNEY GENERAL

3 (2) Criminal Investigation

4 Operating Expenses, General Funds, delete "\$1,691,545" and insert "\$2,126,607"

5 (3) Law Enforcement Training

6 Operating Expenses, General Funds, delete "\$127,448" and insert "\$2,561,949"

7 **Section 23.** That section 32 of chapter 242 of the 2020 Session Laws be amended to read:

8 STATE AUDITOR

9 (1) State Auditor

10 Personal Services, General Funds, delete "\$1,198,648" and insert "\$1,225,148"

11 **Section 24.** That chapter 242 of the 2020 Session Laws be amended by adding thereto NEW  
12 SECTIONS to read:

13 Section 42. The state treasurer shall transfer to the State IT Modernization Fund the sum of  
14 \$10,000,000 from the state general fund.

15 Section 43. The state treasurer shall transfer to the State Aeronautics Fund the sum of  
16 \$4,000,000 from the state general fund.

17 Section 44. The state treasurer shall transfer to the State Fair Fund the sum of \$721,582  
18 from the state general fund.

19 Section 45. The state treasurer shall transfer to the Equal Access to Our Courts Fund the sum  
20 of \$250,000 from the state general fund.

21 **Section 25.** Adjust all totals accordingly in sections 1 to 23, inclusive, of this Act.

22 **Section 26.** Funds appropriated by this Act which are unspent at the end of Fiscal year 2021  
23 may be carried over to fiscal year 2022

24 **Section 27.** This Act is effective June 28, 2021.

25 "

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

27 Respectfully submitted,  
28 Jean Hunhoff, Co-Chair

Respectfully submitted,  
Chris Karr, Co-Chair

29 **MOTIONS AND RESOLUTIONS**

30 Sen. Heinert moved that the rules be suspended for the sole purpose of introducing the Barry  
31 LeBeau Commemoration.

32 The question being on Sen. Heinert's motion that the rules be suspended for the sole purpose  
33 of introducing the Barry LeBeau Commemoration.

1 And the roll being called:

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

3 Yeas:

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

8 Excused:

9 Frye-Mueller

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

## 12 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

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

15 Was read the second time.

16 The question being "Shall **SB 49** pass?"

17 And the roll being called:

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

19 Yeas:

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

24 Excused:

25 Frye-Mueller

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

28 Sen. Cammack moved that JR 6F-5 be suspended for the sole purpose of placing **SB 64** on  
29 today's calendar.

30 The question being on Sen. Cammack's motion that JR 6F-5 be suspended for the sole purpose  
31 of placing **SB 64** on today's calendar.

32 And the roll being called:

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

34 Yeas:

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

1 Excused:  
2 Frye-Mueller

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

5 **SB 64**: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year  
6 2021.

7 Was read the second time.

8 The question being "Shall **SB 64** pass as amended?"

9 And the roll being called:

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

11 Yeas:

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

16 Excused:  
17 Frye-Mueller

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

20 Sen. Cammack moved that the Senate do now recess until 2:30 p.m.

21 Which motion prevailed and at 1:37 p.m., the Senate recessed.

22 **RECESS**

23 The Senate reconvened at 3:00 p.m., the President presiding.

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

26 **REPORTS OF STANDING COMMITTEES**

27 Mr. PRESIDENT:

28 The Joint Committee on Appropriations respectfully reports that it has had under consideration  
29 **SB 194** which was tabled.

1 Also MR. PRESIDENT:

2 The Joint Committee on Appropriations respectfully reports that it has had under consideration  
3 **SB 195** and returns the same with the recommendation that said bill do pass.

4 Respectfully submitted,  
5 Jean Hunhoff, Co-Chair

Respectfully submitted,  
Chris Karr, Co-Chair

6 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

7 **SB 195:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of  
8 the legislative, judicial, and executive departments of the state, the current expenses of state  
9 institutions, interest on the public debt, and for common schools.

10 Introduced by: The Committee on Appropriations

11 Was read the first time and the President waived the committee referral pursuant to Joint Rule  
12 6D-1.

13 Sen. Cammack moved that **SB 195** be placed on today's calendar, the 36<sup>th</sup> legislative day.

14 Which motion prevailed and **SB 195** was so placed.

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

16 **SB 195:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of  
17 the legislative, judicial, and executive departments of the state, the current expenses of state  
18 institutions, interest on the public debt, and for common schools.

19 Was read the second time.

20 The question being "Shall **SB 195** pass?"

21 And the roll being called:

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

23 Yeas:

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

28 Excused:

29 Frye-Mueller

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

32 Sen. Cammack moved that when we adjourn today, we adjourn to convene at 11:00 a.m. on  
33 Monday, March 29, 2021 the 37<sup>th</sup> legislative day.

34 Which motion prevailed.



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**COMMEMORATIONS**

2

**SC 825:** A LEGISLATIVE COMMEMORATION, Honoring and commending Barry LeBeau for a lifetime of service, advocacy, and his immeasurable contributions to the arts in South Dakota.

3

4

Introduced by: **Senators** Heinert, Nesiba, and Schoenbeck and **Representative** Perry.

5

**REPORTS OF STANDING COMMITTEES**

6

Mr. PRESIDENT:

7

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **SB 49, 64, 180, and 195** and finds the same correctly enrolled.

8

9

Respectfully submitted,  
Lee A. Schoenbeck, Chair

10

11

**MESSAGES FROM THE HOUSE**

12

Mr. PRESIDENT:

13

I have the honor to return herewith **SB 49, 64, 180, and 195** which have passed the House without change.

14

15

Respectfully,  
Patricia Miller, Chief Clerk

16

17

**SIGNING OF BILLS**

18

The President publicly read the title to

19

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

20

21

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

22

23

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

24

25

26

**SB 195:** FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the current expenses of state institutions, interest on the public debt, and for common schools.

27

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29

And signed the same in the presence of the Senate.

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

3

**REPORTS OF STANDING COMMITTEES**

4           Mr. PRESIDENT:

5           The Committee on Legislative Procedure respectfully reports that **SB 49, 64, 77, 180, and**  
6           **195** were delivered to her Excellency, the Governor, for her approval at 4:55 p.m., March 11, 2021.

7  
8

Respectfully submitted,  
Lee A. Schoenbeck, Chair

9           Sen. Nesiba moved that the Senate do now adjourn, which motion prevailed and at 4:55 p.m.  
10          the Senate adjourned.

11

Kay Johnson, Secretary