

Committee: Joint Committee on Appropriations

Monday, March 02, 2020 8:00 AM

Roll Call

Present: Sen. Nesiba, Rep. Saba, Sen. White, Sen. Sutton, Sen. Partridge, Sen. Lake, Sen. Kolbeck, Sen. Brock Greenfield, Rep. Bartels, Rep. Gross, Rep. Howard, Rep. Koth, Rep. Sue Peterson, Rep. Post, Sen. Maher, Rep. Hunhoff, Sen. Wiik, and Rep. Karr

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Karr

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 26TH

Moved by: Post
Second by: Partridge
Action: Prevailed by voice vote

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 27TH

Moved by: Post
Second by: Wiik
Action: Prevailed by voice vote

HB 1044 : make an appropriation to the Board of Regents to fund the development of the Cyber Incubator and Entrepreneurial Center at Dakota State University and to declare an emergency.

Presented by: Paul B. Beran, Executive Director and CEO, Board of Regents
José-Marie Griffiths, President, Dakota State University
Proponents: Josh Pauli, Vice President for Research & Economic Development, Dakota State University
Derek Johnson, Bureau of Finance and Management

MOTION: DO PASS HB 1044

Moved by: Partridge
Second by: Wiik
Action: Prevailed by roll call vote (15-3-0-0)

Voting Yes: Nesiba, Saba, White, Sutton, Partridge, Lake, Kolbeck, Brock Greenfield, Bartels, Gross, Koth, Sue Peterson, Hunhoff, Wiik, and Karr

Voting No: Howard, Post, and Maher

HB 1045 : authorize the Board of Regents to contract for the design, renovation of, and addition to, the E.Y. Berry Library on the campus of Black Hills State University and to make an appropriation therefor.

Presented by: Paul B. Beran, Executive Director and CEO, Board of Regents
Proponents: Kathy Johnson, Vice President for Finance and Administration, Black Hills State University

Randy Culver, Associate Vice President for Facilities & Sustainability, Black Hills State University

MOTION: DO PASS HB 1045

Moved by: Partridge
Second by: Wiik
Action: Prevailed by roll call vote (13-5-0-0)

Voting Yes: Nesiba, Saba, White, Sutton, Partridge, Lake, Brock Greenfield, Bartels, Gross, Koth, Maher, Hunhoff, and Wiik

Voting No: Kolbeck, Howard, Sue Peterson, Post, and Karr

HB 1046 : authorize the Board of Regents to contract for the design, renovation of, and addition to, the Devereaux Library on the campus of the South Dakota School of Mines and Technology and to make an appropriation therefor.

Presented by: Paul B. Beran, Executive Director and CEO, Board of Regents
Proponents: Bill Spindle, Board of Regents (Handout(s) No. 1)
Heather Forney, Board of Regents

MOTION: AMEND HB 1046

1046A

- On page 1, line 16, of the Introduced bill, after "authority" delete " from donations or other external sources"
- On page 2, line 1, of the Introduced bill, after "The " insert "acquisition, construction, completion, remodeling, maintenance and equipping of the Devereaux Library by the Building Authority being in the public interest, the "
- On page 2, line 1, of the Introduced bill, delete "the Devereaux Library project, including the issuance of revenue bonds not to exceed four million dollars " and insert "up to four million dollars of the design and construction costs of the Devereaux Library project through the issuance of revenue bonds, "
- On page 2, after line 7, of the Introduced bill, insert "
Section 7. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

- "
- On page 2, after line 7, of the Introduced bill, insert "
Section 8. The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law.
- "

Moved by: Wiik
Second by: Partridge
Action: Prevailed by voice vote

MOTION: DO PASS HB 1046 AS AMENDED

Moved by: Wiik

Second by: Partridge
Action: Prevailed by roll call vote (16-2-0-0)

Voting Yes: Nesiba, Saba, White, Sutton, Partridge, Lake, Kolbeck, Brock Greenfield, Bartels, Gross, Koth, Sue Peterson, Post, Hunhoff, Wiik, and Karr

Voting No: Howard and Maher

HB 1227 : make an appropriation for the rural veterinary medical education program and to declare an emergency.

