JOURNAL OF THE SENATE
NINETY-FIFTH SESSION

TWENTIETH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Thursday, February 13, 2020

The Senate convened at 1:00 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 pages Reese Ganje and Carter Linke.

Roll Call: All members present except Sens. Curd, Ewing, Klumb, and Rusch who were excused.

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 nineteenth 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,
Brock L. Greenfield, Chair

Which motion prevailed.
MR. PRESIDENT:

The Committee on Senate Education respectfully reports that it has had under consideration SB 117 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Education respectfully reports that it has had under consideration HCR 6007 and returns the same with the recommendation that said resolution be amended as follows:

On page 2, line 12, of the House bill, after "of" delete "this state's most"

On page 2, line 12, of the House bill, after "citizens" insert "in South Dakota"

And that as so amended, said resolution do pass.

Respectfully submitted,
Kyle Schoenfish, Vice-Chair

Sen. Wiik requested a fiscal note on SB 117.
Which request was supported.

MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration SB 95 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Judiciary respectfully reports that it has had under consideration HB 1074 and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Lance Russell, Chair

MR. PRESIDENT:

The Committee on Senate Agriculture and Natural Resources respectfully reports that it has had under consideration SB 162 and returns the same with the recommendation that said bill be amended as follows:

On page 2, line 15, of the Introduced bill, delete "a cartridge having a bullet diameter of less than .225 inches" and insert "rimfire cartridges"
And that as so amended, said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Senate Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1039 and returns the same with the recommendation that said bill do pass, and having been certified as uncontested, be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Senate Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1084 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Gary L. Cammack, Chair

MR. PRESIDENT:

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration SB 101 and 104 which were deferred to the 41st Legislative Day.

Also MR. PRESIDENT:

The Committee on Senate Commerce and Energy respectfully reports that it has had under consideration SB 181 and returns the same with the recommendation that said bill be amended as follows:

181A

(14) "Short term major medical plan," a major medical policy that is issued for a limited duration of less than twelve months and renewable at the option of the insurer"

On page 2, line 28, of the Introduced bill, after "effect." delete "Section 2. That § 58-17J-1 be AMENDED:

58-17J-1. Definitions.

Terms used in this chapter mean:

(1) "Health benefit plan," any hospital or medical expense policy or certificate, hospital or medical service plan, nonprofit hospital, medical-surgical health service corporation contract or certificate, provider sponsored integrated health delivery network, self-insured plan or plan provided by multiple employer welfare arrangements, health maintenance organization subscriber contract of more than six-month twelve-month duration, or any health benefit plan that affects the rights of
a South Dakota insured and bears a reasonable relation to South Dakota, whether delivered or
issued for delivery in South Dakota. The term does not include specified disease, hospital indemnity,
fixed indemnity, accident only, credit, dental, vision, Medicare supplement, long-term care or
disability income insurance, coverage issued as a supplement to liability insurance, workers'
compensation or similar insurance, automobile medical payment insurance, or any plan or coverage
exempted from state regulation by the Employee Retirement Income Security Act of 1974 (ERISA),
29 U. S. C. 18;

(2) "Health insurer," any entity within the definitions set forth in subdivisions 58-17F-1(11),
(12), and (15), any entity offering a health benefit plan as defined by § 58-17F-2, all self-insurers
or multiple employer welfare arrangements, and self-insured employer-organized associations. The
term does not include any entity exempted from state regulation by the Employee Retirement

(3) "Health care provider," any individual or entity within the scope of the definition of health
care provider as defined by subdivision 58-17F-1(9)."

And that as so amended, said bill do pass, and having been certified as uncontested, be placed
on the consent calendar.

