JOURNAL OF THE SENATE

NINETY-FIFTH SESSION

TWENTY-NINTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, March 02, 2020

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

The prayer was offered by the Chaplain, Deacon Kris Wollman, followed by the Pledge of Allegiance led by Senate pages Emma Kopplin and BriAnna Linn.

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 twenty-eighth 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.

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COMMUNICATIONS AND PETITIONS

January 12, 2020

The Honorable Larry Rhoden
President of the Senate
State Capitol
Pierre, SD 57501

Dear President and Members of the Senate:

Pursuant to the provisions of Chapter 24-13 of the South Dakota Codified Laws and subject to your consent, I have the honor to inform you that I have reappointed Patricia White Horse Carda, Charles Mix County, Wagner, South Dakota, to the Board of Pardons and Paroles.

This appointment is effective January 21, 2020, and shall continue until January 20, 2024.

Sincerely,
Kristi Noem
Governor

The President announced the referral of the reappointment to the Committee on Judiciary.

February 24, 2020

The Honorable Larry Rhoden
President of the Senate
State Capitol
Pierre, SD 57501

Dear President and Members of the Senate:

Pursuant to the provisions of Chapter 24-13 of the South Dakota Codified Laws and subject to your consent, I have the honor to inform you that I have appointed Peter Lieberman, Minnehaha County, Sioux Falls, South Dakota, to the Board of Pardons and Paroles.

This appointment is effective February 6, 2020, and shall continue until January 20, 2024.

Sincerely,
Kristi Noem
Governor

The President announced the referral of the appointment to the Committee on Judiciary.

February 27, 2020

Mr. President and Members of the Senate:

I have the honor to inform you that on February 27, 2020, I approved Senate Bill 54, and the same has been deposited in the office of the Secretary of State.

Respectfully submitted,
Kristi Noem
Governor

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Senate Local Government respectfully reports that it has had under consideration **HB 1166** and returns the same with the recommendation that said bill be amended as follows:

1166A

On page 1, line 2, of the Introduced bill, after "districts" insert " and to declare an emergency"

On page 2, after line 3, of the Introduced bill, insert "

Section 1. That a NEW SECTION be added:

46A-14-39.2. Reactivated watershed district--Implementation of new tax levy.

If a watershed district is reactivated in accordance with § 49A-14-39.1, the reactivated watershed district shall comply with the provisions and procedures established in §§ 46A-14-47 through 46A-14-58 to implement any new tax levy authorized under this chapter. Once the new tax levy is implemented, the reactivated watershed district is no longer required to comply with the provisions of this section and will have met the requirements of §§ 10-13-35.12 and 10-13-35.13.

"

On page 2, line 4, of the Introduced bill, after "4. " insert "Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate Local Government respectfully reports that it has had under consideration **HB 1182 and 1242** and returns the same with the recommendation that said bills do pass.

Respectfully submitted,
Phil Jensen, Chair

MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1054** and returns the same with the recommendation that said bill be amended as follows:

1054J

On page 1, line 6, of the House bill, after "number" insert ", the number from a tribal identification card from a tribe with a memorandum of understanding,"

On page 1, line 7, of the House bill, after "license" insert ", a tribal identification card from a tribe with a memorandum of understanding,"

On page 1, line 10, of the House bill, after "license," insert " a tribal identification card from a tribe with a memorandum of understanding,"

On page 1, line 13, of the House bill, after "nor," insert " a tribal identification card from a tribe with a memorandum of understanding,"

On page 1, line 20, of the House bill, after "§ 32-12-3.5." insert "

The secretary of state may enter a memorandum of understanding with any federally recognized tribe in South Dakota that wishes to exercise the tribe's sovereign right to enter the agreement, to allow the number on a tribal identification card, as defined under § 1-54-7, of that tribe to be used on an application for voter registration. A memorandum of understanding under this section shall provide for notification to county auditors of the memorandum of understanding and shall include a process to allow the secretary of state to verify information provided on the tribal identification card.

"

1054K

On the House Engrossed bill, delete the previously adopted amendment (1054J).