Presented by: Representative Randy Gross

Proponents: Barry Dunn, President, South Dakota State University
Denis Hedge, Provost and Vice President for Academic Affairs, South Dakota State University
Brenda Forman, South Dakota Association of Cooperatives
Brenda Forman, South Dakota Cattleman's Association
Jennifer Stalley, South Dakota Veterinary Medical Association
Lorin Pankratz, South Dakota Pork Producers
Lorin Pankratz, South Dakota Soybean Association

Opponents: Derek Johnson, Bureau of Finance and Management

MOTION: AMEND HB 1227

1227A

On page 1, line 4, of the Introduced bill, delete " two hundred fifty thousand dollars (\$250,000)" and insert " five hundred fifty thousand dollars (\$550,000)"

Moved by: Post
Second by: Partridge
Action: Prevailed by voice vote

MOTION: AMEND HB 1227

1227B

On the previously adopted amendment (1227A), On page 1, line 11, delete "2021 " and insert "2022 "

Moved by: Wiik
Second by: Bartels
Action: Prevailed by voice vote

MOTION: DO PASS HB 1227 AS AMENDED

Moved by: Kolbeck
Second by: Lake
Action: Prevailed by roll call vote (16-1-1-0)

Voting Yes: Nesiba, White, Sutton, Partridge, Lake, Kolbeck, Brock Greenfield, Bartels, Gross, Koth, Sue Peterson, Post, Maher, Hunhoff, Wiik, and Karr

Voting No: Howard

Excused: Saba

MOTION: RECONSIDER HB 1045

Moved by: Wiik
Second by: Partridge
Action: Prevailed by voice vote

MOTION: AMEND HB 1045

1045A

On page 2, line 1, of the Introduced bill, after "The " insert "acquisition, construction, completion, remodeling, maintenance and equipping of the E. Y. Berry Library by the Building Authority being in the public interest, the "

On page 2, line 1, of the Introduced bill, delete " the E. Y. Berry Library project, including the issuance of revenue bonds not to exceed a total of five million four hundred thousand dollars" and insert " up to five million four hundred thousand dollars of the design and construction costs of the E.Y. Berry Library project through the issuance of revenue bonds"

On page 2, after line 7, of the Introduced bill, insert "

Section 7. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

"

On page 2, after line 7, of the Introduced bill, insert "

Section 8. The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law.

"

Moved by: Wiik
Second by: Partridge
Action: Prevailed by voice vote

MOTION: DO PASS HB 1045 AS AMENDED

Moved by: Wiik
Second by: Partridge
Action: Prevailed by roll call vote (14-3-1-0)

Voting Yes: Nesiba, White, Sutton, Partridge, Lake, Kolbeck, Brock Greenfield, Bartels, Gross, Koth, Maher, Hunhoff, Wiik, and Karr

Voting No: Howard, Sue Peterson, and Post

Excused: Saba

SB 40 : authorize the Board of Regents to contract for the construction of an Allied Health Facility and the demolition of Julian Hall and the Julian Hall Addition to the University of South Dakota, to make an appropriation therefor, and to declare an emergency.

Presented by: Senator Arthur Rusch

Proponents: Paul B. Beran, Executive Director and CEO, Board of Regents
 Sheila Gestring, President, University of South Dakota (Handout(s) No. 2)
 Carson Zubke, USD Student Government Association (Handout(s) No. 3, No. 4)
 Hannah Booth, USD Student Government Association
 Derek Johnson, Bureau of Finance and Management
 Deb Fischer-Clemens, Avera
 Dean Krogman, SD Medical Association
 Tim Rave, SD Association of Healthcare Organizations
 Paul Knecht, SD Dental Association
 Debra Owen, Sioux Falls Area Chamber of Commerce
 Jennifer Stalley, South Dakota Nurses Association
 Haifa Samra, Dean, School of Health Sciences, University of South Dakota

MOTION: AMEND SB 40

40A

On page 2, line 4, of the Introduced bill, after "The " insert "acquisition, construction, completion, maintenance and equipping of the Allied Health Facility by the Building Authority being in the public interest, the "

On page 2, line 4, of the Introduced bill, delete " the Allied Health Facility, including the issuance of revenue bonds not to exceed a total of twelve million five hundred thousand dollars" and insert " up to twelve million five hundred thousand dollars of the design and construction costs of the Allied Health Facility through the issuance of revenue bonds"

On page 2, after line 25, of the Introduced bill, insert "

Section 10. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

"

On page 2, after line 25, of the Introduced bill, insert "

Section 11. The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law.