Respectfully submitted,

Jim Stalzer, Chair

MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration
HB 1034 and returns the same with the recommendation that said bill be amended as follows:

On page 1, line 13, of the Introduced bill, after "4-8." insert "

**Section 1.** That § 10-18A-5 be AMENDED:


The amount of refund of real property taxes due or paid for a single-member household made
pursuant to this chapter shall be according to the following schedule:

<table>
<thead>
<tr>
<th>Household Income</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>$6,017,510</td>
</tr>
<tr>
<td>$6,017,511</td>
<td>35%</td>
</tr>
<tr>
<td>$6,286,770</td>
<td>$6,556,030</td>
</tr>
<tr>
<td>$6,286,771</td>
<td>34%</td>
</tr>
<tr>
<td></td>
<td>33%</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-------</td>
</tr>
<tr>
<td>1</td>
<td>6,557,031</td>
</tr>
<tr>
<td>2</td>
<td>6,826,291</td>
</tr>
<tr>
<td>3</td>
<td>7,095,551</td>
</tr>
<tr>
<td>4</td>
<td>7,365,811</td>
</tr>
<tr>
<td>5</td>
<td>7,634,071</td>
</tr>
<tr>
<td>6</td>
<td>7,903,331</td>
</tr>
<tr>
<td>7</td>
<td>8,172,591</td>
</tr>
<tr>
<td>8</td>
<td>8,442,851</td>
</tr>
<tr>
<td>9</td>
<td>8,711,111</td>
</tr>
<tr>
<td>10</td>
<td>8,980,111</td>
</tr>
<tr>
<td>11</td>
<td>9,249,631</td>
</tr>
<tr>
<td>12</td>
<td>9,519,891</td>
</tr>
<tr>
<td>13</td>
<td>9,788,151</td>
</tr>
<tr>
<td>14</td>
<td>10,057,411</td>
</tr>
<tr>
<td>15</td>
<td>10,327,671</td>
</tr>
<tr>
<td>16</td>
<td>10,596,931</td>
</tr>
<tr>
<td>17</td>
<td>10,865,191</td>
</tr>
</tbody>
</table>
On page 1, line 13, of the Introduced bill, after "4-8." insert "

Section 2. That § 10-18A-6 be AMENDED:

10-18A-6. Multiple-member household refund schedule.

The amount of refund of real property taxes due or paid for a multiple-member household made pursuant to this chapter shall be according to the following schedule:

<table>
<thead>
<tr>
<th>Household Income</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than $0 but not more than $10,142</td>
<td>$10,142,10,740</td>
</tr>
<tr>
<td>$10,143,10,741</td>
<td>55%</td>
</tr>
<tr>
<td>$10,519,11,102</td>
<td>53%</td>
</tr>
<tr>
<td>$10,895,11,463</td>
<td>51%</td>
</tr>
<tr>
<td>$11,274,11,824</td>
<td>49%</td>
</tr>
<tr>
<td>$11,645,12,184</td>
<td>47%</td>
</tr>
<tr>
<td>$12,024,12,547</td>
<td>45%</td>
</tr>
<tr>
<td>$12,400,13,022</td>
<td>43%</td>
</tr>
<tr>
<td>$12,772,13,507</td>
<td>41%</td>
</tr>
<tr>
<td>$13,144,14,002</td>
<td>39%</td>
</tr>
<tr>
<td>$13,516,14,507</td>
<td>37%</td>
</tr>
<tr>
<td>$13,888,15,002</td>
<td>35%</td>
</tr>
<tr>
<td>$14,260,15,507</td>
<td>33%</td>
</tr>
<tr>
<td>$14,632,16,002</td>
<td>31%</td>
</tr>
<tr>
<td>$15,004,16,507</td>
<td>29%</td>
</tr>
<tr>
<td>$15,376,17,002</td>
<td>27%</td>
</tr>
<tr>
<td>$15,748,17,507</td>
<td>25%</td>
</tr>
<tr>
<td>$16,120,18,002</td>
<td>23%</td>
</tr>
<tr>
<td>$16,492,18,507</td>
<td>21%</td>
</tr>
<tr>
<td>$16,864,19,002</td>
<td>19%</td>
</tr>
<tr>
<td>$17,236,19,507</td>
<td>17%</td>
</tr>
<tr>
<td>$17,608,20,002</td>
<td>15%</td>
</tr>
<tr>
<td>$17,980,20,507</td>
<td>13%</td>
</tr>
<tr>
<td>$18,352,21,002</td>
<td>11%</td>
</tr>
<tr>
<td>$18,724,21,507</td>
<td>9%</td>
</tr>
<tr>
<td>$19,096,22,002</td>
<td>7%</td>
</tr>
<tr>
<td>$19,468,22,507</td>
<td>5%</td>
</tr>
<tr>
<td>$19,840,23,002</td>
<td>3%</td>
</tr>
<tr>
<td>$20,212,23,507</td>
<td>1%</td>
</tr>
</tbody>
</table>