1054O

On page 1, line 15, of the House bill, after "Elections." delete " Consistent with 52 U. S. C. § 21084, as of January 1, 2020, in addition to signing the statement, the person shall provide documentation that would establish identity and date of birth under § 32-12-3. 1, documentation that would demonstrate lawful status under § 32-12-3. 3, and two documents with the person's name and residence address that would establish the applicant's address of primary residence under § 32-12-3. 5."

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1107** and returns the same with the recommendation that said bill be amended as follows:

1107E

On page 1, line 13, of the House bill, after "policy." insert "

Nothing in this section may be construed to define the powers of the Governor as set forth in S. D. Const. , Art. IV, § 4."

1107F

On page 1, line 7, of the House bill, after "which " delete "a "

On page 1, line 11, of the House bill, after "nature" insert " or that relate to spelling or punctuation"

On page 1, line 20, of the House bill, after "eliminate;" delete " and"

On page 1, line 24, of the House bill, after "law" insert "; and

(5) Make changes necessary to allow the code to conform to current standards of style and form"

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 State Affairs respectfully reports that it has had under consideration **HB 1195** and returns the same with the recommendation that said bill be amended as follows:

1195D

On page 1, line 6, of the House State Affairs bill, delete "a crime under " and insert "violating "

On page 1, line 6, of the House State Affairs bill, delete " while pregnant" and insert " and she was pregnant when the violation occurred"

On page 1, line 7, of the House State Affairs bill, after "defense " insert "to the charge "

On page 1, line 7, of the House State Affairs bill, after "proof " insert "that "

On page 1, line 7, of the House State Affairs bill, after "she" insert ":

(1)"

On page 1, line 7, of the House State Affairs bill, delete "received " and insert "Received "

On page 1, line 8, of the House State Affairs bill, delete ", actively" and insert " from a licensed healthcare professional during her pregnancy;

(2) Actively"

On page 1, line 8, of the House State Affairs bill, delete " is born, remained" and insert " was born;

(3) Remained"

On page 1, line 9, of the House State Affairs bill, delete ", and successfully" and insert "; and

(4) Successfully"

On page 1, line 9, of the House State Affairs bill, after "program" delete ", regardless of whether the child was born with a physical dependence on or was harmed by a controlled substance"

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 State Affairs respectfully reports that it has had under consideration **HCR 6003** and returns the same with the recommendation that said resolution be amended as follows:

HCR6003B

On page 1, line 5, of the House bill, delete "States " and insert " states "

On page 1, line 10, of the House bill, delete "State's " and insert " state's "

And that as so amended, said resolution do pass.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HCR 6005** and returns the same with the recommendation that said resolution be amended as follows:

HCR6005A

On page 1, line 4, of the Introduced bill, delete "under and through the oldest recorded deed, as recorded in the Old Testament scriptures held sacred and revered by Jews and Christians alike, as presenting the acts and words of God" and insert " by a promise "

On page 1, line 6, of the Introduced bill, after "God" insert "made "

On page 1, line 6, of the Introduced bill, after "God" insert "by God to Abraham, father to the Jewish nation (Genesis 12:1-3)"

On page 1, line 15, of the Introduced bill, after "and" delete "WHEREAS, Article 80 of the United Nations Charter 22 recognized the continued validity of the rights granted to states or peoples which already existed under international instruments, and therefore the 1922 League of Nations resolution remains valid, and the six hundred fifty thousand Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside there legitimately; and

"

On page 2, line 8, of the Introduced bill, after "and" delete "WHEREAS, the dramatic increase in boycott, divestment, and sanctions campaign activities on college campuses around the country has resulted in increased animosity and intimidation against Jewish students, negatively impacting student programming related to the State of Israel and politics in the Middle East; and

WHEREAS, leaders of the boycott, divestment, and sanctions movement say their goal is to eliminate Israel as the home of the Jewish people; and

WHEREAS, messaging at anti-Israel rallies has adopted the boycott, divestment, and sanctions slogan: "from the river to the sea Palestine will be free" which means that there would be no Israel between the Jordan River and the Mediterranean Sea and that the State of Israel will cease to exist; and

"

On page 2, line 19, of the Introduced bill, delete "the " and insert "our "

On page 2, line 19, of the Introduced bill, delete "of our two nations are so intertwined that it is impossible to separate one from the other" and insert " are very similar"

On page 2, line 24, of the Introduced bill, delete "who is the God stated in our Constitution, is that He will bless those who bless Israel, and be it " and insert "is that "