"

Moved by: Wiik
Second by: Bartels
Action: Prevailed by voice vote

MOTION: AMEND SB 40

40B

On the previously adopted amendment (40A), On page 1, after line 22, insert "

Section 3. The general fund appropriation provided by section 2 of this Act is contingent upon the university obtaining matching funds of four million five hundred thousand dollars (\$4,500,000).

"

Moved by: Partridge
Second by: Maher
Action: Prevailed by voice vote

MOTION: DO PASS SB 40

Moved by: Wiik
Second by: Bartels
Action: Withdrawn

MOTION: AMEND SB 40

40C

On the previously adopted amendment (40B), On page 1, line 23, after "Act." delete "Section 3. The general fund appropriation provided by section 2 of this Act is contingent upon the university obtaining matching funds of four million five hundred thousand dollars (\$4,500,000)."

On the previously adopted amendment (40B), On page 3, after line 10, insert "
Section 12. The general fund appropriation provided by section 2 of this Act is contingent upon the university obtaining matching funds of four million five hundred thousand dollars (\$4,500,000).

"
Moved by: Partridge
Second by: Maher
Action: Prevailed by voice vote

MOTION: DO PASS SB 40 AS AMENDED

Moved by: Wiik
Second by: Bartels
Action: Prevailed by roll call vote (12-4-2-0)

Voting Yes: Nesiba, White, Sutton, Partridge, Lake, Kolbeck, Bartels, Koth, Sue Peterson, Maher, Hunhoff, and Wiik

Voting No: Gross, Howard, Post, and Karr

Excused: Saba and Brock Greenfield

SB 41 : authorize the Board of Regents to contract for the construction of a facilities building at the University of South Dakota and to make an appropriation therefor.

Presented by: Sheila Gestring, President, University of South Dakota

MOTION: DO PASS SB 41

Moved by: Partridge
Second by: Post
Action: Prevailed by roll call vote (14-1-3-0)

Voting Yes: Nesiba, White, Sutton, Partridge, Lake, Kolbeck, Bartels, Gross, Howard, Koth, Sue Peterson, Post, Hunhoff, and Karr

Voting No: Maher

Excused: Saba, Brock Greenfield, and Wiik

SB 42 : authorize the Board of Regents to demolish three storage structures and contract for the construction of a grounds facility at the University of South Dakota and to make an appropriation therefor.

Presented by: Sheila Gestring, President, University of South Dakota

MOTION: DO PASS SB 42

Moved by: Partridge
Second by: Sutton
Action: Prevailed by roll call vote (14-1-3-0)

Voting Yes: Nesiba, White, Sutton, Partridge, Lake, Kolbeck, Bartels, Gross, Howard, Koth, Sue Peterson, Post, Hunhoff, and Karr

Voting No: Maher

Excused: Saba, Brock Greenfield, and Wiik

SB 43 : authorize the South Dakota Building Authority to issue revenue bonds to provide for maintenance and repair on facilities controlled by the Board of Regents and to provide appropriation therefor.

Presented by: Heather Forney, Board of Regents (Handout(s) No. 5)

MOTION: DO PASS SB 43

Moved by: Partridge
Second by: Kolbeck
Action: Prevailed by roll call vote (14-2-2-0)

Voting Yes: Nesiba, White, Sutton, Partridge, Lake, Kolbeck, Bartels, Gross, Koth, Sue Peterson, Post, Hunhoff, Wiik, and Karr

Voting No: Howard and Maher

Excused: Saba and Brock Greenfield

MOTION: ADJOURN

Moved by: Kolbeck
Second by: Bartels
Action: Prevailed by voice vote

Crystal Ortbahn, Committee Secretary

/s/ CHRIS G. KARR
Chris G. Karr, Co-Chair

/s/ JOHN WIIK
John Wiik, Co-Chair