No refund
Thursday, February 13, 2020 – 20th Legislative Day

1  11,646,12,185  47%
2  12,021,12,545
3  45%
4  12,022,12,546
5  43%
6  12,398,12,907
7  41%
8  12,774,13,268
9  39%
10 13,149,13,628
11 37%
12 13,526,13,990
13 35%
14 13,902,14,351
15 33%
16 14,278,14,712
17 31%
18 14,654,15,073
19 29%
20 15,029,15,434
21 27%
22 15,405,15,795
23 25%
24 15,781,16,156
25 23%
26 16,156,16,516
27 21%
28 16,532,16,877
29 19%
30 16,910,17,240
31  No refund
32  "
33  On page 1, line 13, of the Introduced bill, after "4-8." insert "

On page 1, line 13, of the Introduced bill, after "4-8." insert "
No refund
Section 3. That § 10-45A-5 be AMENDED:

10-45A-5. Refund amounts for single-member households.

The amount of any claim made pursuant to this chapter by a claimant from a household consisting solely of one person shall be determined as follows:

(1) If the claimant's income is six thousand seventeen six thousand five hundred ten dollars or less, a sum of two hundred fifty-eight dollars;

(2) If the claimant's income is six thousand eighteen six thousand five hundred eleven dollars and not more than twelve thousand four hundred ninety-twelve thousand seven hundred sixty dollars, a sum of forty-six dollars plus three and four-tenths percent of the difference between twelve thousand four hundred ninety-twelve thousand seven hundred sixty dollars and the income of the claimant; and

(3) If the claimant's income is more than twelve thousand four hundred ninety-twelve thousand seven hundred sixty dollars, no refund.

""

On page 1, line 13, of the Introduced bill, after "4-8." insert "

Section 4. That § 10-45A-6 be AMENDED:

10-45A-6. Refund amounts for multiple-member households.

The amount of any claim made pursuant to this chapter by a claimant from a household consisting of more than one person shall be determined as follows:

(1) If household income is ten thousand one hundred forty-two thousand seven hundred forty dollars or less, the sum of five hundred eighty-one dollars;

(2) If household income is ten thousand one hundred forty-three thousand seven hundred forty-one dollars and not more than sixteen thousand nine hundred ten seventeen thousand two hundred forty dollars, a sum of seventy-four dollars plus seven and eight-tenths percent of the difference between sixteen thousand nine hundred ten seventeen thousand two hundred forty dollars and total household income; and

(3) If household income is more than sixteen thousand nine hundred ten seventeen thousand two hundred forty dollars, no refund.

""
Also MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1102 and 1217 which were tabled.

Respectfully submitted,
Sen. Wiik, Co-Chair

Respectfully submitted,
Rep. Karr, Co-Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 10, 11, 12, 13, and 30 were delivered to her Excellency, the Governor, for her approval at 9:20 a.m., February 13, 2020.

Respectfully submitted,
Brock L. Greenfield, Chair

Mr. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 14 and 15 and finds the same correctly enrolled.

Respectfully submitted,
Brock L. Greenfield, Chair

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to return herewith SB 50 which has been amended by the House and your concurrence in the amendments is respectfully requested.

Also Mr. PRESIDENT:

I have the honor to transmit herewith HB 1077, 1107, 1116, 1129, 1131, and 1138 which have passed the House and your favorable consideration is respectfully requested.

Also Mr. PRESIDENT:

I have the honor to return herewith SB 14 and 15 which have passed the House without change.

Also Mr. PRESIDENT:

I have the honor to transmit herewith HCR 6005 which has been adopted by the House and your concurrence is respectfully requested.

Respectfully,
Mary Lou Goehring, Chief Clerk

MOTIONS AND RESOLUTIONS

HCR 6005: A CONCURRENT RESOLUTION, Commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the State of South Dakota.