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

On page 2, line 25, of the Introduced bill, after "it " insert " will bless those that will bless Israel and let it also be "

On page 2, line 26, of the Introduced bill, after "1948" delete ", a friendship that continues to strengthen with each passing year"

On page 3, line 3, of the Introduced bill, delete "self-defense upon the entirety of its own lands, and recognizes that Israel is neither an attacking force nor an occupier of the lands of others, and that peace can be afforded the region only through a whole and united Israel" and insert " recognize Israel as our principal ally in the Middle East"

And that as so amended, said resolution do pass.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HCR 6012** and returns the same with the recommendation that said resolution be amended as follows:

HCR6012C

On page 1, line 2, of the House bill, delete "the founding of this country is rooted in the belief that all men and women are endowed with the right to follow their conscience, to worship freely, and to live in accordance with their convictions" and insert " our founders approved the First Amendment of the United States Constitution that made religious freedom the initial right stated in our foundational document"

On page 1, line 5, of the House bill, delete "religious freedom is this country's first freedom and has, throughout history, been a driving force behind many of the most defining moments of our identity as a country" and insert " the First Amendment to the United States Constitution articulates the intention of our founders to prevent governmental interference in the practice of religion"

On page 1, line 8, of the House bill, delete "the First Amendment to the United States Constitution clearly articulates the intention of our founders to prevent governmental interference in the practice of religion" and insert " the ability of people to worship freely and openly and to live faithfully by the tenets of their faith is protected by the First Amendment"

On page 1, line 10, of the House bill, delete "in May 2017, President Donald J. Trump signed an Executive Order to advance religious liberty for individuals and institutions" and insert " repressive governments around the world persecute Christians and other religious worshipers, and terrorist organizations carry out barbaric violence against innocent people because of their religion"

On page 1, line 12, of the House bill, delete "our ability to worship freely and openly and to live within our faith should never be infringed" and insert " the United States desires the end of religious persecution around the world and desires to ensure respect for the freedom of religion"

On page 1, line 14, of the House bill, after "and" delete "WHEREAS, repressive governments around the world persecute Christians and other religious worshipers, and terrorist organizations carry out barbaric violence against innocent victims because of their religion; and"

On page 1, line 17, of the House bill, after "and" delete "WHEREAS, this country seeks to dispel religious persecution and discrimination around the world and to ensure respect for the freedom of religion and religious beliefs; and"

On page 1, line 19, of the House bill, delete "our founding fathers entrusted the people with the solemn responsibility of protecting religious liberty so that we, as a people and as a nation, may always stand as a guiding beacon for the world" and insert " in May 2017, President Donald J. Trump signed an Executive Order to advance religious liberty for individuals and institutions"

And that as so amended, said resolution do pass.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HB 1050, and HCR 6006** which were deferred to the 41st Legislative Day.

Also MR. PRESIDENT:

The Committee on Senate State Affairs respectfully reports that it has had under consideration **HCR 6013** and returns the same with the recommendation that said resolution do pass.

Respectfully submitted,
Bob Ewing, Chair

MR. PRESIDENT:

The Committee on Senate Health and Human Services respectfully reports that it has had under consideration **HCR 6008** and returns the same with the recommendation that said resolution do pass.

Also MR. PRESIDENT:

The Committee on Senate Health and Human Services respectfully reports that it has had under consideration **HB 1244, and HCR 6004** and returns the same with the recommendation that said bill and resolution do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Deb Soholt, Chair

MR. PRESIDENT:

The Committee on Senate Taxation respectfully reports that it has had under consideration **HB 1124 and 1279** and returns the same with the recommendation that said bills do pass, and having been certified as uncontested, be placed on the consent calendar.

Respectfully submitted,
Jeff Monroe, Chair

MESSAGES FROM THE HOUSE

Mr. PRESIDENT:

I have the honor to transmit herewith **HB 1088, 1110, 1119, 1154, 1216, 1228, 1259, 1263, 1264, and 1266** which have passed the House and your favorable consideration is respectfully requested.

Respectfully,
Mary Lou Goehring, Chief Clerk

MOTIONS AND RESOLUTIONS

Sen. Langer moved that **SCR 603** be deferred to Tuesday, March 3, 2020, the 30th legislative day.

Which motion prevailed.

CONSIDERATION OF REPORTS OF COMMITTEES

Sen. Langer moved that the report of the Standing Committee on Judiciary on **HB 1065** as found on page 364 of the Senate Journal be adopted.

Which motion prevailed and the report was adopted.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1119: FOR AN ACT ENTITLED, An Act to include certain offenses committed in another state for purposes of an enhanced penalty.

HB 1216: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding sexual harassment.

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

HB 1110: FOR AN ACT ENTITLED, An Act to provide for a uniform template to be used by each state agency in the conduct of performance management reviews.

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

HB 1228: FOR AN ACT ENTITLED, An Act to include children with a hearing loss in the reporting criteria required for deaf and hard-of-hearing children.

HB 1263: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the dates on which certain school district elections may be held.

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

HB 1088: FOR AN ACT ENTITLED, An Act to create a penalty for violation of a vulnerable adult protection order and to revise certain provisions regarding protection orders.

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

HB 1266: FOR AN ACT ENTITLED, An Act to prohibit collective bargaining by employees of the Board of Regents.

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

HB 1259: FOR AN ACT ENTITLED, An Act to clarify provisions regarding the discretionary formula for determining the assessed value of property for tax purposes.

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

HB 1154: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding motor vehicle license plates.

HB 1264: FOR AN ACT ENTITLED, An Act to revise provisions regarding the procurement of public improvements.

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

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1009: FOR AN ACT ENTITLED, An Act to revise provisions regarding failure to comply with outpatient commitment or treatment orders.

HB 1012: FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-references.

HB 1013: FOR AN ACT ENTITLED, An Act to correct technical errors in statutory cross-references.

HB 1073: FOR AN ACT ENTITLED, An Act to authorize special event alcohol licenses for full-service restaurant licensees.

HB 1095: FOR AN ACT ENTITLED, An Act to revise requirements regarding hunting mentors.

HB 1125: FOR AN ACT ENTITLED, An Act to revise conditions for selling non-temperature-controlled baked goods without license.

HB 1181: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding bounties for coyotes.

HB 1257: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding hunting, fishing, or trapping on private property without permission.

Were read the second time.

The question being "Shall **HB 1012, 1013, 1073, 1095, and 1125** pass as amended, and **HB 1009, 1181, and 1257** pass?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

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

Excused:
Partridge

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 HOUSE BILLS AND JOINT RESOLUTIONS

HB 1025: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding plugging and performance bonds for oil and gas wells.

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

The question now being on Sen. Kennedy's pending motion to amend **HB 1025** as found on page 327 of the Senate Journal.

Sen. Brock Greenfield requested a roll call vote.

Which request was supported.

The question being on Sen. Kennedy’s motion that **HB 1025** amendment 1025B pass.

And the roll being called:

Yeas 17, Nays 18, Excused 0, Absent 0

Yeas:
Blare, Foster, Brock Greenfield, Heinert, Phil Jensen, Kennedy, Kolbeck, Maher, Monroe, Nesiba, Ernie Otten, Russell, Schoenbeck, Schoenfish, V. J. Smith, Steinhauer, and Wismer

Nays:
Bolin, Cammack, Castleberry, Curd, Duhamel, Ewing, Klumb, Lake, Langer, Novstrup, Partridge, Rusch, Soholt, Stalzer, Sutton, White, Wiik, and Youngberg

So the motion to amend not having received an affirmative vote of a majority of the members-elect, the President declared the motion lost.

The question being "Shall **HB 1025** pass?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

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

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.

HB 1174: FOR AN ACT ENTITLED, An Act to establish the date of kindergarten enrollment eligibility.

Was read the second time.

The question being "Shall **HB 1174** pass as amended?"

And the roll being called:

Yeas 11, Nays 24, Excused 0, Absent 0

Yeas:
Bolin, Duhamel, Foster, Heinert, Lake, Rusch, Schoenbeck, Schoenfish, V. J. Smith, White, and Wismer

Nays:
Blare, Cammack, Castleberry, Curd, Ewing, Brock Greenfield, Phil Jensen, Kennedy, Klumb, Kolbeck, Langer, Maher, Monroe, Nesiba, Novstrup, Ernie Otten, Partridge, Russell, Soholt, Stalzer, Steinhauer, Sutton, Wiik, and Youngberg

So the bill not having received an affirmative vote of a majority of the members-elect, the President declared the bill lost.