Was read the first time and referred to the Committee on State Affairs.
CONSIDERATION OF REPORTS OF COMMITTEES

Sen. Langer moved that the reports of the Standing Committees on Health and Human Services on SB 81 as found on page 203 of the Senate Journal; also State Affairs on SB 128 as found on page 196 of the Senate Journal; also State Affairs on SB 155 as found on page 196 of the Senate Journal be adopted.

Which motion prevailed and the reports were adopted.

CONSIDERATION OF EXECUTIVE APPOINTMENTS

The Senate proceeded to the consideration of the executive appointment of Shawnie Rechtenbaugh of Hughes County, Pierre, South Dakota, to the position of Secretary of the Department of Human Services.

The question being "Does the Senate advise and consent to the executive appointment of Shawnie Rechtenbaugh pursuant to the executive message as found on page 126 of the Senate Journal?"

And the roll being called:

Yeas 31, Nays 0, Excused 4, Absent 0

Yeas:

Excused:
Curd, Ewing, Klumb, and Rusch

So the question having received an affirmative vote of a majority of the members-elect, the President declared the appointment confirmed.

Sen. Brock Greenfield moved that the rules be suspended for the sole purpose of advising and consenting to the confirmation of Dr. Benjamin Jones to the position of Secretary of the Department of Education.

The question being on Sen. Brock Greenfield's motion that moved that the rules be suspended for the sole purpose of advising and consenting to the confirmation of Dr. Benjamin Jones to the position of Secretary of the Department of Education.

And the roll being called:

Yeas 31, Nays 0, Excused 4, Absent 0

Yeas:

Excused:
Curd, Ewing, Klumb, and Rusch
So the motion having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the motion carried.

The Senate proceeded to the consideration of the executive appointment of Dr. Benjamin Jones of Lincoln County, Sioux Falls, South Dakota, to the position of Secretary of the Department of Education.

The question being "Does the Senate advise and consent to the executive appointment of Dr. Benjamin Jones pursuant to the executive message as found on page 126 of the Senate Journal?"

And the roll being called:

Yeas 31, Nays 0, Excused 4, Absent 0

Yeas:

Excused:
Curd, Ewing, Klumb, and Rusch

So the question having received an affirmative vote of a majority of the members-elect, the President declared the appointment confirmed.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

The President declared that SB 78 was withdrawn at the request of the prime sponsor pursuant to Joint Rule 6B-1.1.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1129: FOR AN ACT ENTITLED, An Act to authorize the provision of telecommunications device location information to law enforcement agencies.

HB 1131: FOR AN ACT ENTITLED, An Act to prohibit the use of misleading identification for telephonic communications.

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

HB 1138: FOR AN ACT ENTITLED, An Act to establish shooting course requirements for current or former law enforcement officers seeking an enhanced permit to carry a concealed pistol.

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

HB 1116: FOR AN ACT ENTITLED, An Act to revise provisions regarding the use of perpetual care trust funds to maintain cemeteries.

Was read the first time and referred to the Committee on Local Government.
HB 1077: FOR AN ACT ENTITLED, An Act to establish certain requirements regarding funeral processions.

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

HB 1107: FOR AN ACT ENTITLED, An Act to define style and form and authorize the code commission to make certain style and form edits to legislative acts.

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

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1020: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the use of exemption certificates.

HB 1066: FOR AN ACT ENTITLED, An Act to revise and repeal provisions regarding aviation.

HB 1075: FOR AN ACT ENTITLED, An Act to repeal certain outdated provisions regarding annexation near airports.

HB 1144: FOR AN ACT ENTITLED, An Act to remove the requirement for a ballot election in township elections if candidates are unopposed.

Were read the second time.

The question being "Shall HB 1066 pass as amended, and HB 1020, 1075, and 1144 pass?"

And the roll being called:

Yeas 31, Nays 0, Excused 4, Absent 0

Yeas:

Excused:
Curd, Ewing, Klumb, and Rusch

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

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 46: FOR AN ACT ENTITLED, An Act to revise provisions related to the restoration to competency of criminal defendants.