HB 1175: FOR AN ACT ENTITLED, An Act to define dyslexia for the purposes of special education and related services.

Was read the second time.

The question being "Shall **HB 1175** pass?"

And the roll being called:

Yeas 34, Nays 1, Excused 0, Absent 0

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

Nays:
Wismer

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.

HB 1014: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled substances schedule and to declare an emergency.

Was read the second time.

The question being "Shall **HB 1014** pass?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

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

Excused:
V. J. Smith

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.

HB 1070: FOR AN ACT ENTITLED, An Act to modify requirements regarding the installation and inspection of certain electrical wiring.

Was read the second time.

The question being "Shall **HB 1070** pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

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

Excused:
V. J. Smith

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.

HB 1112: FOR AN ACT ENTITLED, An Act to authorize the hiring of law enforcement officers by the South Dakota State Brand Board and to declare an emergency.

Was read the second time.

The question being "Shall **HB 1112** pass as amended?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

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

Excused:
V. J. Smith

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.

SIGNING OF BILLS

The President publicly read the title to

HB 1109: FOR AN ACT ENTITLED, An Act to revise the Uniform Limited Liability Company Act.

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

And signed the same in the presence of the Senate.

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

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1044, and SB 41, 42, and 43** and returns the same with the recommendation that said bills do pass.

Also MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1045, which was reconsidered** and returns the same with the recommendation that said bill be amended as follows:

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 2. <u>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.</u>

"

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

Section 3. <u>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.</u>

"

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1046** and returns the same with the recommendation that said bill be amended as follows:

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 4. <u>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.</u>

"

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

Section 5. <u>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.</u>

"

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **HB 1227** and returns the same with the recommendation that said bill be amended as follows:

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)"

1227B

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

And that as so amended, said bill do pass.

Also MR. PRESIDENT:

The Joint Committee on Appropriations respectfully reports that it has had under consideration **SB 40** and returns the same with the recommendation that said bill be amended as follows:

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 6. 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 7. 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.

"

40B

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

Section 8. 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).

"

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 9. 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).

"

And that as so amended, said bill do pass.

Respectfully submitted,
John Wiik, Co-Chair

Respectfully submitted,
Chris G. Karr, Co-Chair

The following bills were read on February 27, 2020, and today the President assigned these bills to committee:

HB 1199 and 1262 were referred to the Committee on Commerce and Energy.

COMMEMORATIONS

SC 810: A LEGISLATIVE COMMEMORATION, Commending Ruth Anderson's service to the Trinity Lutheran Church in Tea.

Introduced by: Senators Ernie Otten, Partridge, and Soholt **and Representatives** Herman Otten and Latterell

SC 811: A LEGISLATIVE COMMEMORATION, Commending and honoring the Lennox School FFA chapter.

Introduced by: Senator Ernie Otten **and Representatives** Herman Otten and Latterell

SC 812: A LEGISLATIVE COMMEMORATION, Honoring and commending the Lennox Orioles High School Girls and Boys Cross Country Teams.

Introduced by: Senator Ernie Otten **and Representatives** Herman Otten and Latterell

SC 813: A LEGISLATIVE COMMEMORATION, Honoring and congratulating Derek DeGeest for being named as South Dakota Small Business Person of the Year.

Introduced by: Senator Ernie Otten **and Representatives** Herman Otten and Latterell

SC 814: A LEGISLATIVE COMMEMORATION, Honoring and commending the Lennox Orioles High School Baseball Team as Class B State champions.

Introduced by: Senator Ernie Otten **and Representatives** Herman Otten and Latterell

SC 815: A LEGISLATIVE COMMEMORATION, Commending and honoring the Tea Area Track and Field Team accomplishments during the Class A State Track and Field Tournament.

Introduced by: Senator Ernie Otten **and Representatives** Herman Otten and Latterell

Were read the first time.

Sen. Youngberg moved that the Senate do now adjourn, which motion prevailed and at 5:43 p.m. the Senate adjourned.

Kay Johnson, Secretary