Was read the second time.
The question being "Shall SB 46 pass as amended?"
And the roll being called:
Yeas 28, Nays 3, Excused 4, Absent 0

Yeas:
Blare, Bolin, Cammack, Castleberry, Duhamel, Foster, Brock Greenfield, Phil Jensen, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauser, Sutton, White, Wiik, and Youngberg

Nays:
Heinert, Kennedy, and Wismer

Excused:
Curd, Ewing, Klumb, and Rusch

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

SB 65: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to trusts.

Was read the second time.
The question being "Shall SB 65 pass as amended?"
And the roll being called:
Yeas 27, Nays 3, Excused 5, Absent 0

Yeas:
Blare, Bolin, Cammack, Castleberry, Duhamel, Brock Greenfield, Heinert, Phil Jensen, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Russell, Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauser, Sutton, White, Wiik, and Youngberg

Nays:
Kennedy, Nesiba, and Wismer

Excused:
Curd, Ewing, Foster, Klumb, and Rusch

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

SB 120: FOR AN ACT ENTITLED, An Act to establish exceptions regarding the possession of a pistol by a minor.

Was read the second time.
The question being "Shall SB 120 pass as amended?"
And the roll being called:
Yeas 31, Nays 0, Excused 4, Absent 0
Yeas:
Blare, Bolin, Cammack, Castleberry, Duhamel, Foster, Brock Greenfield, Heinert, Phil Jensen,
Kennedy, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Russell,
Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and
Youngberg

Excused:
Curd, Ewing, Klumb, and Rusch

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

SB 139: FOR AN ACT ENTITLED, An Act to revise provisions regarding replacement nursing
facilities.

Was read the second time.

The question being "Shall SB 139 pass as amended?"

And the roll being called:
Yeas 31, Nays 0, Excused 4, Absent 0

Yeas:
Blare, Bolin, Cammack, Castleberry, Duhamel, Foster, Brock Greenfield, Heinert, Phil Jensen,
Kennedy, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Russell,
Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and
Youngberg

Excused:
Curd, Ewing, Klumb, and Rusch

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

SB 146: FOR AN ACT ENTITLED, An Act to revise provisions related to tribal identification
cards.

Was read the second time.

The question being "Shall SB 146 pass as amended?"

And the roll being called:
Yeas 31, Nays 0, Excused 4, Absent 0

Yeas:
Blare, Bolin, Cammack, Castleberry, Duhamel, Foster, Brock Greenfield, Heinert, Phil Jensen,
Kennedy, Kolbeck, Lake, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Russell,
Schoenbeck, Schoenfish, V. J. Smith, Soholt, Stalzer, Steinhauer, Sutton, White, Wiik, Wismer, and
Youngberg
Excused: Curd, Ewing, Klumb, and Rusch

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

**SB 24:** FOR AN ACT ENTITLED, An Act to revise the fees for pesticide registration, private applicator licenses, commercial applicator licenses, and pesticide dealer licenses.

Was read the second time.

The question being "Shall SB 24 pass as amended?"

And the roll being called:

Yeas 29, Nays 2, Excused 4, Absent 0


Nays: Phil Jensen and Russell

Excused: Curd, Ewing, Klumb, and Rusch

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.

Sen. Langer moved that **SB 92 and 152, and HB 1023, 1032, 1051, and 1083** be deferred to Tuesday, February 18, 2020, the 21st legislative day.

Which motion prevailed.

**SIGNING OF BILLS**

The President publicly read the title to

**SB 14:** FOR AN ACT ENTITLED, An Act to revise registration requirements for motor vehicles, motorcycles, snowmobiles, trailers, and semitrailers.

**SB 15:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the retention of motor vehicle title documents by the Department of Revenue.

**HB 1040:** FOR AN ACT ENTITLED, An Act to increase the frequency of background investigations for certain state employees.

**HB 1055:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the termination of a political committee under certain circumstances.
HB 1061: FOR AN ACT ENTITLED, An Act to exempt vehicles owned by improvement districts from certain vehicle registration fees.

And signed the same in the presence of the Senate.

Sen. V. J. Smith moved that the Senate do now adjourn, which motion prevailed and at 2:33 p.m. the Senate adjourned.

Kay Johnson, Secretary